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with a proposal for a European Parliament recommendation to the Council on a negotiation mandate for a new enhanced agreement between the European Community and its Member States of the one part and Ukraine of the other part (2007/2015(INI))

Committee on Foreign Affairs

Rapporteur: Michał Tomasz Kamiński

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PROPOSAL FOR A EUROPEAN PARLIAMENT RECOMMENDATION TO THE COUNCIL

on a negotiation mandate for a new enhanced agreement between the European Community and its Member States of the one part and Ukraine of the other part (2007/2015(INI))

The European Parliament,

- having regard to the proposal for a recommendation to the Council by Michał Tomasz Kamiński on behalf of the UEN Group on the negotiating mandate for a new enhanced agreement between the European Community and its Member States, of the one part, and Ukraine, of the other part (B6-0022/2007),
 - having regard to the Council decision of 22 January 2007 to open negotiations with Ukraine on a new enhanced agreement,
 - having regard to its previous resolutions on Ukraine, particularly that of 13 January 2005 on the results of the presidential elections¹ and that of 6 April 2006 on the parliamentary elections²,
 - having regard to the Communication from the Commission of 12 May 2004 on the European Neighbourhood Policy (COM(2004)0373) and to the recent Communication from the Commission of 4 December 2006 on strengthening the European Neighbourhood Policy (COM(2006)0726),
 - having regard to the EU-Ukraine Action Plan jointly adopted on 21 February 2005 and to the recent Commission ENP Progress Report of 4 December 2006 on Ukraine (SEC(2006)1505/2),
 - having regard to the assistance to Ukraine to be provided under the European Neighbourhood and Partnership Instrument to support Ukraine's reform agenda,
 - having regard to Article 49 of the EU Treaty,
 - having regard to Rule 114(3) and Rule 83(5) of its Rules of Procedure,
- A. whereas Ukraine has strong historical, cultural and economic links to the European Union and whereas it is the EU's key partner in its Eastern neighbourhood, exerting an important influence on the security, stability and prosperity of the whole continent,
- B. whereas by the end of 2006 Ukraine adopted all laws necessary for it to become a member of the World Trade Organization,

¹ OJ C 247 E, 6.10.2005, p. 155.

² OJ C 293 E, 2.12.2006, p. 307.

- C. whereas in its 2006 ENP Progress Report the Commission acknowledged considerable steps taken by Ukraine towards consolidating respect for human rights and the rule of law, but stated that reform efforts need to be stepped up,
 - D. whereas Ukraine has declared its will to pursue the path of European integration and to become a Member State of the EU, and whereas this aim continues to be carried by consensus of all actors on its political stage,
 - E. whereas Parliament has called on the Council, the Commission and the Member States to consider giving Ukraine a clear European perspective,
 - F. whereas in its decision on the negotiation mandate the Council envisaged the construction of an increasingly close relationship with Ukraine, but failed to give any tangible perspective, let alone a name for the form of relationship the agreement will establish,
 - G. whereas the new agreement should motivate Ukraine to realise further political, economic and social reforms, and reinforce cooperation between both partners,
 - H. whereas it is of paramount importance that the current tensions between the President and the Parliament of Ukraine are resolved swiftly, with respect to European values, principles of democracy and the rule of law, and without endangering the ability of Ukraine to pursue its integration into European structures,
1. Welcomes the Council's decision to open negotiations on a new agreement aimed at deepening political cooperation and at achieving the economic integration of Ukraine into the European Union;
 2. Expresses its disquietude with regard to the current political tensions, and calls upon all actors engaged to intensify the search for a comprehensive political compromise involving all parties;
 3. Calls upon the Ukrainian leadership as well as upon the Council and the Commission to undertake everything possible to ensure that the negotiations started in March can continue and can be concluded as soon as possible;
 4. Recognises that Ukraine and the EU have successfully performed the tasks envisaged in the Partnership and Cooperation Agreement (PCA) and have availed themselves of the possibilities afforded by that format; is convinced that the level of cooperation between Ukraine and the EU and the role that is Ukraine's in contemporary European affairs require a new format of relations going far beyond the PCA commitments;
 5. Conscious of the crucial importance of symbols and perspectives, believes that the negotiations should lead to the conclusion of an Association Agreement that creates an efficient framework for integration of Ukraine with the EU and opens its way to EU membership;
 6. Takes the view that the conclusion of the new agreement should be based on Article 310 of the EC Treaty;

7. Is of the view that the agreement should envisage development of the relationship in stages, laying down concrete conditions and timetables to be met; demands that a review of the agreement be provided for, in order to take into account dynamic developments in Ukraine and in the bilateral relationship;
8. Calls on the political leadership of Ukraine to commit itself to vigorous implementation of reforms, and appeals to all actors on the political stage and in civil society in Ukraine to strive to establish a broad political consensus in favour of a stable constitutional settlement and of reforms that must underpin the European aspirations of their country;
9. Stresses, with regard to the challenges Ukraine will face when implementing its commitments arising from the agreement, that advantage should be taken of the review of the European Neighbourhood and Partnership Instrument planned for 2008, in such a way as to increase the EU's financial assistance to Ukraine;
10. Welcomes the decision by UEFA to entrust Poland and Ukraine with joint organisation of the European Championship in 2012; sees this step as a strong expression of confidence in Ukraine as a valuable member of the European democratic community, and believes that it will provide the Ukrainian leadership with a further impetus to pursue reforms;
11. Addresses the following recommendations to the Council and asks it to instruct the Commission to take them into account when pursuing the negotiations:
 - a) draw the attention of its Ukrainian partners to the need to further consolidate the footings of liberal democracy, in particular as far as a stable constitutional system, the protection of individual freedoms, strengthening democratic control mechanisms and stable anchoring of the rule of law are concerned;
 - b) point out that the key to the stabilisation of Ukraine lies in unravelling political from economic powers, weeding out corruption and ensuring an independent judiciary;
 - c) deepen the regular political dialogue on bilateral, regional and international issues; provide for Ukraine's close involvement in the Common Foreign and Security Policy; aim at strengthening its role in the East European region and encourage it to continue its activities focused on the promotion of stability, security and democracy in the common neighbourhood; draw on the experience of Ukraine's cooperation with the EUBAM mission on its border with Moldova;
 - d) support the consolidation of the Ukrainian market economy and work upon approximation of legislation towards the Community *acquis* in order to improve its investment climate and contribute to its growth potential;
 - e) lay down a concrete plan for the gradual establishment of a deep and comprehensive Free Trade Area, to be grounded on a common regulatory basis and to cover all trade in goods, services and capital between the EU and Ukraine;

