



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 29 April 2014
(OR. en)**

8224/14

**Interinstitutional File:
2014/0036 (NLE)**

**COASI 42
ASIE 19
PESC 337
COHOM 49
CONOP 31
COTER 16
JAI 190
WTO 120
FISC 60
ECOFIN 310
COMPET 196
RECH 132
ENER 145
TRANS 177
TELECOM 92
ENV 323
EDUC 109
EMPL 45**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: PARTNERSHIP AND COOPERATION AGREEMENT between the European Union and Its Member States, of the one part, and the Republic of Singapore, of the other part

PARTNERSHIP AND COOPERATION AGREEMENT
BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES,
OF THE ONE PART,
AND THE REPUBLIC OF SINGAPORE,
OF THE OTHER PART

THE EUROPEAN UNION, hereinafter referred to as 'the Union',

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States',

of the one part, and

THE REPUBLIC OF SINGAPORE,

of the other part,

hereinafter jointly referred to as 'the Parties',

CONSIDERING the traditional links of friendship between the Parties and the close historical, political and economic ties which unite them;

WHEREAS the Parties attach particular importance to the comprehensive nature of their mutual relationship;

WHEREAS the Parties consider that this Agreement forms part of a wider and coherent relationship between them through agreements to which both sides are parties together;

REAFFIRMING the attachment of the Parties to the respect for democratic principles and human rights and fundamental freedoms as laid down in the Universal Declaration of Human Rights and other applicable international human rights instruments to which the Parties are Contracting Parties;

REAFFIRMING their attachment to the principles of the rule of law and of good governance, and their desire to promote economic and social progress for their peoples, taking into account the principles of sustainable development and the need to protect the environment;

REAFFIRMING their desire to enhance cooperation on international stability, justice and security as a basic precondition for promoting sustainable social and economic development, the eradication of poverty and the achievement of the United Nations (UN) Millennium Development Goals;

EXPRESSING their full commitment to fighting all forms of terrorism and to establishing effective international instruments to ensure its eradication in accordance with relevant United Nations Security Council (UNSC) instruments, particularly UNSC Resolution 1373;

WHEREAS the Union adopted a comprehensive Plan of Action on Combating Terrorism in 2001, updated it in 2004 and took a wide range of measures as a consequence; in the wake of the Madrid attacks, the European Council issued a major Declaration on Combating Terrorism on 25 March 2004; the Union also adopted a Counter-Terrorism Strategy in December 2005;

REAFFIRMING that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international collaboration;

CONSIDERING that the fair and independent functioning of the International Criminal Court constitutes an important development for peace and international justice;

WHEREAS the European Council identified the proliferation of weapons of mass destruction and their means of delivery as a major threat to international security, and adopted on 12 December 2003 a Strategy against Proliferation of Weapons of Mass Destruction; the Council of the European Union had already adopted, on 17 November 2003, a Union policy of mainstreaming non-proliferation policies into the Union's relations with third countries; the adoption by consensus of UNSC Resolution 1540 underlines the commitment of the whole international community to fight against proliferation of weapons of mass destruction (WMD) and their means of delivery. This commitment of the international community was reiterated by the adoption of UNSC Resolution 1673 and UNSC Resolution 1810;

WHEREAS the European Council expressed the view that Small Arms and Light Weapons (SALW) constitute a growing threat to peace, security and development and adopted on 16 December 2005 a Strategy to combat illicit accumulation and trafficking of SALW and their ammunition. In this Strategy, the European Council emphasised the need to ensure a comprehensive and consistent approach to security and development policy;

RECOGNISING the importance of 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 Southeast Asian Nations (ASEAN) and its subsequent accession protocols;

RECOGNISING the importance of strengthening the existing relationship between the Parties with a view to enhancing cooperation between them, and their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, respect for the natural environment and mutual benefit;

CONFIRMING their desire to enhance, in full concord with activities undertaken in a regional framework, the cooperation between the Union and the Republic of Singapore, based on shared values and mutual benefit;

CONFIRMING their desire to enhance understanding between Asia and Europe on the basis of equality, respect for one another's cultural and political norms, and acceptance of divergent views;

CONFIRMING their desire to strengthen trade relations through the conclusion of a Free Trade Agreement;

NOTING that the provisions of this Agreement that fall within the scope of Part Three, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the Union, unless the Union together with the United Kingdom and/or Ireland have jointly notified Singapore that the United Kingdom and/or Ireland is bound as part of the Union in accordance with Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union. If the United Kingdom and/or Ireland ceases to be bound as part of the Union in accordance with Article 4a of Protocol No. 21, the Union together with the United Kingdom and/or Ireland shall immediately inform Singapore of any change in their position in which case they shall remain bound by the provisions of this Agreement in their own right. The same applies to Denmark in accordance with Protocol No 22 on the position of Denmark annexed to those Treaties,

HAVE AGREED AS FOLLOWS:

TITLE I

NATURE AND SCOPE

ARTICLE 1

General Principles

1. Respect for democratic principles, the rule of law and fundamental human rights, as laid down in the Universal Declaration of Human Rights and other applicable international human rights instruments to which the Parties are Contracting Parties, underpins the internal and international policies of the Parties and constitutes an essential element of this Agreement.
2. The Parties confirm their shared values as expressed in the Charter of the United Nations (UN Charter).
3. The Parties confirm their commitment to promoting sustainable development, to cooperating to address the challenges of climate change as well as globalisation and to contributing to reaching the Millennium Development Goals.
4. The Parties reaffirm their attachment to the principles of good governance, the rule of law including the independence of the judiciary, and the fight against corruption.
5. The Parties shall cooperate under this Agreement in a manner in accordance with their respective domestic laws, rules and regulations.

