

EU-UKRAINE PARLIAMENTARY COOPERATION COMMITTEE

Eleventh Meeting

2-3 October 2008

KYIV/YALTA

Co-Chairmen: Mr. Adrian SEVERIN and Mr Borys TARASYUK

Final Statement and Recommendations pursuant to Article 90 of the Partnership and Cooperation Agreement

Under the co-chairmanship of Mr Adrian SEVERIN (PSE, Romania) and Mr Borys TARASYUK (Our Ukraine - People's Self-Defence) the eleventh meeting of the EU-Ukraine Parliamentary Cooperation Committee was held in Kyiv and Yalta from 2 to 3 October 2008. The Committee exchanged views with Mr Viktor YUSHCHENKO, President of Ukraine, Mr Arseniy YATSENYUK, Chairman of the Verkhovna Rada of Ukraine, Mr Hrihoriy NEMYRYA, Vice-Prime Minister of Ukraine, on behalf of the Government of Ukraine, Mr Volodymyr OGRYZKO, Minister of Foreign Affairs of Ukraine, H.E. Jacques FAURE, Ambassador of France to Ukraine, on behalf of the Presidency-in-Office of the Council of the European Union and Mr Dirk SHUEBEL, Acting Head of the EC Delegation to Ukraine, on behalf of the European Commission.

The Parliamentary Cooperation Committee (PCC):

State of play of the EU-Ukraine relations

1. Welcomes the results of the XII EU-Ukraine Summit on the 9th of September 2008 in Paris (France) and underlines that the relations between the European Union and Ukraine stay of great importance to both sides;
2. Praises the joint recognition by the EU leaders and the President of Ukraine that Ukraine as a European country shares a common history and common values with the European Union, which provides Ukraine with the opportunity to apply, at a certain stage, like every democratic European country, which undertakes to adopt and respect the values, principles and standards of the Union, for membership of the EU pursuant to Article 49 of the Treaty on European Union; in this regard welcomes the decision of the Summit to conclude the new agreement between the EU and Ukraine as an Association Agreement, which opens up the prospects of further progressive developments in EU-Ukraine relations;
3. Takes note of the fact that the Association Agreement will renew the common institutional framework, facilitate the deepening of EU-Ukraine relations in all areas, strengthen political association and economic integration between the European Union and Ukraine by means of reciprocal rights and obligations; in that regard recommends that the Bureau of the PCC makes proposals on upgrading the level of relations between the European Parliament and the Parliament of Ukraine by means of strengthening the current Parliamentary Cooperation Committee and enhancing its status similar to that of Joint parliamentary committees between the EP and parliaments of candidate countries, and transmits these proposals to the

- European Commission and the Government of Ukraine for including them into the Association Agreement;
4. Calls upon the European Parliament to support the EU-Ukraine PCC initiative to establish working groups on specific issues of common concern, which could work in-between the PCC meetings and assure the continuity and the follow-up of the PCC activities;
 5. Takes note of the Polish-Swedish initiative on Eastern Partnership and believes that it will serve as an effective tool of strengthening ties of the Eastern European countries with the EU as well as multilateral cooperation between these countries; is convinced that the Eastern Partnership should fill the existing gap between the EU policies on enlargement and neighbourhood; referring to the recommendations of the ENP East Conference, held in the EP on 5 June 2008, expresses the opinion that EURONEST should serve as a parliamentary dimension of Eastern Partnership; in this regard welcomes the decision of the European Council, authorizing the European Commission to prepare Communication on Eastern Partnership;
 6. Underlines the importance of developing a new practical instrument to replace the EU-Ukraine Action Plan in March 2009 with a view to preparing the implementation of the Association Agreement;
 7. Stresses the need to develop an efficient information policy about the EU, its institutions and values; welcomes the measures already undertaken in this area and encourages the Ukrainian government to pursue the State Programme on Informing the Citizens about the European Integration in 2008-2011 together with sufficient financial means;
 8. Taking into account that in November 2008 Ukraine will mark the 75th anniversary of the Holodomor (Great Famine) of 1932-1933, calls upon all Members of the European Parliament to support the adoption of a resolution of the European Parliament "On commemoration of the Holodomor – artificially engineered famine" during its forthcoming session in October 2008;

