



Delegation for relations with the countries of Southeast Asia and the Association of Southeast Asian Nations (ASEAN)

DASE_PV (2016)09-14

MINUTES
of the meeting of 14 September 2016, 16:15-17:15
Strasbourg

The meeting opened at 16:15 on Wednesday, 14 September 2016, with Werner Langen, (Chair) presiding.

1. Adoption of the draft agenda

The draft agenda was adopted without modifications.

2. Adoption of the minutes of the meeting of 31 August 2016

The draft minutes were adopted.

3. Chair's announcements

The Chair informed members about the urgency resolution on the Philippines emphasizing the considerable political changes (rule of law, peace process) under the new President Duterte.

The Chair gave the floor to Mrs. Busaya Mathelin, Ambassador and Head of Mission of Thailand to the European Union, for her farewell speech updating the Delegation on the situation in Thailand. According to her, the national referendum on the draft Constitution was held successfully on 7 August 2016, thus constituting a concrete step towards return to democracy. A clear majority (61.4%) of voters approved the constitution; turnout was 59%. There were no complaints of irregularities. Both leaders of Thailand's two major political parties made public statements accepting the result of the referendum.

Moreover, she confirmed the timeline for free and fair democratic elections by the end of 2017, in accordance with the Government Roadmap. In addition, she mentioned that Thailand, as a country coordinator for the ASEAN-EU relations, would host the 21st ASEAN-EU Ministerial Meeting in Bangkok during 13-14 October 2016. Thailand is keen to elevate ASEAN – EU relations to a strategic level. There are important issues, where the EU and ASEAN can work together, such as anti-extremism, countering

terrorism, maritime security as well as sustainable development, climate change and other environmental issues, among others.

The Ambassador expressed hope for a normalisation of Thai-EU relations as soon as possible by unblocking high-level dialogues between Thailand and the EU, including the technical discussion on a Thai-EU Free Trade Agreement. As ASEAN's second largest economy and attractive investment destination, Thailand offers interesting trade and investment opportunities to the EU. Finally, the Ambassador thanked the Chair, the Vice-Chairs, all members of DASE and the Secretariat for the good cooperation.

4. Report on the recent judgement of the Permanent Court of Arbitration on the South China Sea by Prof. Niki Aloupi, University of Strasbourg

On 12 July 2016, the Permanent Court of Arbitration in The Hague set up under the 1982 UN Convention on the Law of the Sea (UNCLOS), between the Republic of the Philippines and the People's Republic of China (PRC) published its award about conflicting maritime claims in the South China Sea, ruling overwhelmingly in favour of the Philippines. It is a landmark ruling of international law, with consequences not only for the geostrategic situation in the South China Sea, but also for the interpretation of the United Nations Convention on the Law of the Sea (UNCLOS) in general. The Court underlined that it had no competence to rule over sovereignty questions or territorial claims. It was dealing with four principal questions:

The first question concerns China's claims over historic rights, in particular the 'nine-dash line' or, more generally speaking, the source for rights and obligations in the South China Sea. The Court ruled that claims over historic rights regarding natural resources are incompatible with UNCLOS and therefore neglected any legal basis for such historic rights.

Second, as regards the legal status of a number of maritime features claimed by China within the Philippines' Exclusive Economic Zone (EEZ), the tribunal categorised them as rocks, which generate only a territorial sea but no separate EEZ or continental shelf, or low-tide elevations, which do not give rise to any maritime zone and cannot be appropriated. The tribunal found that no maritime feature met the UNCLOS criteria for islands. The absence of an island in the Spratlys, to which China could claim sovereignty, precluded its claims to an EEZ and the exploitation rights attached to it. These findings were a precondition for the tribunal to assess China's activities in the Philippines' EEZ.

Third, as for China's activities in the South China Sea, the tribunal found that China had violated the Philippines' rights with regard to fishing, oil exploitation, land reclamation and artificial island building, and had caused severe damage to the marine environment, including by using harmful fishing methods and harvesting endangered species. Finally, the Court ruled that China violated its obligations to restrain from aggravating or spreading the disagreements between the parties.

5. Exchange of views on the forthcoming Delegation visit to Myanmar and Singapore from 31 October - 4 November 2016

The Chair gave an overview of the draft programme. The Myanmar Embassy welcomed the delegation visit as very timely due to the EU's engagement in the political reform process, the economic development and the peace process in the country.

6. Any other business

There was no other business.

7. Date and place of next meeting

The Secretariat will communicate date and place of the next meeting electronically.

The meeting closed at 17:15.

