

The Establishment And Development Of Diplomatic Relations And Partnership Between European Union And The Philippines

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Abstract

Considering the dynamic developments in the EU-Philippines partnership, the main purpose of this study is to clarify some aspects regarding the establishment of bilateral relations and also to highlight the concerted efforts made by both sides to become reliable partners. In this connection, the research undertaken has been focused on efforts made to negotiate and adopt the final form of the EU-Philippines Framework Agreement on Partnership and Cooperation, a document which provides an enhanced legal framework. In order to achieve this objective, qualitative and quantitative research methods were used. A special attention was also paid to the negotiations for the future EU-Philippines Free Trade Agreement, a legal act which would aid the two parties in achieving mutually beneficial economic goals. To realise this proposed aim, inductive reasoning conducted the research from the specific of the EU-Philippines partnership to the general situations, while deductive reasoning allowed to make an inference by going from general premises to specific conclusions. The research highlighted the Romania-Philippines friendship and the support provided by Romania as an EU Member State in the process of strengthening EU-Philippines relations. To achieve this goal, comparative and analytical methods were used for interpreting information and reach relevant conclusions.

Keywords: *EU-Philippines partnership, Framework Agreement on Partnership and Cooperation, Free Trade Agreement, Romania-Philippines friendship*

INTRODUCTION

The relationship between the European Union (EU) and the Philippines is a longstanding one, which has broadened and deepened remarkably in recent years. Given the dynamic and positive developments in the EU-Philippines partnership, the main purpose of this study is to clarify some aspects regarding the establishment of bilateral relations and also to highlight the concerted efforts made by both sides to become reliable partners. Thus, in a first stage the research will be focused on concerted efforts made by both sides to negotiate and adopt the final form of the EU-Philippines Framework Agreement on Partnership and Cooperation. The novelty element of the research consists in presenting the path taken by the Draft Law for the ratification of the Framework Agreement in the Parliament of Romania, as an EU member state. Thereby, given the fact that the research undertaken to elaborate this study has been achieved by a Romanian scholar, in the light of the friendship of over 50 years between Romania and the Philippines, the study attempts to highlight the support provided by Romania as an EU Member State in the process of strengthening EU-Philippines relations. This approach is especially important because both in 1952 (when Romania and the Philippines announced the establishment of diplomatic relations), and even in 1964 (date of establishing the diplomatic relations between the Philippines and the European Economic Community), the world was split into two antagonistic political and socioeconomic blocs which dominated global affairs. The special character of the relationship between Romania and the Philippines consists in the fact that, at the time of the establishment of diplomatic relations, Romania was allied with the Soviet Union in the Warsaw Pact and the Council of Mutual Economic Assistance, this while the Government of the Philippines was fighting the Huk guerrillas which began a rebellion in 1950 with communist

support. Thus, Romania and the Philippines had the audacity and foresight to go against prevailing customs and establish diplomatic relations despite divisions and adversity of the opposing alliance blocs.

Another important objective of the study is to present and analyse in detail the Partnership and Cooperation Agreement between the EU and the Philippines (entered into force on 1 March 2018), a document that provides an enhanced legal framework, enabling the European Union and the Philippines to strengthen their bilateral relationship, in particular on political, social and economic matters.

Moreover, taking into account that currently is under negotiations an EU-Philippines Free Trade Agreement (FTA), by detailing and explaining of the main negotiation issues our study will contribute in creating a comprehensible image of the EU-Philippines partnership, that's because the both sides share the ambition to conclude an agreement that covers a broad range of issues, including elimination of customs duties and other barriers to trade, services and investment, access to public procurement markets, as well as additional disciplines in the area of competition and protection of intellectual property rights. The prospective agreement will also include a comprehensive chapter that will ensure that closer economic relations between the EU and the Philippines go hand in hand with environmental protection and social development. Consequently, when FTA will come into force Philippines will be able to become the EU's largest trading partner in ASEAN and the most promising business destination for European businesses (Almodiel-Luteijn& La Viña, 2022). However, there are a number of issues that make the negotiation process difficult, especially since according to some opinions there is an apparently asymmetric level of development and capacity between the two sides, with the Philippines being considered the less advantaged side (Dela Cruz, 2017)

RESEARCH METHODS

This research was designed to highlight the establishment and development of the EU-Philippines bilateral relations, with emphasis on the concerted efforts made by both sides to become reliable partners. In this connection, the research undertaken to elaborate this study has been focused on efforts made to negotiate and adopt the final form of the EU-Philippines Framework Agreement on Partnership and Cooperation, a document which provides an enhanced legal framework. In order to achieve this objective, qualitative and quantitative research methods were used, using written data, but also logical or statistical observations to draw conclusions.

