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*Committee on Foreign Affairs*

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## **DRAFT INTERIM REPORT**

on the proposal for a Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part  
(COM(2013)0230 – C7-0000/2013 – 2013/0120(NLE))

Committee on Foreign Affairs

Rapporteur: Ana Gomes

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on the proposal for a Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part (COM(2013)0230 – C7-0000/2013 – 2013/0120(NLE))**

*The European Parliament,*

- having regard to the proposal for a Council decision (COM(2013)0230),
- having regard to the Cooperation Agreement of 7 March 1980 between the European Economic Community and Indonesia, Malaysia, the Philippines, Singapore and Thailand – member countries of the Association of South-East Asian Nations<sup>1</sup> (ASEAN) and subsequent accession protocols,
- having regard to its resolution of 5 September 2002 on the Commission Communication on Europe and Asia: A Strategic Framework for Enhanced Partnerships<sup>2</sup>,
- having regard to its resolution of 5 June 2003 on the situation in Indonesia, particularly in the Aceh province<sup>3</sup>,
- having regard to its resolution of 20 November 2003 on Aceh<sup>4</sup>,
- having regard to its resolution of 13 January 2005 on the recent tsunami disaster in the Indian Ocean<sup>5</sup>,
- having regard to the negotiations on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, authorised by the Council on 25 November 2004, concluded in June 2007 and signed on 9 November 2009,
- having regard to the Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services, signed on 29 June 2011<sup>6</sup>,
- having regard to its resolution of 7 July 2011 on Indonesia, including attacks on minorities<sup>7</sup>,
- having regard to its resolution of 2 February 2012 on the EU foreign policy towards the BRICS and other emerging powers: objectives and strategies<sup>8</sup>,
- having regard to Council Decision 2012/308/CFSP of 26 April 2012 on the accession of

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<sup>1</sup> OJ L 144, 10.6.1980, p. 2.

<sup>2</sup> OJ C 272 E, 13.11.2003, p. 476.

<sup>3</sup> OJ C 68 E, 18.3.2004, p. 617.

<sup>4</sup> OJ C 87 E, 7.4.2004, p. 528.

<sup>5</sup> OJ C 247 E, 6.10.2005, p. 147.

<sup>6</sup> OJ L 264, 8.10.2011, p. 2.

<sup>7</sup> OJ C 33 E, 5.2.2013, p. 201.

<sup>8</sup> OJ C 239 E, 20.8.2013, p.1.

the European Union to the Treaty of Amity and Cooperation in Southeast Asia<sup>1</sup>,

- having regard to the European Parliament Election Observation Missions' reports on elections in Indonesia of 5 April 2004 and 20 September 2004, in East Timor of 30 August 1999, 30 August 2001, 9 April 2007, 30 June 2007 and 7 July 2012, and in Aceh province of 11 December 2006,
  - having regard to Rule 81(3) of its Rules of Procedure,
  - having regard to the interim report of the Committee on Foreign Affairs (A7-0000/2013),
- A. whereas relations between the European Union and the Republic of Indonesia (herein referred to as "Indonesia") are to be governed by the abovementioned Framework Agreement on Comprehensive Partnership and Cooperation (herein referred to as "the PCA");
- B. whereas the PCA is the first of its kind between the European Union and Indonesia and aims at strengthening political, economic and sectoral cooperation and at further enhancing bilateral and regional cooperation in responding to global challenges;
- C. whereas the PCA contains, as essential elements, articles on human rights and countering the proliferation of weapons of mass destruction (WMD), as well as confirmation of the values shared by the parties as expressed in the Charter of the United Nations and their attachment to the principles of democracy, good governance and the rule of law, and provisions on small arms and light weapons (SALW), cooperation on combating terrorism, protecting human rights and the Rome Statute of the International Criminal Court;
1. Asks the Council to take into account the following recommendations:
- (a) Notes that Indonesia is the world's fourth most populous nation, with over 240 million citizens, 40% of whom are below 25 years of age and 90% of whom profess the Islamic faith, strategically located in an archipelago of more than 17 000 islands spanning 5 400 kilometres from east to west in the Indian and Pacific Oceans;
  - (b) Highlights Indonesia's 15-year process of democratic, political, social and economic transformation, after 33 years of authoritarian military rule; notes that Indonesia is urbanising rapidly, has a fast-rising middle class, ample natural resources, the largest economy in Southeast Asia (GDP growing by more than 6% in the last two years), with half of the world's trade passing its northern maritime border, and an increasing diplomatic presence in regional and global fora, such as ASEAN, the IOC and the G20;
  - (c) Commends the progress made by Indonesia in developing democratic governance and the commitment to democracy displayed by its pluralistic society; notes, however, that the rule of law and respect for human rights – including minority rights, such as religious, ethnic, gender and LGBT rights – remain weak, while

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<sup>1</sup> OJ L 154, 15.6.2012, p. 1.

corruption and impunity are rife;