ARTICLE 2

Aims of Cooperation

With a view to strengthening their bilateral relationship, the Parties undertake to hold a comprehensive dialogue and promote further cooperation between them on sectors of mutual interest. Their efforts will in particular be aimed at:

- (a) establishing cooperation in all relevant regional and international *fora* and organisations;
- (b) establishing cooperation on combating terrorism and transnational crimes;
- (c) establishing cooperation on combating the most serious crimes of international concern;
- (d) establishing cooperation on countering the proliferation of weapons of mass destruction, their means of delivery and the illegal stockpiling of and illicit trade in small arms and light weapons in all its aspects;
- (e) securing the conditions for and promoting the increase and development of trade between the Parties to their mutual advantage;
- (f) establishing cooperation in all trade and investment-related areas of mutual interest, in order to facilitate trade and investment flows and to prevent and remove obstacles to trade and investment, in a manner which is consistent with and complementary to ongoing and future regional EU-ASEAN initiatives;

- (g) establishing cooperation in the area of justice, freedom and security, including the rule of law and legal cooperation, data protection, migration, smuggling and trafficking in human beings, combating transnational organised crime, money laundering and illicit drugs;
- (h) establishing cooperation in all other sectors of mutual interest, notably customs, macro-economic policy and financial institutions, in the tax area, industrial policy and small and medium enterprises, information society, science and technology, energy, transport, education and culture, environment and natural resources, health and statistics;
- (i) enhancing existing and encouraging new participation of the Republic of Singapore within the Union's Asia-wide cooperation programmes;
- (j) raising the roles and profiles of the Parties in each other's regions;
- (k) establishing a regular dialogue with the aim of enhancing the mutual understanding of each other's societies and of fostering awareness of different cultural, religious and societal views in both Asia and Europe.

TITLE II

BILATERAL, REGIONAL AND INTERNATIONAL COOPERATION

ARTICLE 3

Cooperation in Regional and International Organisations

1. The Parties undertake to exchange views and cooperate within the framework of regional and international *fora* and organisations such as the UN, ASEAN-EU dialogue, ASEAN Regional Forum, the Asia-Europe Meeting (ASEM), and the World Trade Organization (WTO), when the Parties agree that such exchange and cooperation are of mutual benefit.
2. The Parties also agree to promote cooperation in these fields between think-tanks, academics, non-governmental organisations and the media through the organisation of seminars, conferences and other related activities, provided that such cooperation is based on mutual consent.

ARTICLE 4

Regional and Bilateral Cooperation

1. For each sector of dialogue and cooperation under this Agreement, and while giving due emphasis to matters under bilateral cooperation, both sides will agree to carry out the related activities at bilateral or regional level or through a combination of both frameworks. In choosing the appropriate framework, the Parties will seek to maximise the impact on and reinforce the involvement of EU and ASEAN partners, while making the best possible use of available resources, taking account of the political and institutional feasibility, and ensuring coherence with other activities involving EU and ASEAN partners.
2. The Parties may, as appropriate, decide to extend financial support to cooperation activities in the areas covered by this Agreement or in relation to it, in accordance with their respective financial procedures and resources. This cooperation may in particular include organisation of training schemes, workshops and seminars, exchanges of experts, studies, and other actions agreed by the Parties.

TITLE III

COOPERATION ON INTERNATIONAL STABILITY, JUSTICE, SECURITY AND DEVELOPMENT

ARTICLE 5

Cooperation in Combating Terrorism

The Parties reaffirm the importance of the fight against terrorism, in accordance with the rule of law and their respective obligations under the UN Charter, relevant UNSC resolutions and international law, including applicable human rights, refugee and international humanitarian law. Within this framework and taking into account the UN Global Counter-Terrorism Strategy, contained in UN General Assembly Resolution No. 60/288 of 8 September 2006 as well as the Joint EU-ASEAN Declaration of 28 January 2003 on cooperation to combat terrorism, the Parties agree to cooperate in the prevention and suppression of terrorism, in particular, as follows:

- (a) in the framework of the full implementation of UNSC Resolution 1373 and other applicable UN resolutions, international conventions and instruments;
- (b) by exchanging information on terrorist groups and their support networks in accordance with applicable international and national law;
- (c) by exchanging views on means and methods used to counter terrorism, including in technical fields and training, and by exchange of experiences in respect of terrorism prevention;

- (d) by cooperating, so as to deepen the international consensus on the fight against terrorism and its normative framework and by working towards an agreement on the Comprehensive Convention on International Terrorism as soon as possible so as to complement the existing UN counter-terrorism instruments;
- (e) by promoting cooperation among UN Member States to effectively implement the UN Global Counter-Terrorism Strategy by all appropriate means;
- (f) by exchanging best practices in the area of protection of human rights in the fight against terrorism.

The Parties agree that cooperation under this Article will be as permitted under their respective domestic laws, rules and regulations.

ARTICLE 6

Implementation of International Obligations for the Purpose of Punishing Serious Crimes of International Concern

1. The Parties reaffirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and in accordance with their respective existing international obligations, through cooperation with international tribunals set up for those purposes.

2. The Parties consider that the establishment and effective functioning of such tribunals constitute an important development for international peace and justice. The Parties agree to cooperate to share experiences and technical expertise on the legal adjustments required to implement and fulfil their respective international obligations.
3. The Parties acknowledge the importance of the International Criminal Court in the context of combating impunity and agree to pursue a dialogue on its fair and independent functioning.