A special attention was also paid to the negotiations for the future EU-Philippines Free Trade Agreement, a legal act which would aid the two parties in achieving mutually beneficial economic goals. To realize this proposed aim, inductive reasoning conducted the research from the specific of the EU-Philippines partnership to the general situations, while deductive reasoning allowed to make an inference by going from general premises to specific conclusions (Vătăman, 2019).

Given the fact that this study is elaborated by a Romanian scholar, the research highlighted the friendship of over 50 years between Romania and Philippines and also the support provided by Romania as an EU Member State in the process of strengthening EU-Philippines relations. To achieve this goal, comparative and analytical methods were used in the research process for gathering, analysing, and interpreting information to make inferences and reach relevant conclusions.

RESULT AND DISCUSSION

The establishment and development of the EU-Philippines bilateral relations

Diplomatic relations between the Philippines and the European Economic Community (EEC) – later renamed the European Community (EC) and incorporated into the European Union (EU) by Maastricht Treaty – were established on 12 May 1964 with the appointment of the Philippines Ambassador Vicente Singian to the EEC in Brussels, Belgium (Vătăman, 2011).

In the 1970s, the Philippines also played a key role in strengthening relations with the EEC as one of the founding members of the Association of Southeast Asian Nations (ASEAN). The possibility of forging closer cooperation was discussed by the ASEAN Foreign Ministers in 1972, on which occasion it was approved the establishment a committee to conduct an institutionalized joint ASEAN dialog with the EEC. A number of meetings with the EEC Commission were subsequently held, culminating in the establishment of a formal dialog in 1975 with the creation of the ASEAN-EEC Joint Study Group. While it discussed mainly trade matters, such as market access, commodity price stabilization and related issues, the scope of the dialog in subsequent meetings was broadened to include industrial and development cooperation (Akrasanee & Rieger, 1982). A further step was the initiation in 1977 of a dialog between the ASEAN Ambassadors in Brussels and COREPER (Committee of the Permanent Representatives of the Governments of the Member States) in the EEC Council of Ministers. Their discussions laid the groundwork for the first ASEAN-ECC Ministerial Meeting which was held in Brussel in November 1978. As an indicator of growing interest in ASEAN, ECC established a Commission for South and Southeast Asia in Bangkok in late 1979 and, to facilitate consultations, ASEAN designated Thailand as the country coordinator for the ASEAN-EEC Dialog (Nierhaus&Williams, 1986). Finally, after extensive preparatory work, in March 1980, it was signed the Cooperation Agreement between the European Economic Community and Indonesia, Malaysia, the Philippines, Singapore and Thailand - member countries of the Association of South-East Asian Nations, the main emphasis of this document being on commercial, economic and development cooperation (JO L 144, 10.6.1980).

EU-Philippines Framework Agreement on Partnership and Cooperation – an important milestone in the bilateral relations

On 25 November 2004, the EU Council authorized the European Commission to negotiate individual Framework Agreements on Partnership and Cooperation (PCA) with Thailand, Indonesia, Singapore, the Philippines, Malaysia and Brunei. Negotiations with the Philippines started in February 2009 and were concluded in June 2010. Following endorsement by COREPER (Committee of the Permanent Representatives of the Governments of the Member States), both sides initialled the PCA on 25 June 2010. The PCA was signed in Phnom Penh on 11 July 2012, on the occasion of the ASEAN Regional Forum ministerial meeting, in accordance with the Council Decision 2012/272/EU of 14 May (OJ L 134/24.5.2012).

