

EU-UKRAINE PARLIAMENTARY COOPERATION COMMITTEE

Tenth Meeting

26-27 February 2008

BRUSSELS

Co-Chairmen: Mr. Adrian SEVERIN and Mr Borys TARASYUK

Final Statement and Recommendations pursuant to Article 90 of the Partnership and Cooperation Agreement

Under the co-chairmanship of Mr Adrian SEVERIN (PSE, Romania) and Mr Borys TARASYUK (Our Ukraine - People's Self-Defence) the tenth meeting of the EU-Ukraine Parliamentary Cooperation Committee was held in Brussels from 26 to 27 February 2008. The Committee exchanged views with Mr Arseniy YATSENYUK, the Speaker of the Verkhovna Rada of Ukraine, Mr Konstantin YELISEEV, Deputy Minister of Foreign Affairs of Ukraine, on behalf of the Government of Ukraine, H.E. Mrs Darja BAVDEŽ-KURET, Ambassador of Slovenia, on behalf of the Presidency-in-Office of the Council of the European Union, Mr Hugues MINGARELLI, Deputy Director General of DG External Relations, on behalf of the European Commission and with Mr Adam BIELAN, Rapporteur on Ukraine of European Parliament's Committee on Foreign Affairs.

The Parliamentary Cooperation Committee (PCC):

State of play of the EU-Ukraine relations

1. Underlines that the relations between the European Union and Ukraine are of great importance to both sides and welcomes the strategic choice of Ukraine towards membership in the EU;
2. Underlines that Ukraine, due to its geographical position, history, cultural and economic ties, can be clearly identified as an integral part of Europe; notes that Ukraine, like every democratic European country, which respects the rule of law, may in principle apply, pursuant to Article 49 of the Treaty on European Union, for membership of the EU; underlines that the case for an EU membership perspective would grow ever stronger if Ukraine successfully carries out comprehensive reforms towards implementing the Copenhagen criteria as well as undertaking the necessary constitutional, political and judiciary reforms; stresses that the pace and depth of a common European process should also correspond as closely as possible to the abilities to implement the appropriate reforms in the EU;
3. Takes note that while various mechanisms and instruments of the European Neighbourhood Policy (ENP) help Ukraine to pursue the reform process and thus move closer to the EU, the "neighbour status" does not satisfy Ukraine's

aspirations and that Ukraine does not recognize it as the appropriate basis for EU-Ukraine relations in the future; expresses doubts about the meaningfulness of the ENP's geographic scope, involving both European and non-European countries and believes that the ENP should be substantially strengthened to provide more incentives and instruments to face shared challenges and to help Ukraine integrate closer with the EU;

4. Notes the substantial progress achieved in the implementation of the EU-Ukraine Action Plan and encourages in this regard the EU and Ukraine to jointly make an assessment of its implementation; also welcomes the parties' intentions to continue active cooperation towards implementation of the existing bilateral agreements;
5. Draws attention to the fact that the EU Member States, which are immediate neighbours of Ukraine, play an important role and carry special responsibility in fostering progress in the EU-Ukraine relations; in this regard encourages Ukraine and its immediate EU neighbours to further improve bilateral relations, to find mutually acceptable solutions to common challenges and to make the best possible use of their privileged relationships in bringing the EU and Ukraine ever closer together;
6. Highlights the important role played by the EU-Ukraine PCC in fostering cooperation between the EU and Ukraine, and urges further strengthening of the parliamentary dimension of EU-Ukraine relations;
7. Notes that the negotiations on a new enhanced agreement between the EU and Ukraine, which started on 5 March 2007, are proceeding successfully with the sixth round of negotiations concluded on 25-31 January 2008 in Kyiv;
8. Recalls the provisions of the European Parliament's recommendation of 12 July 2007 to the Council stating that the current negotiations with Ukraine should result in the conclusion of an Association Agreement which contributes efficiently and credibly to the European perspective of Ukraine and opens the corresponding process, including the possibility of membership;
9. Proposes to introduce a mechanism of consultation and assistance on a parliamentary level by establishing a working group of the EU-Ukraine PCC, which would keep the European Parliament and the Verkhovna Rada of Ukraine informed about the process of the negotiations and the eventual implementation of the agreement and would provide recommendations in this regard to the Ukrainian Government, the Council of the EU and the European Commission;
10. In addition, depending on specific developments in the EU-Ukraine relations, recommends that the Bureau of the PCC makes full use of the possibility to establish working groups on specific issues of common concern, which could work in-between the PCC meetings and assure the continuity and the follow-up of the PCC activities;