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/
ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATAΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/
LISTE DE PRÉSENCE/POPIS NAZOČNIH/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRŠ/DALYVIŲ SAŖAŠAS/
JELENLÉTI ÍV/REGISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŠCI/LISTA DE PRESENÇAS/
LISTÁ DE PREZENŤA/PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/DELTAGARLISTA**

Бюро/Mesa/Pfedsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Predsjedništvo/Ufficio di presidenza/Prezidijs/Biuras/Elnökség/Prezidium/Birou/Predsedníctvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)	
Werner Langen (P),	Marc Tarabella (VP)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Μέλη/Members/Députés/Zastupnici/Deputati/Deputāti/Nariai/Kérviseleők/Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter	
Richard Ashworth, Goffredo Maria Bettini, Stefan Eck, Barbara Lochbihler, David Martin, Daciana Octavia Sárbu	
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/Supplenti/Aizstājēji/Pavaduojantysnariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/Namestniki/Varajäsenet/Suppleanter	
Herbert Dorfmann, Neena Gill, Roger Helmer, Barbara Kappel, Ádám Kósa, Juan Fernando López Aguilar, James Nicholson, Csaba Sógor	

200 (2)	
206 (3)	
53 (6) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Točka dnevnog reda/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/Točka UL/Esityslistan kohta/Föredragningslista punkt)	

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Promatrači/Osservatori/Novērotāji/Stebėtojai/Megfigyelők/Osservatori/Waarnemers/Observatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Εσίμεθε kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/Fuq stedina tač'-Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/Na pozwanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nōukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)
Комисия/Comisión/Komise/Kommissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)
Европейска служба за външна дейност/Servicio Europeo de Acción Exterior/Evropská služba pro vnější činnost/EU-Udenrigstjenesten/Europäischer Auswärtiger Dienst/Euroopa välisteenistus/Ευρωπαϊκή Υπηρεσία Εξωτερικής Δράσης/European External Action service/Service européen pour l'action extérieure/Europaska služba za vanjsko djelovanje/Servizio europeo per l'azione esterna/Eiropas Ārējās darbības dienests/Euopos išorės veiksmų tarnyba/Európai Külügyi Szolgálat/Servizz Ewropew għall-Azzjoni Esterna/Europese dienst voor extern optreden/Europejska Służba Działań Zewnętrznych/Serviço Europeu para a Acção Externa/Serviciul european pentru acțiune externă/Európska služba pre vonkajšiu činnosť/Evropska služba za zunanje delovanje/Euroopan ulkosuhdehallinto/Europeiska avdelningen för yttre åtgärd (*)
Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/Άλλα θεσμικά όργανα/Other institutions/Autres institutions/Druge institucije/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzzjonijiet oħra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituții/Iné inštitúcie/Muut toimielimet/Andra institutioner/organ

Други учасници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Drugi sudionici/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Partecipanti ohra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Inți účastnici/Drugi udeleženci/Muut osallistujat/Övriga deltagare

Philippines Embassy, Myanmar Embassy, Indonesia Embassy, Royal Thai Embassy, Brunei Embassy, China Embassy

Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppenes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Sekretariats of political groups/Secrétariat des groupes politiques/Tajništva klubova zastupnika/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakcijų sekretoriai/Képviseletcsoportok titkársága/Sekretarjat gruppi politici/Fractionssecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupin/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristö/Sekretariat

PPE	ARENS, JUNG
S&D	
ECR	HFZAL
ALDE	HUMAS
Verts/ALE	MEYER
GUE/NGL	GABRIEL
EFDD	FELICIAN
ENF	
NI	

Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantselei/Γραφείο Προέδρου/President's Office/Cabinet du Président/Ured predsednika/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinett tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Președinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli

Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Ured glavnog tajnika/Gabinetto del Segretario generale/Generalsekretära kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Generali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urad generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli

Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirrektoraat/Γενική Διεύθυνση/ Directorate-General/Direction générale/Glavna uprava/Direzione generale/Ģenerāldirektorāts/Generalinis direktoratas/Főigazgatóság/ Direttorat Generali/Direktoraten-generaal/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat	
DG PRES DG IPOL DG EXPO DG EPRS DG COMM DG PERS DG INLO DG TRAD DG INTE DG FINS DG ITEC DG SAFE	NUTTIN
Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Öigusteenistus/Νομική Υπηρεσία/Legal Service/ Service juridique/Pravna služba/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/ Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právny servis/Oikeudellinen yksikkö/Rättstjänsten	
Секретариат на комисията/Secretaría de la comisión/Sekretariát výboru/Udvalgssekretariatet/Ausschusssekretariat/Komisjoni sekretariaat/Γραμματεία επιτροπής/Committee secretariat/Secrétariat de la commission/Tajništvo odbora/Segreteria della commissione/ Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Sekretarjat tal-kumitat/Commissiesecretariaat/Sekretariat komisji/ Secretariado da comissão/Sekretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet	
STRIEGNITZ	
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padējējas/Asszisztens/Asyistent/Pomočnik/ Avustaja/Assisterter	
SCHWENDENWEIN	

- * (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Président/Predsjednik/Priekšsēdētājs/
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Viči 'Chairman'/Ondervoorzitter/Wiceprzewodniczący/Vice-Presidente/Vicepreşedinte/Podpredseda/Podpredsednik/
Varapuheenjohtaja/Vice ordförande
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Membbru/Lid/Członek/Membro/Membbru/Člen/Poslanec/Jäsen/Ledamot
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Tjänsteman