Political and economic developments in the EU and Ukraine

9. Taking into account the latest political controversies in Ukraine, calls on all political leaders of Ukraine to find a quick, effective and sustainable solution, which would allow Ukraine to continue its necessary political, social and economic reforms and to proceed with its ever closer integration with the European Union;
10. Calls on the Ukrainian authorities to do their best to ensure the long-term political stability in Ukraine; in this regard emphasizes that the stable constitutional settlement and reforms will underpin the European integration aspirations of Ukraine;
11. Highlights again the importance to implement a proper constitutional reform according to recommendations of the Venice Commission, needed, in particular, to establish a viable system of checks and balances, to define clear distribution of competences among the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine and the President of Ukraine and regulate the relations between the ruling coalition and opposition, in order to prevent clashes of competences and power struggle and to assure effective functioning of all branches of power;
12. Expresses its concern with the situation about ratification of the EU Reform Lisbon Treaty and encourages the European Union and its Member-States to find an effective and acceptable solution of this situation;

EU-Ukraine cooperation in Common Foreign and Security Policy (CFSP), including current international political situation

13. Welcomes the further convergence between the EU and Ukraine on foreign policy and security issues, including promoting respect for the principles of independence, sovereignty, territorial integrity and inviolability of borders;
14. Acknowledging the Statement on Georgia of the XII EU-Ukraine Summit of 9 September 2008 and the European Parliament resolution of 3 September 2008 on the situation in Georgia, deplores the loss of human life, the suffering inflicted on the population, the number of displaced persons and refugees, and the considerable material damage;
15. Referring to the provision of the Charter of Paris for a New Europe regarding the full respect for each country's freedom of choice of its security arrangements, emphasizes that all European States have the right freely to determine their foreign policy and their alliances, while respecting international law and the principles of good neighbourliness and peaceful cooperation;
16. In the light of the crisis in Georgia, calls upon the EU and Ukraine to participate actively in the strengthening of regional cooperation by establishing a mechanism of permanent consultation and coordination in this area;
17. Expresses the view that given the present regional and international political context, it would be unwise for the EU not to make more and clearer overtures towards Ukraine; stresses that by consolidating the European perspective for Ukraine one could contribute to stability in the region; in this regard urges the EU to actively support Ukraine in its efforts to strengthen its economy, to increase its political stability and to reinforce its national unity;
18. At the same time, given the challenges presented by the new geopolitical reality in the region, encourages Ukraine to find broad political consensus on the necessary constitutional, institutional and judiciary reforms, to continue on the path of economic integration with the EU single market, and to bridge together different segments of the Ukrainian society by defining clear national goals and by successfully addressing people's fears, wishes and aspirations;

EU-Ukraine economic and sectoral cooperation, in particular the negotiations on a free trade area

19. Welcomes the accession of Ukraine into the WTO in May 2008 and calls for the pursuit of negotiations on a EU-Ukraine Free Trade Area, to be founded on a common regulatory basis and to cover almost all trade in goods, services and capital between the EU and Ukraine, as well as facilitate the movement of persons related to service rendering and investments;
20. Welcomes the progress in the negotiation process on establishment of a deep and comprehensive free trade area with large-scale regulatory approximation of Ukrainian standards to EU standards contributing to the gradual integration of Ukraine to the EU single Market;
21. Commends the deepening of bilateral economic cooperation; at the same time expresses once again its concern with a growing imbalance in the trade between the EU and Ukraine; encourages the European Commission and Ukrainian Government to address this issue;
22. Welcomes the progress in the negotiation process between the EU and Ukraine on establishing a common aviation area;
23. Stresses the importance of deepening the existing customs co-operation through appropriate agreements between the EU and Ukraine in the field of customs information exchange.

