



EUROPEAN PARLIAMENT

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Committee on International Trade

2011/2132(INI)

26.9.2011

AMENDMENTS

1 - 37

Draft opinion
Paweł Zalewski
(PE469.872v01-00)

Recommendations to the Council, the Commission and the EEAS on the negotiations on the EU-Ukraine Association Agreement (2011/2132(INI))

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United in diversity

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AM_Com_NonLegOpinion

Amendment 1
Keith Taylor

Draft opinion
Paragraph 1

Draft opinion

1. to support the conclusion of negotiations on the DCFTA *by the end of 2011 since these constitute* a positive step towards Ukraine's economic integration into Europe;

Amendment

1. to support the conclusion of negotiations on the DCFTA *as soon as the requirements resulting from the wider Association Agreement regarding the observance of the rule of law and fundamental freedoms, specifically with regard to the rights of opposition leaders, are fulfilled, and recognizes that the DCFTA constitutes* a positive step towards Ukraine's economic integration into Europe;

Or. en

Amendment 2
Helmut Scholz

Draft opinion
Paragraph 1

Draft opinion

1. to support the conclusion of negotiations on the DCFTA *by the end of 2011* since these constitute a positive step towards Ukraine's economic integration into Europe;

Amendment

1. to support the conclusion of negotiations on the DCFTA, *-as integrated part of an Association Agreement-*, since these constitute a positive step towards Ukraine's economic integration into Europe;

Or. en

Amendment 3
Keith Taylor

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. to express concern about the deterioration of respect for the rule of law and fundamental freedoms with regard, in particular, to freedom of the media, freedom of assembly and democratic standards;

Or. en

Amendment 4
Keith Taylor

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1b. to stress the importance of the implementation of all the rulings of the European Court of Human Rights and draw the attention of the Ukrainian authorities to the high number of cases against Ukraine pending in this court;

Or. en

Amendment 5
Daniel Caspary, Godelieve Quisthoudt-Rowohl

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. to recognize the substantial efforts made by the Ukrainian government in reducing barriers overall, in adapting geographical indications, and in SPS, competition, and TBTs, as well as the limited achievements

2. to recognize the substantial efforts made by the Ukrainian government in reducing barriers overall, in adapting geographical indications, and in SPS, competition, and TBTs, as well as the ***very*** limited

of the DCFTA in areas such as investment, services, agriculture, energy, and export barriers;

achievements of the DCFTA in areas such as investment, services, agriculture, energy, and export barriers;

Or. de

Amendment 6
Keith Taylor

Draft opinion
Paragraph 2

Draft opinion

2. to recognize the substantial efforts made by the Ukrainian government in reducing barriers overall, in adapting geographical indications, and in SPS, competition, and TBTs, as well as the *limited* achievements of the DCFTA in areas such as investment, services, agriculture, energy, and export barriers;

Amendment

2. to recognize the substantial efforts made by the Ukrainian government in reducing barriers overall, in adapting geographical indications, and in SPS, competition, and TBTs, as well as the achievements of the DCFTA in areas such as investment, services, agriculture, energy, and export barriers; *to make sure through appropriate safeguard mechanisms that the liberalization of trade in sensitive agricultural goods, such as sugar and wheat, does not increase price volatilities in the European market;*

Or. en

Amendment 7
Cristiana Muscardini

Draft opinion
Paragraph 2 a (new)

Draft opinion

2a. to stress how important it is to the EU for Ukraine to ensure that toxic waste and nuclear waste are correctly disposed of on its territory, protecting food safety;

Or. it

Amendment 8
Pawel Zalewski

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. to call on the Ukrainian side to fulfil its duties relating to restructuring of the gas sector by the end of 2011;

Or. pl

Amendment 9
Béla Glattfelder

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. to stress that Ukraine cannot be considered a reliable trade partner in view of export restrictions applied in recent years, and therefore to warn that opening up the European markets could lead to increased volatility, especially with prices for cereals and forage;

Or. hu

Amendment 10
Marielle De Sarnez

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. to point out that Ukraine's high production capacity in the grain, biofuels

and sugar markets should not be overlooked; to call for all new concessions on agriculture during bilateral negotiations with Ukraine to be discussed and agreed upon in advance with European agricultural sector operators;