11. Encourages the finalisation of the negotiations, if possible, in 2008 and stresses that the speed and the success of the negotiations depends on the strong commitment and responsibility of both sides; expects the new agreement to move the EU-Ukraine relations towards the level of political association and economic integration;
12. Notes that negotiations on EU-Ukraine new agreement and EU-Ukraine Free Trade Area are different-speed processes; in this regard invites those concerned to take the appropriate measures in order to avoid one process slowing down the other;
13. Emphasizes that the enhanced agreement should promote security of energy supply, improve safety, energy efficiency and environmental standards, foster progress towards integrating electricity and gas markets of the EU and Ukraine and encourage common solutions to combating climate change;
14. Stresses that the new enhanced agreement between the EU and Ukraine should be based on common values, such as respect for democratic principles, human rights, including the rights of minorities, and fundamental freedoms, as well as on the principles of a free market economy, rule of law, good governance, the fight against corruption, the promotion of sustainable development and the fight against transnational organized crime, terrorism and proliferation of weapons of mass destruction;
15. Underlines the importance of the efficient information policy about the EU, its institutions and values; welcomes the measures already undertaken in this area and encourages the Ukrainian government to adopt a new programme on informing the citizens about the EU together with sufficient financial means;

Political and economic developments in Ukraine and the EU

16. Welcomes the continuation of the democratisation and reform process in Ukraine and emphasizes that success of political and economic development of Ukraine is crucial to bringing prosperity and stability to the whole region;
17. Notes that the early parliamentary elections of 30 September 2007 were conducted in an open and competitive environment and met the international standards for democratic elections; underlines that the free and fair nature of these elections have once again consolidated democracy in Ukraine and confirmed the deep commitment of the Ukrainian people to the common European democratic values;
18. Supports the determination of the new Government to ensure successful continuation of democratic and market reforms in Ukraine, to further pursue and strengthen political, social, economic and judicial reforms, to intensify the fight against corruption and to move closer towards the European Union (EU);
19. Highlights the importance to implement a proper constitutional reform, needed to ensure more effective and accountable system of governance and to establish a clear checks and balances system; stresses that the constitutional

changes should, in particular, define clear distribution of competences among the Verkhovna Rada, the Cabinet of Ministers and the President and regulate the relations between the ruling coalition and opposition, in order to prevent clashes of competences and the power struggle, to assure effective functioning of the legislative branch and to avert in the future the possibility of a similar political or constitutional crisis, which led to the early elections in 2007;

