

**EU-UKRAINE PARLIAMENTARY ASSOCIATION COMMITTEE**  
**Ninth Meeting 13-14 March 2019 (Strasbourg)**

**FINAL STATEMENT AND RECOMMENDATIONS**  
**pursuant to Article 467(3) of the Association Agreement**

The ninth meeting of the EU-Ukraine Parliamentary Association Committee (PAC) was held in Strasbourg on 13-14 March 2019, co-chaired by Mariia Ionova on behalf of the Verkhovna Rada of Ukraine and Dariusz Rosati on behalf of the European Parliament. The Parliamentary Association Committee, having discussed the major developments in Ukraine and EU-Ukraine relations since 2014, and in particular since the creation of the PAC in February 2015, and having exchanged views on the priorities for future developments, agreed upon the following final statement and recommendations.

The Parliamentary Association Committee (PAC):

***On the overall security and humanitarian situation***

1. Reiterates its strong support for the sovereignty and territorial integrity of Ukraine within its internationally recognised borders; recalls its strong condemnation of Russia's aggressive and expansionist policy, which has resulted in the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) and of certain territories of the Donetsk and Luhansk oblasts of Ukraine, in breach of international law and agreements, as well as of Russia's commitments and obligations within its membership of international organisations; reiterates its shared determination to achieve the peaceful reintegration of these territories; underlines the serious implications of the Russian armed aggression against Ukraine for overall security in Europe, urges the EU Member States to proceed with further sectoral sanctions should Russia continue to violate international law;

2. Expresses its deepest concerns at the further deterioration of the security situation in the Donbas and at the increasing number of people who are considered missing in the territories not under government control; condemns Russia's actions in the Sea of Azov insofar as they constitute a breach of international maritime law and Russia's international commitments, as well as the building of the Kerch Bridge and the laying of underwater cables to the temporarily occupied Crimean peninsula without the consent of Ukraine; remains deeply concerned about the Russian militarisation of the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine), the Sea of Azov, the Black Sea region and the Kaliningrad District, as well as the recurring pattern of violations of the territorial waters of European countries in the Baltic Sea; demands the immediate and unconditional release of all Ukrainian sailors and vessels captured on 25 November 2018, and stresses that these sailors should in the meantime be treated as prisoners of war in accordance with international law; calls on the EU Member States to introduce targeted sanctions if the Ukrainian servicemen are not released and if there is any further military escalation; welcomes the political agreement reached in the EU Council on

introducing restrictive measures in response to the Kerch incident; urges the OSCE and its Members to extend the mandate of the OSCE Special Monitoring Mission to the Sea of Azov; calls on the EU Member States to close access to their ports for Russian ships coming from the Sea of Azov, should Russia not re-establish freedom of navigation through the Kerch Strait and in the Sea of Azov; calls for all diplomatic means to be used to de-escalate the situation, and welcomes the offer to mediate between Kyiv and Moscow; welcomes the EU's targeted proposals for the Sea of Azov region drawn up by the European Union's fact-finding mission to that region conducted from 27 January to 2 February 2019, and encourages both Ukraine and the EU to develop concrete projects for the region affected by Russia's aggressive actions; to this end, invites the European Commission, the European Investment Bank, the European Bank for Reconstruction and Development and other international financial institutions to allocate available financial resources to the implementation of urgent and long-term infrastructure projects in the region;

3. Deeply regrets that no progress has been made in the implementation of the Minsk agreements and underlines Russia's responsibility in this regard; calls on the Russian Federation and the illegal armed formations it backs to fully honour their commitments under these agreements; welcomes the extension of EU restrictive measures against the Russian Federation and the addition of nine persons involved in the so-called 'elections' of 11 November 2018, but reiterates its call for a stronger EU strategy and engagement in the process of conflict resolution;

