



Council of the  
European Union

Brussels, 29 June 2020  
(OR. en)

8194/1/07  
REV 1 DCL 1

WTO 61  
SERVICES 28  
COASI 49

## DECLASSIFICATION

---

of document: ST 8194/1/07 REV 1 RESTREINT UE

dated: 16 April 2007

new status: Public

---

Subject: Draft Conclusions of the Council and of representatives of the Member States meeting within the Council following the Commission's Communication, on the Recommendations to open Negotiations with countries of ASEAN, India and South Korea

---

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

# RESTREINT UE



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 16 April 2007**

**8194/1/07**

**REV 1**

**RESTREINT UE**

**WTO 61**

**SERVICES 28**

**COASI 49**

## **NOTE**

---

From : Secretariat  
To : Coreper

---

Subject : Draft Conclusions of the Council and of representatives of the Member States meeting within the Council following the Commission's Communication, on the Recommendations to open Negotiations with countries of ASEAN, India and South Korea

---

The Presidency has proposed Conclusions in relation with the mandates for negotiations of Free Trade Agreements with countries of ASEAN, India and the Republic of Korea.

The Asia Oceania Working Party and the 133 Committee examined these draft Conclusions at several meetings. Coreper had a first discussion on the draft conclusions at its meeting on 3 April 2007. The outcome of this examination is set out in the Annex.

Coreper is invited to further discuss the issue and, in the light of that discussion, recommend to the Council and to the representatives of the Member States meeting within the Council, to adopt the Conclusions set out in the Annex.

# RESTREINT UE

In proposing to the Council and to the representatives of Member States to adopt adopting the following Conclusions, Coreper notes the following:

1. Partnership and Cooperation Agreements or updated Framework Agreements with India, the Republic of Korea and countries of ASEAN shall comprise the EU political clauses, including on human rights, non-proliferation, counter-terrorism, ICC, and migration and readmission, and should be negotiated in parallel with the Free Trade Agreements. Negotiations on Free Trade Agreements with these countries shall lead to agreements with a clear legal and institutional linkage to the existing or future Partnership and Cooperation Agreements or updated Framework Agreements. Such legal and institutional linkage would entail, inter alia, that the Free Trade Agreement could be totally or partially suspended if the conditions for such suspension under the Partnership and Cooperation Agreement or updated Framework Agreement apply, and that there would be a coherent institutional framework for the administration of the agreements.

2. Based on the political framework of its relations with ASEAN, the EU will strive for a Free Trade Agreement with all ASEAN countries. Negotiations will be conducted at this stage with those ASEAN countries that do not belong to the group of least developed countries. It is understood that while all ASEAN countries will be able to participate in the Free Trade Agreement negotiating process, commitments will only be negotiated with those ASEAN countries that do not belong to the group of least developed countries. Other ASEAN countries may join negotiations at a later stage on the basis of agreement by the Council. It is understood that a Free Trade Agreement with Myanmar/Burma will not be envisaged unless there is a change of political circumstances.

3. Should it not be possible to reach an agreement with ASEAN on negotiations of a Free Trade Agreement in the above mentioned format the Council may authorise the Commission to negotiate on a plurilateral or bilateral basis, including integrated bilateral agreements with each partner country, even if the PCA and FTA provisions are negotiated separately.

## **Draft Conclusions of the Council and of representatives of the Member States meeting within the Council following the Commission's Communication on the Recommendations to open Negotiations with countries of ASEAN, India and South Korea**

1. The Council reaffirms that the successful conclusion of the Doha Round remains the EU's first priority in the field of trade policy given that the multilateral trade system provides for the most effective removal of trade barriers while improving the inclusion of developing countries in the world trade system.

2. Welcoming the Commission's Communication on the recommendations to open negotiations with the Andean Community, countries of ASEAN, Central America, India and the Republic of Korea, the Council reaffirms that the EU should aim at a new generation of WTO-compatible Free Trade Agreements that extend beyond present agreements and build towards future multilateral negotiations, with the intention to strengthen the multilateral trading system. The new WTO-compatible Free Trade Agreements with emerging countries should contribute to improving competitiveness and growth in Europe and globally and support further integration of partner countries into the international trading system. They should be ambitious and comprehensive and comprise far reaching liberalisation of trade in goods and services, and investment. Special attention will be given to the elimination of non-tariff barriers.

3. The Council supports the Commission's approach for Free Trade Agreements based on economic considerations, especially the market potential of possible partner countries, the current level of trade barriers between them and the EU, and their ongoing or concluded Free Trade Agreement negotiations with EU competitors. While respecting the priority of the multilateral trade negotiations, Free Trade Agreements with countries of ASEAN, India and the Republic of Korea should be taken forward rapidly to improve the external competitiveness and market access conditions of European industries on these important markets vis-a-vis global competitors.

# RESTREINT UE

4. The Council welcomes and supports the Commission's analysis and proposals to ensure, in each case, that these agreements will be part of an overall and coherent framework of EU relations with each partner. The Council underlines its interest in also achieving a further strengthening of political ties with ASEAN countries, India and the Republic of Korea through new Partnership- and Cooperation Agreements or an updating of the existing Framework Agreements including the EU political clauses. Thus the Council underlines its interest in moving ahead swiftly with negotiations on new Partnership- and Cooperation Agreements or updated framework agreements with India and the Republic of Korea, and invites the Commission to undertake exploratory talks with the countries concerned and to report back to the Council and to make recommendations as appropriate.

5. Regarding India, the Council underlines the importance it attaches to the ongoing discussions between the EU and India about issues of common concern in the framework of the Joint Action Plan, which contribute to the creation of the basis for a future broad agreement.

6. Regarding the Republic of Korea the Council underlines its interest in a deepening of relations with the Republic of Korea so as to strengthen political ties through a future broad agreement. Concerning the Free Trade Agreement negotiations, the Council encourages the Commission to strive for a removal of existing non-tariff trade barriers by the Korean government already during the process of negotiations.

7. Regarding ASEAN, the Council warmly welcomes the Enhanced EU-ASEAN-Partnership confirmed at the 16th EU-ASEAN Ministerial Meeting in Nuremberg/Germany on 14/15th March and expresses its satisfaction with the ongoing intensification of relations including through the negotiations of Partnership- and Cooperation Agreements with several member states of ASEAN.. The Council expresses its intention to conclude a Free Trade Agreement with countries of ASEAN. The conclusion of the Free Trade Agreement will be subject to the conclusion of Partnership- and Cooperation Agreements, thus creating a coherent economic and political framework for relations between the EU and ASEAN.