- (d) Points out the fast-growing ties between the EU and Indonesia in trade and other economic areas, in view of the business opportunities offered by an economy that has attracted record levels of foreign and domestic investment; considers, however, that better infrastructure and connectivity and an improved regulatory framework are needed in order to unlock the economic potential of Indonesia and sustain growth and poverty reduction;
- (e) Stresses that the PCA aims at strengthening relations between the EU and Indonesia, based on the shared principles of equality, mutual respect, mutual benefit, democracy, the rule of law and human rights, by developing political and economic cooperation in matters concerning trade, industrial policy, the environment, climate change, energy, science and technology, good governance and conflict resolution, as well as tourism and culture, migration, counter-terrorism and the fight against piracy, corruption and organised crime;
- (f) Believes that Indonesia ought to be recognised as a strategic partner by the EU and that annual summits should be held to review bilateral and global developments; recommends that high-level visits to Indonesia take place regularly, namely by the President of the European Commission, the High Representative/Vice-President and Members of the European Parliament, and that the issue of visas should be facilitated in such a way as to intensify people-to-people exchanges;
- (g) Urges the EU and Indonesia to make full use of the PCA in order to achieve long-term geostrategic benefits in facing global security challenges, such as climate change, the proliferation of WMD and SALW, terrorism and organised crime, and exploring new areas of cooperation, such as disaster preparedness and response, data protection and maritime security;
- (h) Welcomes Indonesia's ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; expects the institutional and legal reforms to bring about compliance;
- (i) Is worried that corruption remains rampant in Indonesia, despite ratification of the 2006 UN Convention against Corruption and the action of the KPK-Corruption Eradication Commission;
- (j) Notes the continued involvement of security forces structures in the economy, in spite of the measures taken to limit the role of the military and the police to security and law enforcement;
- (k) Is concerned with Law 8/195 and the new draft law on civil organisations (the "Ormas Bill"), and urges that it be repealed, inasmuch as it restricts freedoms and scope of capacities;
- (l) Expresses deep concern about the rise of sectarian violence, discrimination and harassment of people belonging to religious and ethnic minorities, women and LGBT, perpetrated under cover of the Pornography Law;

- (m) Expresses serious concern at the spate of attacks against Ahmadiyya followers on Java, as well as the vandalisation of churches;
- (n) Pleads with the Indonesian authorities to consider abolishing the death penalty, or at least declaring a moratorium on its application, and urges the EU to make more of an effort to engage with Indonesia's civil society with a view to promoting human rights, the rule of law and the fight against corruption, as well as advocating the abolition of the death penalty;
- (o) Calls on the EU to offer assistance to the Indonesian authorities in developing a comprehensive approach to improving the situation in Papua, and not to let it continue to be a source of disturbing reports of human rights violations attributed to the security forces, as well as progress in education, healthcare and work opportunities, which are essential for Papuans, alongwith protection of the environment and of their cultural identity;
- (p) Commends the Indonesian government for its efforts in enabling the operation of the UNHCR in the country; stresses, however, the need to foster political and public support to asylum-seekers and refugees;
- (q) Calls on the Indonesian authorities to envisage the ratification of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide and to accept the jurisdiction of the International Criminal Court;
- (r) Calls on EU and Indonesia to initiate the human rights dialogue provided for in the PCA, ensuring the participation and input of civil society in the implementation of the National Plan of Action of Human Rights;
- (s) Expresses apprehension at discriminatory regulations and state practices, such as the obligation of affiliation to one of the five faiths recognised as religions in the identity card and the prohibition of inter-faith marriages;
- (t) Deplores the fact that, despite the Convention to Eliminate All Forms of Discrimination Against Women, the UN Convention on the Rights of the Child, and other UN resolutions banning female genital mutilation, this tradition is still widespread in Indonesia;
- (u) Commends the progress made by Indonesia through its National Action Plan for the Elimination of the Worst Forms of Child Labour, and its legal framework to tackle child exploitation;
- (v) Welcomes the emergence of the unions' movement and the effect that this is having on the promotion of human rights in the work place in Indonesia; notes, however, that women workers are still subject to exploitation and discrimination in the form of overwork, underpayment and abuses by management;
- (w) Stresses that exports from the EU to Indonesia have doubled in the last six years – valued at 9,6 billion euros in 2012 – despite the fact that bilateral trade was worth only 25 billion euros, making Indonesia the EU's 29th trading partner; notes,

however, that EU investment in Indonesia is booming, ranking second in terms of foreign direct investment after Singapore, and that 1 000 EU companies have invested over 1 000 billion euros and employ 1,1 million Indonesians;

- (x) Calls on Indonesia and the EU to move swiftly to establish the Comprehensive Economic Partnership Agreement with a view to removing major barriers and increasing trade in goods, investment, services and procurement;
- (y) Notes that Indonesia timber product exports to the EU rose by 114% in the first quarter of 2013, as a result of the Timber Legality Assurance System (TLAS); expects that joint regular assessments will examine the capacity of relevant players to implement the TLAS, which prohibits trade in illegal products and requires due diligence on the part of EU wood industry operators;
- (z) Notes that the EU and its Member States provided more than 388 million dollars in development assistance to Indonesia in 2012, and recommends that that assistance be applied in supporting education, general capacity-building and the environment and combating climate change;
- (aa) Takes the view that the EU should offer assistance in the implementation of the new 5-10 year Master Plan for Development and that it should share its experience in respect of public-private partnerships, so that financial arrangements will not fuel corruption and overburden taxpayers;
- (ab) Welcomes the PCA's provisions designed to promote cooperation and facilitate trade and investment flows and people-to-people exchanges in the context of EU-ASEAN initiatives; stresses that bilateral and multilateral cooperation may foster conflict resolution at the regional and global level, and improve efficiency in fighting terrorism, piracy, organised crime, money laundering and tax havens;

2. Instructs its President to forward this resolution to the Council and the Commission.