- f) take fully into account Ukraine's critical role in ensuring the energy security of the EU and give due attention to the fact that Ukraine's full control over its energy security is directly connected to its political stability and prosperity;
 - g) urge therefore that the energy sector of Ukraine fully complies with principles of market economy and transparency, in particular as far as prices, network access and efficiency are concerned; support rapid integration of Ukraine into the European Energy Community; assist diversification of Ukraine's resources, e.g. by accessing direct supplies from Central Asia; strengthen its strategic role as a transit country for supplying the EU with oil and gas, e.g. by backing a reversal of the Odessa-Brody pipeline and advocating its extension into the EU;
 - h) strengthen Ukraine's potential as a key partner in management of migration flows and borders; envisage further joint steps in the fight against organised crime; ensure effective implementation of visa facilitation and readmission agreements; envisage the objective of and necessary steps towards the introduction of a visa-free travel regime;
 - i) provide for Ukraine's participation in Community agencies and programmes in order to increase the access of its policymakers and experts to European networks; increase and widen opportunities for people-to-people contacts, in particular for civil society actors, students and researchers;
12. Asks the Council and the Commission to keep the committee responsible regularly and thoroughly informed of the progress of negotiations;
13. Instructs its President to forward this recommendation to the Council and to the Commission, and, for information, to the Verkhovna Rada, the Ukrainian Government and the Ukrainian President.

22.12.2006

PROPOSAL FOR A RECOMMENDATION TO THE COUNCIL (B6-0022/2007)

pursuant to Rule 114(1) of the Rules of Procedure

by Michał Tomasz Kamiński

on behalf of the UEN Group

on the negotiating mandate for a new enhanced agreement between the European Community and its Member States, of the one part, and Ukraine, of the other part

The European Parliament,

- having regard to its previous resolutions on Ukraine, particularly that of 13 January 2005 on the results of the presidential elections and that of 6 April 2006 on the parliamentary elections,
 - having regard to the Commission announcement of 13 September 2006 that it has proposed negotiating directives for an enhanced agreement with Ukraine, now pending the approval of the Council,
 - having regard to the Joint Statement of the European Union-Ukraine Summit held on 27 October 2006 in Helsinki,
 - having regard to the Commission Communication of 12 May 2004 on the European Neighbourhood Policy (COM(2004)0373) and that of 4 December 2006 on strengthening the European Neighbourhood Policy (COM(2006)0726),
 - having regard to the EU-Ukraine ENP Action Plan, of February 2005,
 - having regard to Article 49 of the EU Treaty,
 - having regard to Rule 114(1) of its Rules of Procedure,
- A. whereas Ukraine has strong historical, cultural and economic links with the EU Member States and whereas it is the Union's key partner in its immediate Eastern European neighbourhood,
- B. whereas the country's efforts to put the principles of European integration into practice should be appreciated; whereas the cooperation with the European Union resulting from the Partnership and Cooperation Agreement has been one of the key factors in bringing Ukraine to establish accession to the European Union as the main objective of its foreign and domestic policy,
- C. whereas Ukraine is currently in a transition period that is decisive for the long-term stabilisation of the country, for safeguarding of democracy, pluralism and the rule of law and for anchoring Ukraine in the European democratic community,

- D. whereas the new enhanced agreement should establish relations between the European Union and Ukraine on a new basis, responding to the need to encourage Ukraine to realise further political, economic and social reforms, and to reinforce cooperation between both partners,
1. Calls on the Council to take account of the following recommendations when adopting the negotiating mandate:
 - (a) to take into consideration the fact that Parliament called on the Council to consider giving Ukraine a clear European perspective; the new enhanced agreement should, in this context, create an appropriate and effective framework for the gradual integration of Ukraine with the EU and open the way to its membership of the EU;
 - (b) to ensure that one of the principal objectives of the enhanced agreement is to base the relationship between the European Union and Ukraine on shared respect for fundamental European values;
 - (c) to ensure that the Free Trade Area, to become part of the enhanced agreement following Ukraine's accession to the WTO, is accompanied by efforts to align Ukraine, as close as possible, with the *acquis communautaire*;
 - (d) to pay due attention to Ukraine's role in ensuring transport of energy supplies to a significant part of the European Union energy market, and to support the progressive integration of the Ukrainian energy market with that of the EU;
 2. Asks the Council and the Commission to inform the committees responsible regularly and thoroughly of the progress of negotiations;
 3. Instructs its President to forward this recommendation to the Council and, for information, to the Commission, the Verkhovna Rada and the Ukrainian Government.