Or. fr

Amendment 11
Pawel Zalewski

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. to call for enhanced cooperation between the EU and Ukraine in the energy sector, for integration of the Ukrainian energy sector into the European energy sphere, and for the initiation of joint modernisation and development projects in the energy infrastructure sphere;

Or. pl

Amendment 12
Béla Glattfelder

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. to highlight that the agreement may not cover sugar, since Ukraine is a net importer of sugar; this means if the EU permits the importing of sugar, it will not be able to check the country of origin, which will open the door to abuse and fraud (triangular trade);

Amendment 13
Pawel Zalewski

Draft opinion
Paragraph 2 c (new)

Draft opinion

Amendment

2c. to call for action to improve EU and Ukrainian energy security through the introduction of bilateral mechanisms to provide early warning and avoid interruptions in the supply of energy and energy raw materials;

Or. pl

Amendment 14
Béla Glattfelder

Draft opinion
Paragraph 2 c (new)

Draft opinion

Amendment

2c. to highlight that the agreement must include a chapter on animal welfare, ensuring equal competition between European and Ukrainian farmers, recalling that the compulsory modernisation of hen coops resulted in significant expense for European egg producers, and so particular attention should be paid to the interests of this segment;

Or. hu

Amendment 15
Keith Taylor

Draft opinion
Paragraph 3

Draft opinion

3. to prepare for its implementation together with Ukraine so that commitments that have not been backed up by preconditions and will not deliver immediate rewards become reality and have a substantial impact in the long run; to provide Ukraine with post-liberalisation adjustment funds, as foreseen in the ENP National Indicative Programme for 2011-2013, and with technical assistance for customs issues and adapting geographical indications;

Amendment

3. to prepare for its implementation together with Ukraine so that commitments that have not been backed up by preconditions and will not deliver immediate rewards, ***especially in the field of animal welfare***, become reality and have a substantial impact in the long run; to provide Ukraine with post-liberalisation adjustment funds, as foreseen in the ENP National Indicative Programme for 2011-2013, and with technical assistance for customs issues and adapting geographical indications;

Or. en

Amendment 16

Daniel Caspary, Silvana Koch-Mehrin, Godelieve Quisthoudt-Rowohl

Draft opinion
Paragraph 3

Draft opinion

3. to prepare for its implementation together with Ukraine so that commitments that have not been backed up by preconditions and will not deliver immediate rewards become reality and have a substantial impact in the long run; to provide Ukraine with post-liberalisation adjustment funds, as foreseen in the ENP National Indicative Programme for 2011-2013, and with technical assistance for customs issues and adapting geographical indications;

Amendment

3. 3. to prepare for its implementation together with Ukraine so that commitments that have not been backed up by preconditions and will not deliver immediate rewards become reality and have a substantial impact in the long run; ***to call for the Free Trade Agreement to lead in the end to a full dismantling of the tariff barriers in every sector of industry with no negative listings or import quotas and therefore for export taxes as well as import and export restrictions to be effectively eliminated***; to provide Ukraine with post-liberalisation adjustment funds, as foreseen in the ENP National Indicative Programme for 2011-2013, and with

technical assistance for customs issues and adapting geographical indications;

Or. de

Amendment 17
George Sabin Cutas

Draft opinion
Paragraph 4

Draft opinion

4. to continue to call for **unilateral** political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs; to the removal of red tape and corruption; and to enforcement of the rule of law and democratic practices;

Amendment

4. to continue to call for political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs; to the removal of red tape and corruption; and to enforcement of the rule of law and democratic practices;

Or. en

Amendment 18
Daniel Caspary, Silvana Koch-Mehrin, Godelieve Quisthoudt-Rowohl

Draft opinion
Paragraph 4

Draft opinion

4. to continue to call for unilateral political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs; to the removal of red tape and corruption; and to