20. Underlines that a broad political consensus in Ukraine's society, particularly in the Parliament, must be ensured in favour of a stable constitutional settlement and of reforms which underpin the European aspirations of Ukraine;
21. Expresses its readiness, if necessary, to provide advice and assistance in reforming the constitutional framework of the country; encourages the Bureau of the EU-Ukraine PCC, if needed, to define appropriate means and procedures in this regard;
22. Calls on the Ukrainian authorities to strengthen the judiciary's independence from political and private business influence and to enable the Constitutional Court and other key judicial bodies of the country to function efficiently and uninterrupted;
23. Recommends further improvement of the Ukrainian legislation on political parties and political campaign financing in line with EU practice, as well as clear legislation which separates business from power and regulates conflicts of interests; urges to effectively implement that legislation in order to guarantee transparency, accountability and openness of the political system of Ukraine;
24. Notes with concern that curbing corruption remains a priority objective for Ukraine since it may stifle economic growth and impede access as regards foreign capital; urges the new Government to implement its promises to fight corruption, especially the underlying causes of it; highlights that the key to attracting foreign investment to Ukraine is the establishment of a sound, stable and predictable investment climate;
25. While acknowledging the significant progress achieved by Ukraine in terms of securing basic rights and liberties, underlines the necessity to ensure full commitment by the police, prosecutors and courts to cope with the dangers of trafficking, violence and discrimination, and the need for Ukraine to achieve a fully functioning system for reception of asylum seekers which conforms to relevant international standards and commitments; encourages Ukraine to further develop the interethnic and intercultural dialogue as well as to deepen the protection of the minorities' identity and their social integration; regular exchange of views and information on this issue in order to intensify and promote the best practices in Ukraine and the EU should be most welcome;
26. Takes into account that 2008 has been declared a year of remembrance of the Great Famine of 1932-1933 victims in Ukraine and recalls the statement of the President of the European Parliament on 21 November 2007, marking the 75th

anniversary of the Holodomor famine in Ukraine and calling the Holodomor an appalling crime against humanity, which was cynically and cruelly planned by Stalin's regime; calls again upon all the Members of the European Parliament to support initiatives on recognition of the Great Famine in Ukraine (1932-1933) as genocide;

EU-Ukraine economic cooperation

27. Commends the signature on 5 February 2008 of the protocol of Ukraine's accession to the World Trade Organization (WTO) and the launch on 18 February 2008 of negotiations on a Free Trade Area, to be founded on a common regulatory basis and to cover almost all trade in goods, services and capital between the EU and Ukraine, as well as facilitate the movement of persons related to service rendering and investments;
28. Notes that a deep and comprehensive Free Trade Area should be an operational tool for the gradual integration of the Ukraine economy into the EU single market;
29. Commends the deepening of the bilateral economic cooperation; at the same time expresses once again its concern with a growing imbalance in the trade between the EU and Ukraine; encourages the European Commission and Ukrainian Government to address this issue;
30. Emphasizes the importance of continued cooperation in the field of the preparation of the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA) between EC and Ukraine;
31. Welcomes the opening in December 2007 of the negotiations between the EU and Ukraine on a common aviation area and encourages both sides to make quick progress and conclude the agreement;

Justice and home affairs

32. Expresses its belief that people-to-people contacts are vitally important for the development of the EU-Ukraine relations and therefore welcomes the approval by the European Parliament on 13 November 2007 and the ratification by the Verkhovna Rada of Ukraine on 15 January 2008 of the visa facilitation and readmission agreements between the European Community and Ukraine; stresses the need to effectively implement these agreements and underlines that the final long-term goal should be a visa-free travel regime between the EU and Ukraine;
33. Recalls the provisions of the European Parliament Resolution of 15 November 2007, which urged the EU Member States to further improve the processing of visas in order to facilitate mobility and to make legitimate travel to the European Union less burdensome and less costly; considers that the establishment of a visa-free regime for EU citizens in 2005 as well as reference to the visa-free regime perspectives for Ukrainian citizens in the visa facilitation agreement will be a strong basis for a dialogue on the visa-free

regime for Ukrainians; calls on the Member States to deal effectively with problems experienced at their consular services;

34. Stresses the importance of establishing joint border and customs control; encourages the EU Member States concerned to consider this issue together with Ukraine; invites the Council and the Commission to study possibilities to support this process;
35. Highlights that the traffic capacity of the current checkpoints on the common border of EU Member States and Ukraine is not enough for the sustainable development of the cross-border cooperation (CBC) and people-to-people contacts; encourages Hungary, Poland, Romania, Slovakia and Ukraine to increase the number of border checkpoints, in particular according to the decisions of the bilateral cross-border cooperation commissions;
36. Encourages the neighbouring EU Member States concerned (Poland, Romania and Slovakia), following the recent enlargement of the Schengen area in December 2007, to conclude bilateral agreements on the local cross-border movement with Ukraine and thus facilitate movement of people living in the border areas;