ARTICLE 7

Countering the Proliferation of Weapons of Mass Destruction

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to state and non-state actors, represents one of the most serious-threats to international stability and security.
2. The Parties therefore agree to cooperate and to contribute to countering the proliferation of WMD and their means of delivery through full compliance with and national implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other applicable UN resolutions and international instruments to which the Parties are Contracting Parties. The Parties agree that this provision constitutes an essential element of this Agreement.

3. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of WMD and their means of delivery by:

- (a) each Party taking, as appropriate, steps, to sign, ratify, or accede to, and fully implement all other international instruments relevant to the fight against the proliferation of WMD; and
- (b) the establishment of an effective system of national export controls, controlling the export and transit of WMD-related goods, including a WMD end-use control on dual use goods/technologies and with effective means of legal or administrative enforcement, including effective penalties and preventive measures against breaches of export controls.

4. As part of the cooperation, the Parties agree to have a regular dialogue on issues relating to countering the proliferation of WMD. Such dialogue may take place on a regional basis.

ARTICLE 8

Small Arms and Light Weapons

1. The Parties recognise that the illicit manufacture, transfer and circulation of SALW, including their ammunition, and their excessive accumulation and uncontrolled spread, continue to pose a serious threat to peace and international security.

2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in SALW, including their ammunition, under international agreements to which the Parties are Contracting Parties and under relevant UNSC resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

3. The Parties undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts, in accordance with their international obligations, to deal with the illicit trade in SALW, including their ammunition, at global, regional, sub-regional and national levels and agree to establish regular dialogue that will accompany and consolidate this undertaking.

TITLE IV

COOPERATION ON TRADE AND INVESTMENT ISSUES

ARTICLE 9

General Principles

1. The Parties shall engage in a bilateral dialogue on trade and investment issues with a view to strengthening and advancing the multilateral trading system and bilateral trade between the Parties.

2. To this end, the Parties shall give effect to their mutual cooperation in trade and investment including through the Free Trade Agreement. The aforementioned agreement shall constitute a specific agreement giving effect to the trade provisions of this Agreement and shall be an integral part of the overall bilateral relations and the common institutional framework, as referred to in Article 43(3).

3. The Parties may wish to develop their trade and investment relations by addressing, among other issues, the following areas referred to in Article 10 to Article 16.

ARTICLE 10

Sanitary and Phytosanitary (SPS) Issues

The Parties may discuss and exchange information on legislation, certification and inspection procedures, especially within the framework of the Agreement on the Application of Sanitary and Phytosanitary Measures contained in Annex 1A of the Marrakesh Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994.

Cooperation may include the following:

- (a) addressing bilateral sanitary and phytosanitary problems that a Party raises;
- (b) exchanging information on sanitary and phytosanitary matters;
- (c) promoting the use of international standards where they exist; and
- (d) establishing a mechanism for dialogue on best practices related to standards, testing and certification procedures, and evaluating regional or national standards for their equivalence.

ARTICLE 11

Technical Barriers to Trade (TBT) Issues

The Parties shall promote the use of international standards and cooperate and exchange information on standards, conformity assessment procedures and technical regulations, especially within the framework of the WTO Agreement on Technical Barriers to Trade.

ARTICLE 12

Customs

1. The Parties shall share their experience in and examine possibilities for simplifying import, export and other customs procedures, ensuring the transparency of customs and trade regulations, developing customs cooperation and effective assistance mechanisms, to seek convergence of views and joint action in the context of relevant international initiatives including trade facilitation.
2. The Parties will pay special attention to enhancing the security and safety of international trade, ensuring a balanced approach between trade facilitation and the fight against fraud and irregularities.

ARTICLE 13

Investment

The Parties may encourage the development of an attractive and stable environment for reciprocal investment through a consistent dialogue aimed at enhancing understanding and cooperation on investment issues, exploring administrative mechanisms to facilitate investment flows, and promoting stable, transparent, open and non-discriminatory rules for investors.

ARTICLE 14

Competition Policy

The Parties may promote the effective establishment and application of competition rules and the dissemination of information in order to foster transparency and legal certainty for enterprises operating in each other's markets.

ARTICLE 15

Services

The Parties may establish a consistent dialogue notably aimed at exchanging information on their respective regulatory environments, promoting access to each other's markets, promoting access to sources of capital and technology, promoting trade in services between both regions and in third countries' markets.

ARTICLE 16

Intellectual Property Protection

The Parties attach importance to intellectual property rights¹, recognising their growing importance for the creation of innovative products, services and technologies in their respective countries, and agree to continue to cooperate and to exchange non-confidential information on mutually agreed activities and projects, with a view to promoting, protecting and enforcing these rights, including their effective and efficient customs enforcement.

-
- ¹ For the purpose of this Article, 'intellectual property rights' refers to:
- (a) all categories of intellectual property that are the subject of Sections 1 through 7 of Part II of the Agreement on Trade-Related Aspects of Intellectual Property Rights contained in Annex 1C of the Marrakesh Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994 namely:
 - (i) copyright and related rights;
 - (ii) patents;
 - (iii) trademarks;
 - (iv) designs;
 - (v) layout-designs (topographies) of integrated circuits;
 - (vi) geographical indications;
 - (vii) protection of undisclosed information; and
 - (b) plant variety rights.

In the case of the Union, for the purposes of this Agreement, 'patents' include rights derived from supplementary protection certificates.