Amendment

4. to continue to call for unilateral political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs, ***in particular by making noticeable improvements in the***

enforcement of the rule of law and democratic practices;

refund of value-added tax for exporters, in customs clearance and in approval procedures for imports (particularly in taxation, documentation obligations and product testing for certification); to the removal of red tape and corruption; and to enforcement of the rule of law and democratic practices; to consider lower transaction costs and secure procedures in particular for SMEs a vital prerequisite for building commercial relationships;

Or. de

Amendment 19
Pawel Zalewski

Draft opinion
Paragraph 4

Draft opinion

4. to continue to call for *unilateral* political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs; to the removal of red tape and corruption; *and* to enforcement of the rule of law and democratic practices;

Amendment

4. to continue to call for political and economic reforms in Ukraine that would lead to the modernisation of its infrastructures, notably in energy and transport; to helping business, most urgently through easier access to credit and land and simpler and faster processes for tax collection and customs; to the removal of red tape and corruption; to enforcement of the rule of law and democratic practices; *and to an improvement in the law in the area of protection of material assets and IP and more effective mechanisms for vindication of rights and claims by businesses through the courts;*

Or. pl

Amendment 20
Helmut Scholz

Draft opinion
Paragraph 5

Draft opinion

5. to recognise that the conclusion of the Association Agreement, with the DCFTA at its core, **will** provide a twofold remedy for reinforcing the rule of law in Ukraine: for EU **investors and traders** it **will** result in higher protection standards, and for Ukraine it will enhance European principles of law and democracy, the deficit of which has become so apparent in recent months (Julia Tymoschenko case);

Amendment

5. to recognise that the conclusion of the Association Agreement, with the DCFTA at its core **and a careful implementation, could** provide a twofold remedy for reinforcing the rule of law in Ukraine: for EU **stakeholders, specially SMEs**, it **should** result in higher protection standards, and for Ukraine it **should** will enhance European principles of law and democracy, the deficit of which has become so apparent in recent months (Julia Tymoschenko case);

Or. en

Amendment 21
George Sabin Cutas

Draft opinion
Paragraph 5

Draft opinion

5. to recognise that the conclusion of the Association Agreement, with the DCFTA at its core, will provide a twofold remedy for reinforcing the rule of law in Ukraine: for EU investors and traders it will result in higher protection standards, and for Ukraine it will enhance European principles of law and democracy, the **deficit of which has become so apparent in recent months (Julia Tymoschenko case);**

Amendment

5. to recognise that the conclusion of the Association Agreement, with the DCFTA at its core, will provide a twofold remedy for reinforcing the rule of law in Ukraine: for EU investors and traders it will result in higher protection standards, and for Ukraine it will enhance European principles of **rule of** law and democracy, **believes, in this sense, that Ukraine should address the concerns related to the alleged lack of fair trial safeguards (Yulia Tymoshenko case);**

Or. en

Amendment 22
Helmut Scholz

Draft opinion
Paragraph 5 – point 1 (new)

Draft opinion

Amendment

(1) to ask the Commission to produce as soon as possible a comprehensive Sustainable Assessment Study on the possible consequences of the adoption and the implementation of the DCFTA on a balanced development and social stability, including the consequences for labour forces, the SMEs, the farmers of both Ukraine and the European Union, and on the consequences on the main affected sectors, such as the energy supply and public services;

Or. en

Amendment 23
Juozas Imbrasas

Draft opinion
Paragraph 6

Draft opinion

Amendment

6. to ensure that the EU consistently makes similar progress with the other Eastern Partners willing to comply with democratic values and trade openness;

6. to ensure that the EU consistently makes similar progress with the other Eastern Partners willing to comply with democratic values and trade openness; ***to encourage Ukraine to promote cooperation with experts from all over the EU that cooperate with partners from the partner states on a daily basis, help them speed up reforms and share their EU practical experience and best practices acquired in various fields;***

Or. It

Amendment 24
Rolandas Paksas

Draft opinion
Paragraph 6

Draft opinion

6. to ensure that the EU consistently makes similar progress with the other Eastern Partners willing to comply with democratic values and trade openness;

Amendment

6. to ensure that the EU consistently makes similar progress with the other Eastern Partners willing to comply with democratic values and trade openness; ***to encourage Ukraine to promote cooperation with experts from all over the EU that cooperate with partners from the partner states on a daily basis, help them speed up reforms and share their EU practical experience and best practices acquired in various fields;***