As an unprecedented fact, it must be remembered that, on 11 June 2014, the Council Decision 2012/272/EU was annulled by the Court of Justice of the European Union in Case C-377/12, "in so far as the Council of the European Union added thereto the legal bases relating to readmission of third-country nationals, transport and the environment" (OJ C 282/25.8.2014).

Further, on 8 June 2016, the European Parliament gave its consent to conclusion of the EU-Philippines Framework Agreement on Partnership and Cooperation. Having regard to the consent of the European Parliament, on 25 September 2017, the EU Council has adopted Decision (EU) 2017/2414 by which approved the EU-Philippines Framework Agreement on Partnership and Cooperation (OJ L 343/22.12.2017).

As for the Philippines, on 22 January 2018, the Senate adopted a resolution expressing its concurrence to the ratification of a framework agreement 'on partnership and cooperation'

between the Philippines and the European Union. According to the resolution, the agreement committed the country and the EU into pursuing dialogue and cooperation on "political matters, justice and security affairs, trade and investment, migration, and other economic development and sectoral issues".

The EU-Philippines Framework Agreement on Partnership and Cooperation was ratified by the Romanian Parliament through Law no. 59/30 April 2014, which passed with the unanimity of the 340 parliamentarians present at the meeting. The Law was published in the Official Gazette no. 335/8 May 2014.

According to the procedure provided for in Article 57(1) of the Framework Agreement, which established that it shall enter into force on the first day of the month following the date on which the last Party has notified the other of the completion of the legal procedures necessary for this purpose, the EU-Philippines Framework Agreement on Partnership and Cooperation entered into force on 1 March 2018 (OJ L 78/21.3.2018) and superseded the legal framework of the 1980 Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations.

Regarding the EU-Philippines fields of cooperation, the Framework Agreement provide that the two parties undertake to hold a comprehensive dialogue and promote further cooperation between them on all sectors of mutual interest, especially in relation to: cooperation on political, social, and economic matters in all relevant regional and international fora and organisations; cooperation on combating terrorism and transnational crimes; cooperation on human rights and dialogue on the fight against serious crimes of international concern; cooperation on countering the proliferation of weapons of mass destruction, small arms and light weapons as well as promoting peace processes and conflict prevention; cooperation in all trade and investment areas, in order to facilitate trade and investment flows and to remove obstacles to trade and investment, in a manner consistent with the WTO principles and ongoing and future regional EU-ASEAN initiatives; cooperation in the area of justice and security, including legal cooperation; illicit drugs; money laundering; combating organised crime and corruption; data protection and refugees and internally displaced persons; cooperation in the areas of migration and maritime labour. Also is mentioned the cooperation in all other sectors of mutual interest, notably employment and social affairs; development cooperation; economic policy; financial services; good governance in the tax area; industrial policy and SMEs; information and communication technology; audiovisual, media and multimedia; science and technology; transport; tourism; education, culture, intercultural and interfaith dialogue; energy; environment and natural resources including climate change; agriculture, fisheries and rural development; regional development; health; statistics; disaster risk management; and public administration.

In the light of the provisions presented above it can be said that, from a political point of view, the Framework Agreement with the Philippines marks an important step towards strengthening the EU's role in South-East Asia, based on shared universal values such as democracy and human rights. It paves the way for enhancing political, regional and global cooperation between two like-minded partners. It is obvious that the implementation of the Framework Agreement will entail practical benefits for both sides, forming a basis for the promotion of the EU's broader political and economic interests.

The future EU-Philippines Free Trade Agreement - a complex and difficult deal to make

The negotiations for a Free Trade Agreement (FTA) between the EU and the Philippines were officially launched at political level on 22 December 2015 by EU Trade Commissioner Cecilia Malmström and Philippine Secretary of Trade and Industry Gregory Domingo. On this occasion, both officials showed that the EU and the Philippines share the ambition to conclude an agreement that covers a broad range of issues, including elimination of customs duties and other barriers to trade, services and investment, access to public procurement markets, as well as

additional disciplines in the area of competition and protection of intellectual property rights. In addition, the prospective agreement will also include a comprehensive chapter that will ensure that closer economic relations between the EU and the Philippines go hand in hand with environmental protection and social development.

