

EU-UKRAINE PARLIAMENTARY COOPERATION COMMITTEE

Fifteenth Meeting

4-5 November 2010

KYIV - ODESSA

FINAL STATEMENT AND RECOMMENDATIONS pursuant to Article 90 of the Partnership and Cooperation Agreement

Under the co-chairmanship of Mr. Borys TARASYUK (Our Ukraine – People's Self-Defense, Ukraine) and of Mr. Paweł KOWAL (ECR, Poland) the fifteenth meeting of the EU-Ukraine Parliamentary Cooperation Committee was held in Kyiv and Odessa on 4-5 November 2010. The Committee exchanged views in Kyiv with Mr Volodymyr LYTVYN, Speaker of the Verkhovna Rada of Ukraine, Mr.Serhiy TIGIPKO, Vice-Prime Minister of Ukraine, on behalf of the Government of Ukraine and H.E. Mr. Jose Manuel Pinto TEIXEIRA, Head of the EU Delegation to Ukraine, on behalf of the European Union, and in Odessa with Ms. Lyudmila VARAVVA, Deputy Head of the Odessa Regional State Administration, Mr. Mykola TINDYUK, Deputy Head of the Odessa Regional Council and Mr Sławomir PICHOR, Deputy Head EU Border Assistance Mission to Moldova and Ukraine (EUBAM).

The Parliamentary Cooperation Committee (PCC):

On the state of play of relations between Ukraine and the EU

1. Calls for a common approach in Ukraine and in the EU towards Ukraine's European integration process which should be supported through political, economic and practical measures and tools;
2. Welcomes the repeated confirmations of the Ukrainian authorities that European integration remains a strategic priority of Ukraine in its foreign and domestic policy;
3. Takes note of the results of the Fourteenth meeting of the Cooperation Council between Ukraine and the EU in Luxembourg on 14 June, 2010, and the continuous progress being made in the implementation of the Association Agenda as well as in the negotiations on the Ukraine - EU Association Agreement, which should lead to the conclusion of an ambitious and innovative document based on the closely inter-related principles of political association and economic integration;
4. Emphasizes the need of deepening co-operation between Ukraine and the EU in the trade and economic sphere as integral part of the future Association Agreement, and encourages both sides to work closely together on a deep and comprehensive free trade area and the EU to extend its four freedoms to Ukraine;
5. Welcomes the adoption of the Law "On the Principles of the Natural Gas Market Operation", which complies with EU directive 2003/55/EC, as well as the subsequent signing of the Protocol on the accession of Ukraine to the Energy Community Treaty in Skopje on 24 September, 2010; and believes that it should decisively improve energy cooperation between Ukraine and the EU as well as effectively strengthen security of energy supply to Ukraine and to the EU;

6. Believes that, along with the implementation of the Joint Declaration of March 2009 on the modernization of Ukraine's GTS, the accession of Ukraine to the ECT is able to decisively improve energy cooperation between Ukraine and the EU and to effectively strengthen security of energy supply to Ukraine and to the EU;
7. Welcomes the prompt reply by Ukraine to the EU-Ukraine Visa Dialogue Questionnaire and the work carried out by the European Commission on the Action Plan on the Establishment of the Visa-Free Travel Regime to be endorsed at the next EU-Ukraine Summit in November this year;
8. Adopts the Final Report elaborated by the PCC Working Group on the issue of visa policy between Ukraine and the EU, and calls on the European Parliament and the Verkhovna Rada to take it into account for the relevant deliberations to be taken at their plenary sessions; further calls all Member States to ensure implementation of the Visa facilitation agreement to the fullest possible extent, to minimize the use of any other procedural fees and to further improve the administrative procedures;
9. Welcomes the well functioning local border traffic regimes between Ukraine and Hungary, Poland and Slovakia within the relevant bilateral agreements and emphasizes the need of further facilitating the conditions for border crossing by persons residing in the border area;
10. Calls on all the EU Member States having common borders with Ukraine to conclude the Agreement on local border traffic regime with Ukraine;
11. 10. Reiterates its call for an extension of the local border traffic regime between the EU Member States and neighbouring countries, particularly with regard to Ukraine, and for an amendment of the Regulation (EC) No 1931/2006 of the European Parliament and the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention to extend the border area to 50 kilometres; reiterates the importance of introducing a joint border control between Ukraine and the neighbouring EU Member States and calls on the European Commission to initiate the necessary amendments to the relevant regulations;

Further reiterates the importance of an introduction of a joint border control between Ukraine and neighbouring EU Member States and calls on the European Commission to initiate amendments to the Schengen Border Code (Annex VI) laying down the provisions permitting the conclusion of bilateral agreements related to carrying out joint border checks on road traffic on the territory of neighbouring third countries; stresses the importance of good cooperation between Europol and the State Border Service of Ukraine;

On internal developments in Ukraine

12. Takes note of the shift of power following the presidential election in Ukraine and the creation of a new majority in the Rada and a new government;
13. Urges all the parties concerned to engage in negotiations to come to a compromise solution on the constitutional debate following the verdict of the Constitutional Court of October 2010 which reinstated the Constitution of 1996.