4. Deplores that there are still almost 1.8 million internally displaced persons (IDPs) in Ukraine and 5.2 million people affected by Russia's military aggression, 3.5 million of whom require humanitarian assistance and protection; deplores the severe lack of funding for the humanitarian response plan, and calls on all UN and EU actors to join forces in devoting more attention and spending to what is currently the largest humanitarian disaster on European soil; while clearly underlining the responsibility of the Russian Federation and the illegal armed formations it backs, calls on the Ukrainian authorities to step up their efforts to alleviate the suffering of the population affected by the conflict, including support for IDPs and war veterans, to facilitate access to pensions and social benefits and services for those living in the territories currently outside the government's control, and to ensure the issuing of birth and death certificates and other necessary administrative documents; underlines the importance of ensuring that all Ukrainian citizens have the possibility to exercise their voting rights; calls on the Ukrainian authorities to take all necessary steps to facilitate crossings of the contact line between the governmental-controlled and non-government-controlled areas, where the security situation so allows; reiterates its concern at the worsening environmental consequences of Russia's military aggression of in the Donbas and its illegal occupation of Crimea;

5. Calls on all relevant stakeholders to prioritise environmental and technogenic issues during the different negotiation formats and to ensure that a thorough investigation of the current environmental situation is conducted by independent experts, especially concerning the lack of water-pumping in mines and other environmental issues close to the line of contact; calls on the Government of Ukraine and its international partners to step up their efforts and to better coordinate their assistance concerning water supply and water safety in eastern Ukraine with

the international community; calls on all relevant stakeholders to guarantee the safety of water workers and water infrastructure along the line of contact through the provision of safe zones;

6. Welcomes the adoption of the Mine Action Law by the Ukrainian Parliament; calls, however, for amendment of the provision that funds should be allocated to a state fund budget, in order not to prevent the EU and other donors from making further contributions to de-mining actions;

7. Reiterates its disappointment that, five years after the occupation of Crimea and the city of Sevastopol by the Russian Federation, no concrete proposal for an international format of negotiations on de-occupation of the peninsula has been discussed in international fora, despite repeated calls by the European Parliament and by this Committee; expresses dismay at the further deterioration of the human rights situation in Crimea, particularly for Crimean Tatars; invites the EU Council to consider introducing sanctions with regard to persons responsible for violations of human rights in occupied Crimea, and calls on the EU and its Member States to step up the pressure exerted on Russia to stop violating the rights of the indigenous people and to implement the Order of the International Court of Justice of 19 April 2017 on the provisional measures within Ukraine's claim against the Russian Federation on the application of the International Convention on the Elimination of all Forms of Racial Discrimination; welcomes the regular consultations between Ukraine and the European Union on the legal consequences of the illegal temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, and invites the parties to consider the options for de-occupation of the peninsula; supports the draft decree of the Verkhovna Rada of Ukraine which strongly condemns Russia's aggressive policy towards the indigenous people and its violation of the rights of these people;

8. Urges the Russian Federation to release immediately all Ukrainian citizens illegally detained in Russia and occupied Crimea on politically motivated charges; welcomes the European Parliament's decision to award the Sakharov Prize for Freedom of Thought to Oleg Sentsov, and expresses particular concern at his health situation and at his ongoing illegal imprisonment;

9. Urges Russia to ensure that Ukrainian consular officials and the Ukrainian Parliament Commissioner for Human Rights have unimpeded access to all Ukrainian citizens, including political prisoners, in Crimea and the Russian Federation, and that the latter receive all necessary medical assistance;

### ***On EU-Ukraine relations***

10. Welcomes the adoption, by an overwhelming majority in the Verkhovna Rada, of the amendments to the Constitution of Ukraine regarding the strategic course of Ukraine towards full-fledged membership of the European Union and the North Atlantic Treaty Organisation;