The first negotiating round took place in Brussels from 23 to 27 May 2016, the main objective being to get clarity on respective approaches, ambitions and expectations in the different negotiating areas. The round included meetings dedicated to trade in goods, rules of origin, sanitary and phytosanitary measures, services and investment, intellectual property rights (including geographical indications), competition, trade and sustainable development and dispute settlement. Negotiating groups on technical barriers to trade, customs and trade facilitation and government procurement did not convene during this round.

Further, negotiators from both sides met in Cebu City on 13-17 February 2017 for the second round of Free Trade Agreement negotiations. During discussions, the Philippine side showed a good level of engagement and brought to the negotiation table over 120 negotiators and seven Philippine text proposals that had been tabled ahead of the round (trade in goods, rules of origin, sanitary and phytosanitary measures, services, investment, intellectual property, and trade and sustainable development). These complemented the nine initial text proposals that the EU side had tabled ahead of the round on: rules of origin (Section A), trade remedies, sanitary and phytosanitary measures, customs and trade facilitation, public procurement, intellectual property, competition, state-owned enterprises and small and medium enterprises. During the second negotiation round, progress was achieved in several negotiation areas, and it was decided that a number of negotiation groups will continue working ahead of the next round. Unfortunately, no date has been set yet for the next negotiation round.

However, in March 2017, the European Commission published short factsheets to accompany the nine above-mentioned proposals for legal texts. Also, the Sustainability Impact Assessment Draft Final Report carried out for the Commission was published in May 2019, document which analyses the potential economic, social, human rights and environmental impacts of the agreement. Further, in February 2020, the European Commission presented a biennial report to the European Parliament and to the Council on the Generalized Scheme of Preferences (GSP), covering the period 2018-2019. This was accompanied by an assessment (among other GSP+ beneficiary country assessments) of Philippines' progress towards the implementation of 27 international conventions relevant for GSP+ trade preferences. In the report it is shown that there are a number of concerning issues in the case of the Philippines, including the war on drugs, shrinking civil society space, attacks on human rights defenders, the possible reintroduction of the death penalty, and the lowering the minimum age of criminal responsibility. Ongoing dialogue is constructive but more needs to be done. Meanwhile, the Philippines made progress in addressing poverty, hunger, and unemployment, and took some further measures on environmental protection (SWD (2020) 24 final).

On 14 December 2022, at the ASEAN-EU Commemorative Summit on the occasion of the 45th anniversary of ASEAN-EU Dialogue Relations, President Ferdinand R. Marcos Jr. expressed his hope "to see the proposed Philippine-EU Free Trade Agreement move beyond scoping negotiations soon". During her meeting with President Marcos and other Philippine officials, Ursula von der Leyen expressed the same hope, saying that a renewal of EU's Generalized Scheme of Preferences (GSP) for the period 2024-2034 "would open the door for a much easier start into free trade agreement negotiations". Thus, in the light of the statements of the two officials, it can be said that after almost six years hiatus, the EU is ready to resume negotiations on a Free Trade Agreement with the Philippines as well as on the renewal of the country's Generalized Scheme of Preferences Plus (GSP+) accreditation.

Romania's support for strengthening EU-Philippines relations

Fifty-one years ago, Romania and the Philippines announced the establishment of diplomatic relations, this fact taking place in a special context for both countries. Regarding the Philippines, in the early 1970's, President Ferdinand Marcos Sr. approved the report by the then foreign minister Carlos P. Romulo recommending an independent foreign policy and the opening of relations with Eastern Europe countries behind the Iron Curtain. Romania at the time had already begun to pursue an independent foreign policy of its own, having been the only country in the former communist bloc that refused to acquiesce in the 1968 Warsaw Pact invasion of Czechoslovakia. It was therefore natural for Romania to be the first country in Eastern Europe with which the Philippines established relations. Consequently, the traditional relations between Romania and the Philippines have evolved, the two states have been cooperating for over 50 years. Thus, though our relations have had ups and downs, the bonds between our peoples have grown consistently stronger. Today, Romania and the Philippines are close partners looking together at a wealth of opportunities for joint action that open for both sides and have agreed to step up cooperation in several areas, including disaster prevention and management, as well as cybersecurity (Matache, 2022).