14. Notes that reforms in Ukraine, aimed to improve the political and economic frames in the country as well as to approach EU standards in view of European integration, can only be successful only when they will be accompanied by activity on consolidation of democracy and the rule of law in a system which should be characterised by effective separation of powers; calls for the continuation of the constitutional reform process in an inclusive manner and with the involvement of European expertise, which lead to a proper system of checks and balances between and within the branches of power;
15. Takes note of the Parliamentary Assembly of the Council of Europe's resolution on the functioning of democratic institutions in Ukraine adopted on 5 October 2010 and calls on the Ukrainian authorities to take into account its recommendations;
16. Welcomes the Parliamentary Assembly of the Council of Europe's readiness to assist Ukraine in strengthening its democratic institutions and firmly establishing a society based on the principles of democracy, respect for human rights and adherence to the rule of law;
17. Recalls the Resolution of the European Parliament adopted on 25 February, 2010, and its call for a stable and democratic Ukraine, where the principles of the social market economy, the rule of law and human rights are respected, political stability and economic development are solid, internal reforms yield results, and European integration endeavor is vibrant;
18. Welcomes the renewal of cooperation between Ukraine and the International Monetary Fund (IMF) and calls on the Ukrainian authorities to live up to the IMF requirements, in particular in reducing the budget deficit;
19. Stresses that certain improvements are still needed to enhance the electoral system and practice in Ukraine; is aware that an electoral law was drafted in cooperation with the Venice Commission and presented to the Rada in May 2009; believes that a close cooperation with the European Commission for Democracy through Law (Venice Commission) is crucial to ensure that the legislative reform packages are in compliance with the European standards and norms; appeals to the authorities not to restart the process of drafting a new law.
20. Underlines that the role of the opposition is to ensure and promote checks and balances in the works of the government; appeals for a more pro-active opposition demonstrating a concrete will to ensure a basis of consensus on the main objectives of development, reforms and external policies of Ukraine;
21. Encourages Ukraine to advance the principles of economic, social and territorial cohesion in its policy on regional development, following the best practices of the EU and aiming at reducing disparities between the levels of development of the various regions; in this regard calls on the EU to assist Ukraine in implementing the regional development projects;
22. Suggests to reform the regional and local government authorities aiming at decentralisation of the power distribution in the country; the reform should allow the regional and local self-government to be able to actively administrate health, education, environmental protection, social and other policies and ought to obtain funds to be able to implement these policies;
23. Decides to prepare the view on the local and regional government for the next PCC;

24. Takes note of the visiting session of the EU-Ukraine PCC in Odessa on 5 November 2010; is convinced that the economic development of the region of Odessa, thanks to its rich transport, industrial, agricultural and recreational potential, should be a priority for both Ukraine and the EU; in this regard, underlines that increasing of the EU investments in the economy and tourist infrastructure of the region of Odessa would contribute significantly to achieve this goal;

On cooperation in the common neighbourhood

25. Takes note of the progress made so far within the Eastern Partnership, and, in the context of the review of the European Neighbourhood Policy (ENP), calls for an improved ENP concept, which, should provide for greater engagement with the Eastern Europe in terms of mutual comprehensive market access, progressive visa liberalization, energy integration and transition from EU cohesion in terms of regional development to European cohesion;

26. Welcomes the support of the Parliament of Ukraine for the launch of the Euronest Parliamentary Assembly, which should provide for a parliamentary monitoring of the Eastern Partnership activities and developments, and takes note of the Ukrainian Parliament's call for the search of a solution to the issue of the Belarus' participation in the Euronest PA;

27. Reiterates the importance of strengthened cooperation between Ukraine and the EU in the area of the Foreign and Security Policy and stresses, in particular, the value of close cooperation in the regional framework, for example in the context of the 5+2 process for the settlement of the Transnistrian conflict; appeals to the Sides to actively search for a solution to all parties concerned;

28. Praises the effective work of the EUBAM Mission as an example of mutually beneficial and successful EU-Ukraine co-operation; considers that such cooperation might be expanded to Ukrainian-Russian and Ukrainian-Belarusian borders and calls on all parties concerned to examine this possibility;

29. Points out that, as demonstrated by the toxic spill in Hungary on 4 October, 2010, the Danube cooperation cannot be segmented and should be a shared responsibility and strategy of all concerned countries; therefore calls for an equal-in-rights participation of both the EU Member States and the other Danube countries in the implementation of the EU Danube Strategy.