TITLE V

COOPERATION IN THE AREA OF JUSTICE, FREEDOM AND SECURITY

ARTICLE 17

Rule of Law and Legal Cooperation

1. In their cooperation in the area of justice, freedom and security, the Parties shall attach particular importance to the promotion of the rule of law, and the reinforcement of institutions at all levels in the areas of law enforcement and the administration of justice in particular.
2. Cooperation between the Parties will also include mutual exchange of information concerning legal systems and legislation.

ARTICLE 18

Data Protection

1. The Parties agree to establish a dialogue in order to improve the protection of personal data, with reference to best international principles and practices such as that contained in the UN Guidelines for the Regulation of Computerized Personal Data Files (UN General Assembly Resolution No. 45/95 of 14 December 1990).

2. Cooperation on protection of personal data may include, *inter alia*, exchange of information and expertise.

ARTICLE 19

Migration

1. The Parties reaffirm the importance of joint management of migration flows between their territories.
2. The Parties shall establish a mechanism for dialogue on migration-related issues, including legal and illegal migration, smuggling and trafficking in human beings and issues related to international protection for those in need. Any such dialogue shall be based upon a mutually agreed agenda, terms and issues.
3. Each Party may, as it deems appropriate, include migration concerns in its strategies for economic and social development from its perspective as a country of origin, transit and/or destination of migrants.

4. Cooperation between the Parties shall be based on a specific needs assessment of the Parties, conducted in mutual consultation between the Parties. The Parties agree that such cooperation will be as permitted under Union and domestic laws, rules, regulations and policies. Such cooperation may, in particular, focus on:

- (a) the root causes of migration;
- (b) the development and implementation of each Party's obligations under international law on migration matters including on international protection for those in need;
- (c) admission rules, as well as the rights and status of persons admitted, fair treatment, education, training, and integration of lawfully residing non-nationals, measures against racism and xenophobia;
- (d) the establishment of an effective and preventive policy against illegal immigration, smuggling of migrants and trafficking in human beings, including ways to combat networks of smugglers and traffickers and protect the victims of such trafficking;
- (e) the return, under humane and dignified conditions, of persons residing illegally including the promotion of their voluntary return;

- (f) issues identified as being of mutual interest in the field of visas and security of travel documents;
- (g) issues identified as being of mutual interest in the field of border controls.

5. Within the framework of the cooperation to prevent and control illegal immigration, the Parties further agree that:

- (a) the Republic of Singapore shall readmit any of its nationals illegally present on the territory of a Member State, upon request by the latter and without further formalities once nationality has been established; and
- (b) each Member State shall readmit any of its nationals illegally present on the territory of the Republic of Singapore, upon request by the latter and without further formalities once nationality has been established.

The Member States and the Republic of Singapore will provide their nationals with appropriate identity documents for such purposes. Where the person to be readmitted does not possess any documents or other proof of his or her nationality, the competent diplomatic and consular representations of the Party to which the person is to be readmitted (being either the Member State concerned or the Republic of Singapore) shall, upon request by the other Party (being either the Republic of Singapore or the Member State concerned), interview the person in order to establish his or her nationality.

6. The Parties agree to negotiate, upon request, with a view to concluding an agreement between the Union and the Republic of Singapore regulating the readmission of nationals of the Republic of Singapore and of the Member States, nationals of other countries and stateless persons.

ARTICLE 20

Combating Organised Crime

The Parties agree to cooperate on combating organised crime as well as corruption. Such cooperation aims in particular at implementing and promoting, where applicable, relevant international standards and instruments, such as the UN Convention against Transnational Organized Crime and the UN Convention against Corruption.

ARTICLE 21

Cooperation in Combating Money Laundering and Terrorist Financing

1. The Parties agree on the need to work towards and to cooperate on preventing the use of their financial systems to launder the proceeds of criminal activities, in accordance with relevant Financial Action Task Force (FATF) recommendations.
2. The Parties will exchange expertise in areas such as the development and implementation of regulations and the efficient functioning of suitable standards and mechanisms.

3. In particular, cooperation shall allow, to the greatest possible extent, exchanges of relevant information and expertise on the adoption of appropriate standards to combat money laundering and the financing of terrorism equivalent to those adopted by the international bodies active in this area, such as the FATF.

ARTICLE 22

Cooperation against Illicit Drugs

1. The Parties shall cooperate to ensure a balanced approach through effective coordination between the competent authorities including, as appropriate, from the health, justice, interior and customs sectors, with the aim of reducing the supply, trafficking and demand of illicit drugs and the adverse consequences of drug abuse for individuals and society as a whole. The Parties will also work together to ensure a more effective prevention of diversion of drug precursors.

2. The Parties shall agree on means of cooperation to attain these objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions, the Political Declaration and the Special Declaration on the guiding principles of drug demand reduction, approved by the UN General Assembly Special Session on Drugs in June 1998 and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem adopted at the 52nd session of the UN Commission on Narcotic Drugs in March 2009.

3. The Parties will exchange expertise in areas such as the drafting of national legislation and policies, the establishment of national institutions and information centres, training of personnel, drug-related research, and the prevention of diversion of precursors used for the illicit manufacture of narcotic drugs and psychotropic substances.

TITLE VI

COOPERATION IN OTHER SECTORS

ARTICLE 23

Cooperation on Human Rights

1. The Parties agree to cooperate, where mutually agreed upon, in the promotion and effective protection of human rights, including the implementation of applicable international human rights instruments to which the Parties are Contracting Parties.
2. Such cooperation may include, *inter alia*:
 - (a) human rights promotion and education;
 - (b) strengthening appropriate national and regional human rights-related institutions;

- (c) the establishment of a meaningful, broad-based human rights dialogue;
- (d) strengthening of cooperation within the human rights-related institutions of the UN.