11. Underlines that these constitutional amendments give fresh impetus to efforts to improve the institutional framework for the implementation of the EU-Ukraine Association Agreement (AA), in particular the coordination and prioritisation mechanisms between the institutions and the strengthening of institutional capacities; welcomes, in this respect, the dedicated high-level round table hosted by the Verkhovna Rada with the participation of the Ukrainian Government

and of the European Union on 15 February 2019, and strongly encourages all stakeholders to follow up on the discussions and recommendations formulated in this context;

12. Highlights the need to better communicate to citizens the benefits they derive from the AA, including, for example, focussing on success stories where the AA has brought tangible improvements to the lives of people and small businesses in the country; welcomes the effective implementation of EU visa liberalisation for Ukrainian citizens which has allowed around two million Ukrainians to visit the EU without visas;

13. Reiterates the importance of intensifying the development of cross-border cooperation between Ukraine and the EU Member States; calls for maximum efforts to develop border infrastructure and to open new border crossing points; supports the construction of a pilot checkpoint on the Ukrainian-Polish border with joint control on the Ukrainian side;

14. Welcomes the outcomes of the Ukraine-EU Summit of 9 July 2018 and the Ukraine-EU Association Council of 17 December 2018 at which the parties agreed to deepen cooperation in the fields of energy, justice and home affairs, customs and the digital economy; invites the parties to consider – where necessary – updating the relevant annexes of the Association Agreement to facilitate the implementation process in line with the evolution of EU law;

15. Stresses that the AA does not constitute the final goal of EU-Ukraine relations and welcomes Ukraine's European aspirations; points out, in this respect, that Ukraine has a European perspective pursuant to Article 49 TEU, and may apply to become a member of the European Union provided that it adheres to the Copenhagen criteria and the principles of democracy, respects fundamental freedoms and human and minority rights, and upholds the rule of law;

16. Welcomes the annual increase in bilateral trade and calls for efforts to speed up work on the further elimination of barriers to trade in accordance with the AA; highlights the need to increase EU-Ukraine cooperation on trade and economic issues at global level, including ongoing discussions on the modernisation of the WTO and the taxation of digital companies;

17. Believes that the increased cooperation between the Verkhovna Rada of Ukraine and the European Parliament since 2014, both through an intensive policy dialogue within the PAC framework and through an unprecedented level of cooperation in the field of capacity-building and the Jean Monnet Dialogues with the Speaker and parliamentary group leaders, has provided important support to the consolidation of parliamentarism in post-Maidan Ukraine and to the reform process; takes the view, therefore, that this combined approach should be continued and even expanded during the next legislative terms of both the European Parliament and the Verkhovna Rada of Ukraine;

18. Stresses the importance of combatting all foreign and domestic disinformation and propaganda, including Russia's meddling in the European and Ukrainian election campaigns, and of countering cyber threats; calls for Ukraine-EU cooperation in the field of strategic communications and cyber security to be strengthened, including through the sharing of information about foreign or internal interference in electoral processes;

19. Stresses that the EU and Ukraine should furthermore explore possibilities for enhancing EU-Ukraine cooperation in areas such as international roaming, the protection of personal and non-personal data, and the development of innovations and R&D in technologies such as AI, quantum computing, cloud computing, big data and others;

20. Welcomes the progress achieved in e-governance reform in Ukraine, and encourages the facilitation of cooperation in this area, including exchanges of best practices, the harmonisation of standards for e-services, efforts to ensure interoperability and the implementation of pilot projects;

21. Looks forward to celebrating the 10<sup>th</sup> Anniversary of the Eastern Partnership, and underlines the need to develop this policy's agenda for the next decade based *inter alia* on the differentiation principle in accordance with the 'Eastern partnership +' format advocated by the European Parliament;

### ***On the reform process***

22. Welcomes the progress made on reforms in the areas of energy, health, public administration, pensions, education, decentralisation, public procurement, the banking and financial sectors, corporate legislation, corporate governance, defence and security, and the amendments adopted to competition laws, despite Russian aggression since 2014 and the challenges facing Ukraine, including in the context of AA implementation, and stresses that the pace of reforms should be maintained and, in some critical areas, even reinforced in the future, including throughout the current election year; recognises the importance of EU macro-financial assistance to Ukraine as one of the key tools to support the reform process and the macroeconomic stability of the country; encourages further reforms and steps towards European democratic values and standards;

