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REPORT

on the proposal for a Council decision concerning the conclusion of the Agreement between the European Community and Ukraine on readmission (COM(2007)0197 – C6-0188/2007 – 2007/0071(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Barbara Kudrycka

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision concerning the conclusion of the Agreement between the European Community and Ukraine on readmission (COM(2007)0197 – C6-0188/2007 – 2007/0071(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2007)0197),
 - having regard to Articles 63(3)(b) and 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0188/2007),
 - having regard to Rules 51 and 83(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Foreign Affairs (A6-0364/2007),
1. Approves the conclusion of the agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of the Republic of Ukraine.

EXPLANATORY STATEMENT

The Civil Liberties, Justice and Home Affairs Committee (LIBE) approves conclusion of two, mutually conditional and parallel agreements with Ukraine on readmission and facilitation of issuance of short-stay visas. The Committee welcomes these agreements, which together with forthcoming Visa Code, implementation of Visa Information System (VIS) and further cooperation in the field of justice and home affairs will extend an area of freedom and security reaching beyond EU to its immediate, very important neighbour.

The Committee believes that in the spirit of joint commitment and ownership, EU and Ukraine can effectively fight illegal immigration and contribute to the development of democracy, rule of law, human rights and civil society by encouraging easier contact and travel of people between two contracting parties. In this context, the Committee welcomes previous decision by the Ukrainian authorities to abolish visa requirement for EU citizens and is of the opinion that European Union is still in search of adequate response to that decision.

The Parliament in its recent Resolution on the negotiation mandate for enhanced EC-Ukraine agreement [P6_TA-PROV(2007)0355] recommended i.e. to "ensure effective implementation of visa facilitation and readmission agreements" and "envisage the objective of and necessary steps towards the introduction of a visa-free travel regime". The Committee on Civil Liberties, Justice and Home Affairs fully subscribes to those recommendations as to need for providing adequate technical and financial support for Ukraine by the EC and the European Commission in particular, in achieving high level of implementation of readmission agreement. Secondly, it turns attention that above mentioned recommendation is in line with declared intention included in the preamble to the agreement on the visa facilitation saying that the long term objective is a visa-free travel regime between EC and Ukraine.

There is also room for improvement on the side of European Commission to launch an information campaign and to find means and ways to make all the necessary information easily accessible to all travellers in the light of these and other agreements concluded in the framework of Neighbourhood Policy. So far, even Commission's website does not contain any systematic and transparent information on this subject.

It is strongly recommended for the committee monitoring implementation of these agreements as well as to the European Commission itself to identify any asymmetrical barriers preventing from reciprocal procedures becoming obstacles for travellers at the consulates, as well as, at the border crossings. In particular a study must be carried whether partial outsourcing of visa consular services may have an impact on the accessibility and possible undesired increase of visa prices or creating visa-shopping phenomenon.

Finally, the LIBE Committee expects from the European Commission to provide the Parliament with information on the results of the implementation of the agreements.

13.9.2007

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision concerning the conclusion of the Agreement between the European Community and Ukraine on readmission
(COM(2007)0197 – C6-0188/2007 – 2007/0071(CNS))

Draftswoman: Inese Vaidere

SHORT JUSTIFICATION

The Committee on Foreign Affairs welcomes the conclusion of the Agreement between the European Community and Ukraine on readmission, which is a step towards fulfilment of priorities set out in the European Neighbourhood Policy Action Plan, adopted jointly by Ukraine and the EU on 21 February 2005.

The Agreement will enable both partners to strengthen their cooperation on migration management and on the fight against illegal immigration, creating legally binding rules in a number of areas which require serious efforts on both the Ukrainian and the EU side.

In view of the wide ranging implications of the migration and border management capacities of Ukraine, which are not yet fully equipped to meet the commitments undertaken, the Committee on Foreign Affairs encourages the Ukraine authorities to carry out all the necessary actions needed to comply with the relevant obligations during the two-year transitional period foreseen for the entry into force of the provisions concerning readmission of third country nationals and stateless persons. Emphasis should be placed on improvements in border controls, migration management as well as on compliance with international rights and obligations related to human rights and the protection of asylum seekers and refugees. It would be highly appreciated if the Ukraine authorities were to consider the possibility of reducing the transitional period.