Energy cooperation between the EU and Ukraine

24. Highlights Ukraine's critical role in ensuring the energy security of the EU and underlines that Ukraine's full control over its energy independence is directly connected to its political stability and prosperity; stresses the need for the EU to establish a common external energy policy, which is also critical for Ukraine's energy security; encourage both sides to study ways and means of utilisation of the Ukrainian underground gas storages as a safeguard mechanism to maintain the reliability of supply in case of disruptions and crises;
25. Encourages the EU and Ukraine to develop a joint strategy on common energy security based on the principles of the Energy Charter Treaty, such as openness, transparency and reciprocity as regards access to markets and investments;
26. Welcomes the significant progress achieved in implementing the priorities of the EU-Ukraine Memorandum of Understanding on cooperation in the field of energy of 1 December 2005 and calls for the reinforcement of the energy dialogue in order to ensure a safe, transparent and reliable transit system of energy between the EU and Ukraine; commends the recently launched process of negotiations on the Ukraine's accession to the Treaty of the Energy Community;
27. Supports the construction of the Odessa-Brody-Plotsk Oil Pipeline and encourages the involvement of Ukraine in the development of Nabucco Gas Pipeline Project as well as of the Caspian Sea-Black Sea-EU energy corridor, aiming to diversify energy sources and to achieve a higher energy security in the region; in this regard welcomes the Krakow initiative and efforts of Ukraine, Poland, Lithuania, Azerbaijan and Georgia to enhance cooperation in energy sector within the Black Sea – Caspian Economic space;
28. Welcomes the progress reached in the implementation of international infrastructure projects at the Chernobyl NPP site, successful completion of which will ensure the improved global nuclear safety; in this regard calls on the EU and Ukraine to monitor closely the implementation progress in order to make sure that these projects are fulfilled in time and within the assigned budgets; at the same time stresses that Ukraine has to make a major effort concerning energy saving, energy efficiency and renewable energy, to improve environmental standards and to increase safety and improve working conditions in the coal mines across the country; calls on the EU to assist Ukraine in these efforts;

Cooperation in the sphere of justice and home affairs, including readmission, perspectives of a visa-free regime and people-to-people contacts

29. Welcomes the decision of the Paris EU-Ukraine Summit to launch a dialogue on the establishment of a visa-free regime for short stay travel between the EU and Ukraine as a long-term perspective and encourages the negotiating parties to elaborate a list of tasks and obligations, fulfilment of which would allow Ukraine's compliance with the EU norms, standards and practice in the sphere of documents security, border management, visa and migration policy;
30. Expresses its concern over information of the Ukrainian Part about violations by some EU Member States of their commitments according to visa facilitation agreement; calls upon the EU Member States to fully and effectively implement the visa facilitation and readmission agreements between the European Community and Ukraine, acknowledging that Ukraine has exempted EU citizens from the visa obligation; recommends to the European Parliament to hold a special hearing on this issue;
31. Encourages the European Commission and the Governments of the neighbouring EU Member States and the Government of Ukraine to intensify their co-operation aimed at the

prompt conclusion and entry into force of the agreements on local-border traffic and introduce joint border controls at the border crossing points on common border in order to facilitate cross-border movement and trade, people-to-people contacts and economic development in the local border areas;

32. Underlines the importance of cooperation on custom, border and migration management, aimed in particular at improving border control, building new and upgrading existing infrastructure of the border-crossing points and reinforcing the capacity of the Ukrainian border guards; encourages the EU to further support this cooperation by providing necessary financial and technical assistance; recalls in this regard the example of mutually beneficial and successful EU-Ukraine cooperation at the framework of the EU Border Assistance Mission to Ukraine and Moldova (EUBAM);

Regional development in Ukraine

33. Encourages Ukraine to advance the principles of economic, social and territorial cohesion in its policy of 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 policy of decentralisation and balanced economic development of all Ukrainian regions;
34. Takes note of the visiting session of the EU-Ukraine PCC in Crimea on 3 October 2008, and in particular the meetings with the local authorities of Crimea in Yalta and with the representatives of Medjlis of the Crimean Tatars in Simferopol; is convinced that economic development of Crimea, due to its extremely rich recreational and economic potential, should be a priority for both Ukraine and the EU; in this regard underlines that increasing of the EU investments into Crimean economy and tourist infrastructure will contribute significantly to achieve this goal;
35. Emphasises that according to international law, Constitution of Ukraine, Ukrainian legislation and local acts, all regions of Ukraine, including Crimea, are integral parts of Ukraine; therefore any parallel between Ukrainian regions and secessionist conflict areas on the European continent is incorrect and not acceptable; expresses concern over the appeal of the Verkhovna Rada of the Autonomous Republic of Crimea to the Verkhovna Rada of Ukraine to recognise the independence of South Ossetia and Abkhazia;
36. Notes the fulfilment by Ukraine of the Ukrainian-Russian Agreement of 1997 on status and terms of Black Sea Fleet's presence on Ukrainian territory; expresses its hope that the Russian Federation also will fulfil in good faith the Agreement until its expiration in 2017.