ARTICLE 24

Cooperation on Financial Services

The Parties shall endeavour to foster cooperation on financial services on issues of mutual interest within the framework of their respective programmes and legislation and, where applicable, according to the relevant provisions of the Free Trade Agreement referred to in Article 9(2). Such cooperation shall take place between financial regulators and supervisors of the Union and the Republic of Singapore on financial regulatory and supervisory matters. The financial regulators and supervisors will consult each other to determine the most appropriate means for cooperation.

ARTICLE 25

Economic Policy Dialogue

1. The Parties agree to cooperate on promoting the exchange of information on their respective economic trends and policies, and the sharing of experiences with the coordination of economic policies in the context of regional economic cooperation and integration.

2. The Parties endeavour to deepen the dialogue between their authorities on economic matters which, as agreed by the Parties, may include areas such as monetary policy, fiscal (including tax) policy, public finance, and macroeconomic stabilisation and external debt.

ARTICLE 26

Cooperation in the Tax Area

1. With a view to strengthening and developing economic activities while taking into account the need to develop an appropriate regulatory framework, the Parties recognise and commit themselves to implement, as set out in paragraphs 2 and 3, the principles of good governance in the tax area.

2. To that effect, in accordance with their respective competencies, the Parties acknowledge the importance of countering mutually agreed harmful tax practices, will improve international cooperation in the tax area aimed at countering tax evasion and will implement the internationally agreed Standard for transparency and exchange of information for tax purposes as spelled out in the 2008 OECD Model Tax Convention on Income and on Capital, with a view to enabling the effective application of their respective tax rules.

3. The Parties agree that the implementation of these principles takes place notably within the framework of existing or future bilateral tax agreements between the Republic of Singapore and the Member States.

ARTICLE 27

Industrial Policy and SME Cooperation

1. The Parties, taking into account their respective economic policies and objectives, agree to foster industrial policy cooperation in all fields deemed suitable by them, in particular with a view to improving the competitiveness of small and medium-sized enterprises (SMEs).
2. Such cooperation shall consist of:
 - (a) exchanging information and experience on creating framework conditions for SMEs to improve their competitiveness;
 - (b) promoting corporate social responsibility and accountability and encouraging responsible business practices, including sustainable consumption and production. This cooperation shall be complemented by a consumer perspective, such as on product information and the consumer's role in the market;

- (c) promoting contacts between economic operators, encouraging joint investments and establishing joint ventures and information networks notably through existing Union horizontal programmes, stimulating in particular transfers of soft and hard technology between partners; and
- (d) facilitating access to finance, providing information and stimulating innovation.

3. The Parties will encourage the reinforcement of the relations between the private sectors of both Parties in new or existing *fora*, including mechanisms aimed at assisting both sides in promoting the internationalisation of SMEs.

ARTICLE 28

Information Society

1. Recognising that information and communication technologies (ICT) are key elements of modern life and are of vital importance to economic and social development, the Parties endeavour to coordinate their respective policies in this field with a view to promoting economic development.

2. Cooperation in this area shall focus in particular on:
- (a) participation in the comprehensive regional dialogue on the different aspects of the information society, in particular electronic communications policies and regulatory best practices in areas including but not limited to the licensing of telecommunication services; the treatment of new information communication services such as Voice over Internet Protocol services; the elimination of spam; the management of dominant carrier conduct, and increasing the transparency and efficiency of the regulatory authority;
 - (b) interconnection and interoperability of the Parties' networks and services;
 - (c) standardisation and dissemination of new information and communications technologies;
 - (d) promotion of research cooperation between the Parties in the area of ICT;
 - (e) cooperation on joint research projects in the area of ICT;
 - (f) security aspects of information society, as mutually agreed upon; and
 - (g) conformity assessment of telecommunications (including radio) equipment.

ARTICLE 29

Cooperation in the Audiovisual and Media Fields

The Parties agree to promote cooperation in the audiovisual and media fields in general.

Cooperation activities will include, but not be limited to:

- (a) exchange of views on audiovisual and media policy;
- (b) joint organisation of events of mutual interest;
- (c) joint training activities; and
- (d) facilitating co-productions, and initiating discussions on audiovisual co-production agreements.

ARTICLE 30

Scientific and Technological Cooperation

1. The Parties shall encourage, develop and facilitate cooperation in the field of science, technology and innovation in areas of mutual interest, in accordance with the laws and regulations of both Parties.

2. The aims of such cooperation shall be to:
 - (a) encourage exchange of information on science, technology and innovation, on policies and programmes;
 - (b) promote enduring relations between the Parties' scientific communities, research centres, universities and industries;
 - (c) promote training and mobility of researchers and students of higher education institutions.
3. Subject to discussion between the Parties, and in consultation with the research funding agencies of each country, cooperation may take the form of joint research projects and/or exchanges, meetings, workshops and training of scientists and students of higher education institutions through international mobility schemes providing for the maximum dissemination of the results of research.
4. In this cooperation, the Parties shall promote the participation of their respective higher education institutions, research centres and productive sectors, including SMEs.
5. The Parties agree to make efforts to increase awareness about possibilities for science and technological cooperation offered by their respective programmes.

ARTICLE 31

Energy

1. The Parties endeavour to enhance cooperation in the energy sector with a view to:
 - (a) diversifying energy supplies and developing new and renewable forms of energy on a commercial basis;
 - (b) achieving rational use of energy, notably by promoting demand-side management;
 - (c) fostering the transfer of technology aimed at efficient energy use;
 - (d) combating climate change, including through carbon pricing;
 - (e) enhancing capacity building, including possible training and facilitation of investment in the field of energy based on transparent, non-discriminatory and market-compatible rules;
 - (f) promoting competition in the energy market.