23. Emphasises that the fight against corruption should remain a priority issue and be pursued in a consistent and credible manner; warmly welcomes the finalisation of the selection of judges for the High Anti-Corruption Court, and the efficient participation of international experts in this selection process, of and looks forward to a speedy start to the Court's operations; stresses the need for the work of the National Anti-Corruption Bureau (NABU) and all other anti-corruption institutions; stresses the need to preserve the independence of the NABU and calls for an independent audit of this body; is profoundly disappointed that the provisions imposing e-declaration requirements for civil society activists working in the field of anti-corruption have still not been lifted, and remains concerned about possible overly stringent financial reporting and disclosure requirements for NGOs and activists considered under new draft legislation;

24. Calls for the effective and rapid implementation of electronic services as an effective and transparent tool in fighting corruption and providing a better public service for citizens; welcomes the progress of reforms in the sphere of electronic trust services and looks forward to enhanced cooperation in the area of mutual recognition of electronic trust services;

25. Is deeply concerned by the Constitutional Court's recent decision to remove the offence of illicit enrichment from the criminal code, which is a serious setback in the fight against

corruption in Ukraine; calls on the Ukrainian authorities to step up efforts to safeguard the effectiveness of anti-corruption legal tools and institutions, including by reinstating criminal liability for illicit enrichment in line with the UN, OECD and ECHR principles, and to find a way to continue the dozens of investigations and prosecutions threatened by this ruling;

26. Calls for effective investigations into cases of brutal attacks against human rights activists and journalists, as evidenced by the assassination of anti-corruption activist Kateryna Handziuk, who died on 4 November 2018 after an acid attack, or by the murder of journalist Pavel Sheremet in a car bomb explosion on 20 July 2016; calls on the authorities to bring the instigators and perpetrators of such attacks to justice and to end impunity for these crimes; calls on the authorities to unequivocally condemn all attacks against human rights activists and journalists, and to provide full support and resources to law enforcement officials in order to protect journalists and investigate attacks; calls on the Ukrainian authorities to take the necessary steps to avoid any illegal disclosure of personal data, even when not committed by state authorities; calls for an end to the practice of ‘doxing’ of journalists;

27. Condemns recent violent attacks against law enforcement officials;

28. Acknowledges the progress already achieved in implementing justice sector reform and renewing the judicial system; reiterates the crucial importance of completing the reform of the judiciary at all levels, including at the central level of the prosecutor-general’s office; regrets the slow pace of progress of investigations into the crimes committed during the Maidan protests and the violent events in Odesa on 2 May 2014; looks forward to the full ratification of the Rome Statute of the International Criminal Court;

29. Calls for the ratification of the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) as soon as possible and, in any case, still during the current convocation (legislative term) of the Verkhovna Rada; welcomes, in this regard, the adoption of the Law on Preventing and Combating Domestic Violence; recalls the importance of guaranteeing full observance of the constitutional rights of persons belonging to ethnic and national minorities; recalls, in this respect, the need to implement fully and without delay the recommendations of the Venice Commission regarding the minority language provisions of the law on education, namely the extension of the transition period and exemption for private schools;

30. Underlines that the language law, which is currently being debated in the Verkhovna Rada, should respect minority rights;

31. Stresses the importance of free and independent media and their right to investigate cases of corruption at government level without the risk of persecution; calls on the Ukrainian authorities to respect the right of journalists to protect the confidentiality of their sources; underlines the need to ensure sufficient resources for the functioning of the public television and radio networks and to guarantee transparent ownership of mass media; is concerned about the non-transparent attempts to change the management of Ukraine’s public broadcaster; calls on the authorities to promote equal access to media and information for citizens of all ethnic backgrounds;