Or. It

Amendment 25
Pawel Zalewski

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. to call for a fundamental improvement in the investment climate in Ukraine for foreign investors, and particularly for a rapid resolution of national budget indebtedness in respect of entities on account of untimely refunding of VAT overpayments, and prevention of such situations occurring again in the future; to raise the effectiveness of customs procedures (and in particular curtailing the common practice of applying an unjustified increase in customs value to

goods imported into Ukraine);

Or. pl

Amendment 26
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 1 (new)

Draft opinion

Amendment

(1) Recalls that the Ukraine represents one of the most important oil and gas transit countries for the EU and that the EU can provide the foreign direct investment needed for the reform of the Ukrainian energy sector;

Or. en

Amendment 27
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 2 (new)

Draft opinion

Amendment

(2) Encourages the Ukraine to take further steps in order to reform its energy sector, by redressing the gaps between the legislative acts regulating the oil and gas sectors;

Or. en

Amendment 28
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 3 (new)

Draft opinion

Amendment

(3) Takes note of the fact that, even though the liberalization of services and investment in the energy sector would be beneficial to the EU, there are also some risks involved in taking commitments with regard to particular energy services as strong energy players controlling Ukrainian companies could use the FTA to dominate transmission networks in the EU;

Or. en

Amendment 29
George Sabin Cutas

Draft opinion
Paragraph 7 – point 4 (new)

Draft opinion

Amendment

(4) Recalls that sustainable development is one of the priority areas set out in the 2011-2013 National Indicative Programme; recommends therefore the inclusion of a Sustainable Development Chapter to the free trade area;

Or. en

Amendment 30
George Sabin Cutas

Draft opinion
Paragraph 7 – point 5 (new)

Draft opinion

Amendment

(5) Believes that the Sustainable Development Chapter should contain a provision that will express the

*engagement of the Ukraine to respect the
OECD Guidelines on Multinational
Enterprises and the ILO Tripartite
Declaration on Multinational Enterprises
and Social Policy;*

Or. en

Amendment 31
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 6 (new)

Draft opinion

Amendment

*(6) Believes that attracting foreign
investments should not undermine the
protection of labour standards in the
Ukraine;*

Or. en

Amendment 32
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 7 (new)

Draft opinion

Amendment

*(7) Calls for a transition period in tariff
and subsidies reductions in order to tackle
possible economic impacts and to ensure
sustainable growth;*

Or. en

Amendment 33
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 8 (new)

Draft opinion

Amendment

(8) Believes that entrepreneurship and SME development must be promoted through macro-economic cooperation;

Or. en

Amendment 34
George Sabin Cutaş

Draft opinion
Paragraph 7 – point 9 (new)

Draft opinion

Amendment

(9) Is of the opinion that the cooperation between the EU and the Ukraine should also tackle the respect for human rights and fundamental freedoms, through the promotion and implementation of international human rights standards, the respect of minorities and the fight against inhuman and degrading treatment;

Or. en

Amendment 35
Catherine Bearder, Graham Watson

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. to raise objections with Ukraine to Law no.8231 which introduces local content requirements of 50% for renewable power plants and solar power by 2014, and is contrary to the competition chapter foreseen in the

DCFTA and the objectives of economic integration and regulatory convergence with the EU's internal market; for the Commission to raise this issue in the DCFTA negotiations in order to ensure that European providers are not discriminated against and can compete on a level playing field in the Ukrainian renewable energy market;

Or. en

Amendment 36
Pawel Zalewski

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. to call – pursuant to the provisions of Article 218(5) of the Treaty – for a decision to be taken authorising provisional application of the regulations of the Free Trade Agreement, which is a fundamental part of the Association Agreement, before it enters into effect;

Or. pl

Amendment 37
Pawel Zalewski

Draft opinion
Paragraph 7 b (new)

Draft opinion

Amendment

7b. to call on the Ukrainian authorities to set up an effective system for putting the provisions of the Free Trade Agreement into effect and to cooperate on an ongoing basis with European institutions in the sphere of implementation of this

agreement;

Or. pl