2. To these ends, the Parties endeavour to promote contacts between the relevant energy planning entities and conduct of joint research between research institutes and universities, particularly in the framework of relevant regional *fora*. Both sides will further explore possibilities for enhanced cooperation in nuclear safety and security within their existing legal frameworks and policies. With reference to Article 34 and the conclusions of the World Summit on Sustainable Development (WSSD), which took place in Johannesburg in 2002, the Parties may endeavour to address the links between affordable access to energy services and sustainable development. These activities may be promoted in cooperation with the European Union Energy Initiative, launched at the WSSD.

ARTICLE 32

Transport

1. The Parties agree to further reinforce, by mutual consent, their cooperation in all relevant areas of transport policy with a view to improving the movement of goods and passengers, promoting safety and security, combating piracy and armed robbery against ships, promoting environmental protection and high operating standards, and increasing the efficiency of their transport systems.

The Parties recall the agreement under Article 1(5) and reaffirm that cooperation in all relevant areas of transport will be subject to their respective domestic laws, rules and regulations.

2. Cooperation between the Parties under paragraph 1 shall aim to promote:
- (a) exchange of information on their respective transport policies, especially regarding urban transport and the interconnection and interoperability of multimodal transport networks, as well as the management of railways, ports and airports;
 - (b) the use of global satellite navigation systems, with focus on regulatory, industrial and market development issues of mutual interest;
 - (c) a dialogue in the field of air transport aiming at an enhanced cooperation in matters of aviation policy and with a view to taking joint actions in the field of air transport services through, *inter alia*, the negotiation and implementation of agreements. The Parties will further develop their relations and, when appropriate, explore the establishment of a future comprehensive air services agreement. The Parties will also, whenever mutually beneficial, enhance technical and regulatory cooperation in areas such as aviation safety, aviation security, air traffic management including greening air traffic management, application of competition law and economic regulation of the air industry, with a view to supporting regulatory convergence and the removal of obstacles to doing business, and enhance dialogue on aviation environmental issues such as the use of market-based instruments in combating global warming including through emissions trading. On this basis, the Parties will explore the possible scope for even closer cooperation in the area of civil aviation;

- (d) a dialogue in the field of maritime transport services aiming at unrestricted access to the international maritime markets and trades on a commercial and non-discriminatory basis, and with a view to supporting commitments for the phasing out of existing cargo reservation schemes, abstention from introducing cargo sharing clauses, establishment within maritime transport services including auxiliary services, national treatment regarding access to auxiliary services and port services for vessels flying the flag of the other Party or operated by nationals or companies of the other Party and the right to arrange door-to-door transport services; and
- (e) the implementation of security, safety and pollution prevention standards, notably as regards maritime transport and aviation, in line with the relevant international conventions, to which the Parties are signatories, including cooperation in the appropriate international *fora* aiming at ensuring better enforcement of international regulations.

ARTICLE 33

Education and Culture

1. The Parties agree to promote education and cultural cooperation that duly respects their diversity, in order to increase mutual understanding and knowledge of their respective cultures.

2. The Parties endeavour to take appropriate measures to promote cultural exchanges and carry out joint initiatives in various cultural spheres including the joint organisation of cultural events. In this regard, the Parties also agree to continue supporting the activities of the Asia-Europe Foundation.
3. The Parties agree to consult and cooperate in the relevant international *fora*, such as the UN Educational Scientific and Cultural Organization, in order to pursue common objectives and promote cultural diversity.
4. The Parties shall furthermore place emphasis on measures designed to create permanent links between their respective specialist agencies and to encourage exchange of information, know-how, students, experts, youth and youth workers and technical resources, taking advantage of the facilities offered by the Union's programmes in Southeast Asia in the area of education and culture as well as the experience that both Parties have acquired in this area.
5. The Parties shall encourage greater exchanges and cooperation between their educational institutions in order to promote mutual understanding, knowledge and appreciation of each other's cultures, economies and social systems. In particular, the Parties shall endeavour to facilitate the mobility of students and scholars within the framework of the Erasmus Mundus programme or other similar programmes.

ARTICLE 34

Environment and Natural Resources

1. The Parties agree on the need to conserve and manage in a sustainable manner natural resources and biological diversity as a basis for the development of current and future generations.
2. The implementation of the outcome of the UN Conference on Environment and Development of 1992, the WSSD of 2002 and the UN Conference on Sustainable Development of 2012 shall be taken into account in all activities undertaken by the Parties under this Agreement.
3. The Parties endeavour to continue their cooperation on environmental protection, including through the sharing of best practices in areas such as:
 - (a) climate change and energy efficiency;
 - (b) environmental and clean technologies particularly those that are safe and sustainable;
 - (c) capacity building in negotiating and implementing multilateral environment agreements;
 - (d) coastal and marine environment;
 - (e) addressing illegal logging and the associated trade, and promoting sustainable forest management.

ARTICLE 35

Employment and Social Affairs

1. The Parties agree to enhance cooperation in the field of employment and social affairs, including cooperation on regional and social cohesion, health and safety at the workplace, gender equality, decent work and social dialogue, with a view to strengthening the social dimension of globalisation.
2. The Parties reaffirm the need to support the process of globalisation which is beneficial to all and to promote full and productive employment and decent work as a key element of sustainable development and poverty reduction, as endorsed by the UN General Assembly Resolution No. 60/1 of 24 October 2005 and the Ministerial Declaration of high-level segment of the substantive session of 2006 of the Economic and Social Council (UN Economic and Social Council E/2006/L.8 of 5 July 2006) and as laid down in the 2008 International Labour Organization (ILO) Declaration on Social Justice for a Fair Globalization. The Parties shall take into account the respective characteristics and diverse nature of their economic and social situations.
3. In accordance with their obligations as members of the ILO and with the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up adopted by the International Labour Conference at its 86th Session in 1998, the Parties commit to respect, promote and effectively implement the principles concerning the fundamental rights at work, namely:
 - (a) freedom of association and the effective recognition of the right to collective bargaining;

- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour; and
- (d) the elimination of discrimination in respect of employment and occupation.