Energy and climate change

37. Highlights Ukraine's critical role in ensuring the energy security of the EU and underlines that Ukraine's full control over its energy independence is directly connected to its political stability and prosperity; stresses the need for the EU to finally agree on a common external energy policy, which is also critical for Ukraine's energy security;
38. Encourages the EU and Ukraine to develop a joint strategy between the EU and Ukraine on common energy security based on the principles of the Energy Charter Treaty, such as openness, transparency and reciprocity as regards access to markets and investments;
39. Welcomes the significant progress achieved in implementing the priorities of the EU-Ukraine Memorandum of Understanding on cooperation in the field of energy of 1 December 2005 and calls for the reinforcement of the energy dialogue in order to ensure a safe, transparent and reliable transit system of energy between Ukraine and the EU; commends Ukraine on obtaining observer status in the Treaty of the Energy Community and supports its efforts to acquire membership;
40. Supports the construction of the Odesa-Brody-Plotsk Oil Pipeline and encourages the involvement of Ukraine in the development of Nabucco Gas Pipeline Project as well as of the Caspian Sea-Black Sea-EU energy corridor, aiming to diversify energy sources and to achieve a higher energy security in the region; in this regard welcomes the agreement to enhance cooperation in energy sector signed by Ukraine, Poland, Lithuania, Azerbaijan and Georgia at Vilnius Energy Summit on 11 October 2007;

41. Welcomes the concrete steps taken to improve nuclear safety in Ukraine, such as the successful completion of the stabilisation measures of the existing Chernobyl shelter; at the same time stresses that Ukraine has to make a major effort concerning energy saving, energy efficiency and renewable energy, to improve environmental standards and, following tragic mining accidents in 2007, to increase safety and improve working conditions of workers in the coal mines across the country; calls on the EU to assist Ukraine in these efforts;
42. Underlines the importance of bilateral cooperation on climate change and the need to successfully complete by 2009 negotiations on a global and comprehensive agreement for the period following 2012 in the framework of the UN Climate Conference; encourages Ukraine and the neighbouring EU Member States to work together towards the protection of environment in the border areas in accordance with international standards;

Regional and international cooperation

43. Recognizes the progress of bilateral cooperation in the EU Common Foreign and Security Policy (CFSP) and, in this regard, welcomes Ukraine's aligning with EU statements and declarations on regional and international issues as a good example of such cooperation;
44. Commends Ukraine for playing an important and positive role in the region; underlines that the EU and Ukraine should intensify their joint efforts in the common neighbourhood, particularly in improving relations with Russia, contributing to the sustainable, comprehensive and just settlement of the Transnistrian conflict, encouraging democratic reforms in Belarus and solving other regional and international problems of common concern;
45. Notes the effective work of the EU Border Assistance Mission to Ukraine and Moldova (EUBAM) as example of mutually beneficial and successful EU-Ukraine cooperation and welcomes the prolongation of the mission for another two-year period;
46. Encourages stronger EU and Ukraine support for regional political cooperation projects such as the Community of Democratic Choice, GUAM (Georgia, Ukraine, Azerbaijan and Moldova), and the Organization of the Black Sea Economic Cooperation (BSEC) in order to promote more efficiently democracy, multilateral cooperation and sustainable development in the entire region;
47. Takes note of Ukraine's willingness to initiate negotiations on the conclusion of the agreement on the EU use of Ukraine's long haul air transport capacities for the needs of the European Security and Defence Policy (ESDP) as envisaged in the EU-Ukraine Action Plan; encourages the EU Council of Ministers and the EU Member States to positively consider this initiative.

Adopted unanimously