The Commission is encouraged to support the Ukrainian authorities' efforts to improve migration management capacities with all available means and measures.

The Committee on Foreign Affairs calls on the EU and its Member States to come forward with every possible expert and technical assistance in order to ensure that Ukraine meets obligations arising from the agreement. The Commission is also invited to provide its expertise in connection with the Ukraine's negotiations on readmission Agreements with third

countries.

Since both the Agreement between the European Community and Ukraine on readmission and the Agreement between the European Community and Ukraine on the facilitation of issuance of short-stay visas have been negotiated in one package, the Committee on Foreign Affairs strongly recommends that the Ukraine extend equal entry requirements to all EU Member States, including Bulgaria and Rumania, before the ratification process is concluded.

Finally, the Committee on Foreign Affairs would appreciate the Commission's informing the European Parliament of the implementation of the Agreement.

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to propose approval of the Commission proposal.

PROCEDURE

Title	Agreement between the EC and Ukraine on readmission
References	COM(2007)0197 - C6-0188/2007 - 2007/0071(CNS)
Committee responsible	LIBE
Opinion by Date announced in plenary	AFET 21.6.2007
Drafts(wo)man Date appointed	Inese Vaidere 5.6.2007
Discussed in committee	12.9.2007
Date adopted	12.9.2007
Result of final vote	+: 36 -: 1 0: 2
Members present for the final vote	Christopher Beazley, Monika Beňová, Cristian Silviu Buşoi, Véronique De Keyser, Alfred Gomolka, Klaus Hänsch, Anna Ibrisagic, Jelko Kacin, Ioannis Kasoulides, Helmut Kuhne, Vytautas Landsbergis, Francisco José Millán Mon, Raimon Obiols i Germà, Vural Öger, Justas Vincas Paleckis, Ioan Mircea Paşcu, Alojz Peterle, João de Deus Pinheiro, Hubert Pirker, Samuli Pohjamo, Michel Rocard, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, György Schöpflin, István Szent-Iványi, Antonio Tajani, Charles Tannock, Inese Vaidere, Geoffrey Van Orden, Josef Zieleniec
Substitute(s) present for the final vote	Milan Horáček, Gisela Kallenbach, Tunne Kelam, Jaromír Kohlíček, Doris Pack, Aloyzas Sakalas, Adrian Severin, Csaba Sándor Tabajdi

PROCEDURE

Title	Agreement between the EC and Ukraine on readmission		
References	COM(2007)0197 - C6-0188/2007 - 2007/0071(CNS)		
Date of consulting Parliament	19.6.2007		
Committee responsible Date announced in plenary	LIBE 21.6.2007		
Committee(s) asked for opinion(s) Date announced in plenary	AFET 21.6.2007		
Rapporteur(s) Date appointed	Barbara Kudrycka 21.5.2007		
Discussed in committee	17.7.2007	10.9.2007	3.10.2007
Date adopted	3.10.2007		
Result of final vote	+: -: 0:	26 3 0	
Members present for the final vote	Alexander Alvaro, Philip Bradbourn, Michael Cashman, Jean-Marie Cavada, Carlos Coelho, Fausto Correia, Esther De Lange, Panayiotis Demetriou, Kinga Gál, Roland Gewalt, Jeanine Hennis-Plasschaert, Lívia Járóka, Magda Kósáné Kovács, Barbara Kudrycka, Henrik Lax, Kartika Tamara Liotard, Sarah Ludford, Viktória Mohácsi, Martine Roure, Søren Bo Søndergaard, Vladimir Urutchev, Adina-Ioana Vălean, Ioannis Varvitsiotis		
Substitute(s) present for the final vote	Inés Ayala Sender, Edit Bauer, Maria da Assunção Esteves, Ona Juknevičienė, Antonio Masip Hidalgo, Siiri Oviir, Eva-Britt Svensson		