The Parties reaffirm their commitment to effectively implementing the ILO Conventions that the Republic of Singapore and the Member States have ratified respectively. The Parties will make continued and sustained efforts towards ratifying and effectively implementing the fundamental ILO conventions, and will exchange information in this regard. The Parties will also consider the ratification and effective implementation of other ILO conventions, taking into account domestic circumstances. The Parties will exchange information in this regard.

4. The Parties may initiate cooperative activities of mutual benefit which may include, *inter alia*, specific programmes and projects, as mutually agreed, as well as dialogue, cooperation and initiatives on topics of common interest at bilateral or multilateral level, such as ASEM, ASEAN-EU and the ILO.

ARTICLE 36

Health

1. The Parties agree to cooperate in the health sector with a view to improving health conditions covering, *inter alia*, the areas of major communicable diseases such as HIV/AIDS, avian influenza, and other influenzas of human pandemic potential and major non-communicable diseases and their risk factors, including through exchange of information and collaboration in early detection, prevention and control, as well as through international health agreements.
2. Subject to available resources, cooperation may take place through:
 - (a) projects on epidemiology of major communicable and non-communicable diseases;
 - (b) exchanges, fellowships and training programmes;
 - (c) programmes and projects to improve health services and health conditions;
 - (d) information sharing and scientific collaboration in drug regulation and medical device regulation; and
 - (e) promoting full and timely implementation of international agreements on health, such as the International Health Regulations and the Framework Convention on Tobacco Control.

ARTICLE 37

Statistics

The Parties shall endeavour to promote, in accordance with existing statistical cooperation activities between the Union and ASEAN, the harmonisation of statistical methods and practices including the gathering and dissemination of statistics, thus enabling them to use, on a mutually acceptable basis, statistics on trade in goods and services, foreign direct investment and, more generally, on any other area covered by this Agreement which lends itself to statistical data collection, processing, analysis and dissemination.

ARTICLE 38

Civil society

The Parties recognise the potential contribution of organised civil society in the dialogue and cooperation process under this Agreement and endeavour to encourage dialogue with organised civil society.

TITLE VII

MEANS OF COOPERATION

ARTICLE 39

Resources for Cooperation

1. The Parties agree to make available the appropriate resources, including financial means, insofar as their respective resources and regulations allow, in order to fulfil the cooperation objectives set out in this Agreement.
2. The Parties shall encourage the European Investment Bank to continue its operations in the Republic of Singapore, in accordance with its procedures and financing criteria.

ARTICLE 40

Cooperation in the Development of Third Countries

1. The Parties agree to exchange information on their development assistance policies with a view to establishing a regular dialogue on the objectives of these policies and on their respective development aid programmes in third countries.

2. The Parties shall also promote joint actions aimed at providing technical assistance and promoting human resource development in the less developed countries in Southeast Asia and beyond.

TITLE VIII

INSTITUTIONAL FRAMEWORK

ARTICLE 41

Joint Committee

1. The Parties agree to establish under this Agreement a Joint Committee, composed of representatives of both sides at an appropriate high level, the tasks of which shall be to:

- (a) ensure the proper functioning and implementation of this Agreement;
- (b) set priorities in relation to the aims of this Agreement;
- (c) make recommendations for promoting the objectives of this Agreement.

2. The Joint Committee shall normally meet at least every two years in Singapore and Brussels alternately, on a date to be fixed by mutual agreement. The Joint Committee shall be co-chaired by a representative from each side. The agenda for meetings of the Joint Committee shall be determined by agreement between the Parties. Extraordinary meetings of the Joint Committee may also be convened by agreement between the Parties.
3. The Joint Committee may set up specialised sub-committees in order to assist it in the performance of its tasks. These sub-committees shall make detailed reports of their activities to the Joint Committee at each of its meetings.
4. The Joint Committee shall, in accordance with this Article, adopt its own rules of procedure and shall carry out its tasks by consensus. The Joint Committee shall, in its rules of procedure, determine modalities for consultations such as those foreseen in Article 44, and endeavour to agree on a common working language.
5. The Joint Committee shall, where mutually agreed and where appropriate, discuss the functioning and implementation of any specific agreement, as referred to in Article 43(3).

TITLE IX

FINAL PROVISIONS

ARTICLE 42

Future Developments Clause

1. The Parties may by mutual consent expand this Agreement with a view to enhancing the level of cooperation, including through supplementing it by means of agreements or protocols on specific sectors or activities.
2. With regard to the implementation of this Agreement, either Party may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

ARTICLE 43

Other Agreements

1. Without prejudice to the relevant provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union, neither this Agreement nor action taken thereunder shall in any way affect the powers of the Member States to undertake bilateral cooperation activities with the Republic of Singapore or to conclude, where appropriate, new partnership and cooperation agreements with the Republic of Singapore.
2. This Agreement shall not affect the application or implementation of commitments undertaken by the respective Parties in relations with third parties.
3. Notwithstanding Article 9(2), the Parties may also complement this Agreement by concluding specific agreements in any area of cooperation falling within its scope. Such specific agreements shall be an integral part of the overall bilateral relations as governed by this Agreement and shall form part of a common institutional framework.