32. Deplores the lack of progress in establishing the National Intellectual Property Authority, which should be the basis for independent and efficient management in the sphere of intellectual property; calls for the immediate amendment of legislation concerning protection of the rights of owners of trademarks, designs and inventions, taking EU experience into consideration;

33. Reiterates its particular interest in seeing the public administration reform fully implemented and underlines, therefore, the specific and primary importance of implementing the Public Administration Reform Strategy for 2016-2020; supports the establishment of a branch of the College of Europe in Ukraine; stresses the importance of the imminent adoption of the new bill on service in local self-government bodies and looks forward to its implementation; calls for the adoption of the Law on Administrative Procedure in order to ensure the fair and timely solution of cases by state and local self-government bodies and protection of the rights and legitimate interests of individuals and legal entities in their relations with the state;

34. Welcomes the development of creative industries and the functioning of newly established institutions in the sphere of culture in Ukraine, in particular the Ukrainian Book Institute, the Ukrainian Film Fund and the Ukrainian Cultural Foundation, which operate in accordance with European principles; considers it good practice that grants issued by these organisations to support cultural projects are awarded on an independent and competitive basis;

35. While reaffirming Ukraine's role as a long-term strategic partner for gas transit to Europe, reiterates its opposition to construction of the Nord Stream 2 pipeline; stresses that the construction of this pipeline poses threats to and undermines European security; takes positive note of the provisional agreement reached on 12 February 2019 between the EU Council and the European Parliament, according to which rules governing the EU's internal gas market will in future also apply to gas pipelines to and from third countries; notes, however, that the agreement may not fully guarantee that the Nord Stream 2 pipeline will not be built, and calls on the EU Member States engaged in the construction of Nord Stream 2 to show the political will to halt this project, which contradicts the spirit, values and core policy objectives of the Energy Union – namely energy security, solidarity and the diversification of supply routes and sources;

36. Expresses concern about the absence of progress in the trilateral talks at political level with Russia and Ukraine on the long-term transit of gas to Europe post-2019, and urges all sides to continue talks with the aim of agreeing on the future transit agreement based on EU energy rules being implemented in Ukraine;

37. Considers that the decentralisation process has been, and continues to be, highly beneficial for Ukrainian citizens, in particular regarding the improved quality of services, the reduction of corruption at local level and increased ownership of local decision-making by citizens; calls therefore for the further continuation and future consolidation of this process and, to this end,

for the finalisation of the appropriate legal framework during the current convocation of the Rada and for guarantees that new municipalities will receive the appropriate means;

***On electoral issues and the upcoming elections***

38. Warmly welcomes the finalisation of the composition of the renewed Central Electoral Commission, and calls on the Verkhovna Rada to improve the electoral legislation during its current convocation; calls for effective implementation of the laws that guarantee equal rights for representatives of national minorities living in Ukraine;

39. Highlights the importance of transparent, credible and widely accepted electoral processes in further reinforcing democracy in Ukraine; encourages the Ukrainian authorities, therefore, to address and act on the recommendations formulated as a result of the joint international Pre-election Assessment Mission organised by the National Democratic Institute and the European Parliament in November 2018, and to ensure that their respective agendas prioritise the implementation of the recommendations that will be presented by the International Election Observation Missions deployed in March and October 2019; condemns any attempts to harass, to discredit and to undermine the reputation and independence of citizens' election observation groups, such as the Committee of Voters of Ukraine (CVU) and the Civil Network OPORA; calls on the authorities to ensure the rights of citizen observers to freely observe and assess the electoral process independently of candidates, political parties and state authorities;

40. Calls on the future Verkhovna Rada and the country's future President to continue and strengthen the pro-European path embarked upon five years ago;

***On the next meeting***

41. Informs that the next meeting of the EU-Ukraine Parliamentary Association Committee will be held after the parliamentary elections in Ukraine scheduled for 27 October 2019.