In the light of the Romanian-Filipino long friendship and as an active member of the European Union, Romania supported the strengthening of the EU-Philippines partnership. In this respect, the Romanian representatives in EU institutions supported the cause of the Philippines in the negotiation process for EU-Philippines Framework Agreement on Partnership and Cooperation and also for the future EU-Philippines Free Trade Agreement.

The Romanian support for the Philippines was most recently reiterated on 8 February 2022, during the political-diplomatic consultations of the Romanian Secretary of State Cornel Feruță with the Undersecretary for Foreign Affairs of the Republic of the Philippines, Maria Theresa Lazaro. On this occasion, the two officials highlighted the significant potential of relations between Romania and the Philippines, as well as the commitment of both parties to intensify efforts in order to realize cooperation on new coordinates, adjusted to concrete bilateral priorities and the new global context. The anniversary moment occasioned by the celebration, in 2022, of the semi-centennial of bilateral relations was welcomed. The two parties agreed that this milestone, which also coincides with the installation of a new diplomatic team at the Romanian Embassy in Manila, marks the beginning of a revitalization of bilateral exchanges on various levels: in terms of interpersonal and social relations, especially in terms of the workforce, economically and culturally, against the background of an increasingly deepened mutual interest in this regard. The Romanian side highlighted its expertise in the area of cyber security, including through the prism of hosting in Bucharest the future EU Center in the field. He also highlighted the availability of cooperation in the management of emergency situations and natural disasters, Romania benefiting from one of the most effective institutional instruments in the matter at the EU level (through the Department for Emergency Situations). At the same time, the two officials welcomed the good Romanian-Philippine cooperation on a multilateral level, reviewing the opportunities offered by various regional forums and platforms for the intensification of bilateral relations: EU-ASEAN (Association of South-East Asian Nations) relations, the ASEM platform, the new EU Strategy for cooperation in the Indo-Pacific region (Youngs & Bava, 2023). In this context, there was an exchange of views regarding the recent developments in the respective neighbouring areas, with the consensus of the parties regarding the importance of preserving the rules-based international order and full respect for international law.

CONCLUSION

In accordance with the established purposes of this study, the research undertaken was focused on the establishment and development of the EU-Philippines bilateral relations, with emphasis in a first stage on the EU-Philippines Framework Agreement on Partnership and Cooperation. Taking into account the way in which this Framework Agreement was analysed and described it can be said that the research goals were achieved, especially that this document provides an enhanced legal framework, enabling the European Union and the Philippines to strengthen their bilateral relationship, in particular on political, social and economic matters. Thus, it was reiterated that our common interests and values are a strong foundation for a partnership based on respect and mutual benefit, including the pursuit of the effective implementation of the EU-Philippines Framework Agreement on Partnership and Cooperation in all its aspects. These are the bases to strengthening multilateralism and cooperation on regional and global issues.

Another goal established from the beginning of the study was the analysis of the future EU-Philippines Free Trade Agreement, described even in the title as " a complex and difficult deal to make". Considering the analysis of the two rounds of Free Trade Agreement negotiations, and proposals for legal texts presented by the two parties, it could be argued that the importance of the future EU-Philippines Free Trade Agreement has been fully highlighted, such a deal being a win-win strategy as it would aid the two parties in achieving mutually beneficial economic goals while maintaining the EU's core ideals of sustainable development and environment protection as well as with the EU's Indo-Pacific strategy.

Not least, the study attempted and succeeded to focus attention on the friendship of over 50 years between Romania and Philippines, and also to highlight the support provided by Romania as an EU Member State in the process of strengthening EU-Philippines relations. This especially because our countries share similar views and values: Romania, as a Black Sea coastal EU Member-State, and the Philippines, as an Indo-Pacific nation and ASEAN founding member, promote and uphold a rules-based international order, with international law at its core. Romania continues to be actively involved in the implementation of the EU Indo-Pacific Strategy and we advocate that a stable and developed Southeast Asia is central to a safe and prosperous world. All these, as well as our common interest in ensuring and preserving peace, security and respect for human rights worldwide, bring our two countries even closer.

Thus, in the light of the above concise conclusions, we are convinced that this study can contribute to a better knowledge and understanding of EU-Philippines beneficial and long-standing relationship.

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