ARTICLE 44

Non-execution of the Agreement

1. If either Party considers that the other Party has failed to fulfil any of its obligations under this Agreement it may take appropriate measures. Before doing so, except in cases of special urgency, that Party shall seek and the other Party shall agree to hold consultations with a view to reaching a mutually satisfactory solution to the matter. Such consultations may take place under the auspices of the Joint Committee, referred to in Article 41, which may settle the matter referred to it by means of recommendation or in any other manner mutually acceptable to the Parties.
2. In cases of special urgency, the intended appropriate measure to be taken shall be notified immediately to the other Party. At the request of the other Party, consultations shall be held for a maximum period of 15 days with a view to seeking a mutually satisfactory solution to the matter. After this period, an appropriate measure may apply.
3. In the selection of appropriate measures, priority must be given to those which least disturb the functioning of this Agreement or any specific agreement. These measures shall be notified immediately to the other Party and shall be the subject of consultations within the Joint Committee if the other Party so requests.

4. The Parties agree that for the purpose of the correct interpretation and practical application of this Agreement the term 'appropriate measures' in this Article means the suspension of, or the non-performance for the time being of obligations under this Agreement or any specific agreement referred to under Article 9(2) and Article 43(3) or any other measure recommended by the Joint Committee. Appropriate measures shall be taken in accordance with international law and shall be proportionate to the failure to implement obligations under this Agreement. The Parties further agree that the term 'cases of special urgency' in paragraphs 1 and 2 means:

- (a) repudiation of this Agreement not sanctioned by the general rules of international law; or
- (b) violation of an essential element of the Agreement, as described in Article 1(1) and Article 7(2).

ARTICLE 45

Facilities

In order to facilitate cooperation in the framework of this Agreement, both Parties shall provide the guarantees and facilities necessary for the performance of their functions.

ARTICLE 46

Territorial Application

This Agreement shall apply to the territory in which the Treaty on European Union and the Treaty on the Functioning of the European Union apply under the conditions laid down in these Treaties, on the one hand, and to the territory of the Republic of Singapore, on the other.

ARTICLE 47

Definition of the Parties

For the purposes of this Agreement, 'the Parties' means the Union or its Member States or the Union and its Member States, in accordance with their respective powers, on the one hand, and the Republic of Singapore, on the other.

ARTICLE 48

Disclosure of Information

Nothing in this Agreement shall be construed to require any Party to provide any information, the disclosure of which it considers contrary to its essential security interests or to the maintenance of international peace and security.

ARTICLE 49

Entry into Force and Duration

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the legal procedures necessary for this purpose.
2. This Agreement is concluded for a period of five years. It shall be automatically extended for further successive periods of one year, unless either the Republic of Singapore, of the one part, or the Union and its Member States, of the other part, notifies the other Party in writing of its intention not to extend this Agreement six months prior to the end of any subsequent one-year period.
3. Any amendments to this Agreement shall be made by agreement between the Parties. Any amendments shall become effective only after the latter Party has notified the other Party that all necessary formalities have been completed.
4. This Agreement may be terminated by written notice of denunciation given either by the Republic of Singapore, of the one part, or the Union and its Member States, of the other part, to the other Party. The termination shall take effect six months after receipt of the notification by the other Party.

ARTICLE 50

Declarations and Side Letters

The Joint Declarations and the Side Letter to this Agreement shall form an integral part of this Agreement.

ARTICLE 51

Notifications

Notifications made in accordance with Article 49 shall be made to the Secretariat General of the Council of the European Union and the Ministry of Foreign Affairs of the Republic of Singapore, respectively.

ARTICLE 52

Authentic Text

This Agreement is drawn up in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish languages, each of these texts being equally authentic. In the event of any divergence in the interpretation of this Agreement the Parties shall refer the matter to the Joint Committee.

Done at [...] on [...]

For the European Union

For the Republic of Singapore

For the Kingdom of Belgium

For the Republic of Bulgaria

For the Czech Republic

For the Kingdom of Denmark

For the Federal Republic of Germany

For the Republic of Estonia

For Ireland

For the Hellenic Republic

For the Kingdom of Spain

For the French Republic

For the Republic of Croatia,

For the Italian Republic

For the Republic of Cyprus

For the Republic of Latvia

For the Republic of Lithuania

For the Grand Duchy of Luxembourg
For Hungary
For the Republic of Malta
For the Kingdom of the Netherlands
For the Republic of Austria
For the Republic of Poland
For the Portuguese Republic
For Romania
For the Republic of Slovenia
For the Slovak Republic
For the Republic of Finland
For the Kingdom of Sweden
For the United Kingdom of Great Britain and Northern Ireland

Joint Declaration on Article 44 (Non-execution of the Agreement)

The Parties agree that 'violation of an essential element of the Agreement' referred to in Article 44(4)(b) shall refer to particularly exceptional cases of systematic, serious and substantial failure to comply with the obligations set out in Article 1(1) and Article 7(2).

Joint Declaration on Article 52 (Authentic Text)

In the event of any divergence in the interpretation of this Agreement, account shall be taken of the fact that this Agreement was negotiated in English.

[Side Letter]

With reference to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Singapore, of the other part, both sides confirm their understanding that, at the time of signature of this Agreement, they are not aware, based on objectively available information, of any of each other's domestic laws, or their application, which could lead to the invocation of Article 44 of this Agreement.

For the European Union and its Member States

For the Republic of Singapore