

EUROPEAN PARLIAMENT

EU-UKRAINE PARLIAMENTARY COOPERATION COMMITTEE

MINUTES of the ELEVENTH MEETING 2 - 3 October 2008

KYIV/YALTA

CONTENTS

	<u>Page</u>
1. Adoption of draft agenda.....	2
2. Adoption of the minutes of the 10 th meeting of the EU-Ukraine PCC in Brussels on 26-27 February 2008.....	2
3. State of play of the EU-Ukraine relations after the EU-Ukraine summit in Paris (9 September 2008), including the negotiations on the Association agreement and the implementation of the EU-Ukraine Action Plan.....	2
Joint Debate with statements by:	
- Government of Ukraine	
- Presidency-in-Office of the Council of the European Union	
- European Commission	
4. Internal political and economic developments in the EU and Ukraine.....	2
5. EU-Ukraine cooperation in Common Foreign and Security Policy (CFSP), including current international political situation (<i>to be discussed in Yalta</i>).....	2
6. EU-Ukraine economic and sectoral cooperation, in particular the negotiations on a free trade area.....	6
7. Energy cooperation between the EU and Ukraine.....	6
8. Cooperation in the sphere of justice and home affairs, including readmission, perspectives of a visa-free regime and people-to-people contacts.....	6
9. Regional development in Ukraine by the example of Autonomous Republic of Crimea (<i>to be discussed in Yalta</i>).....	6
10. Follow-up of the final statement and recommendations of the 10 th PCC meeting.....	7
11. Adoption of the final statement and recommendations.....	7
12. Any other business.....	7
13. Date and place of the next meeting.....	7

Annex:

List of participants

1st Working Session

The meeting opened on 2 October 2008 at 10h30 under the co-chairmanship of **Mr TARASYUK**, Chairman of the Verkhovna Rada Delegation to the EU-Ukraine PCC and **Mr SEVERIN**, Chairman of the European Parliament Delegation to the EU-Ukraine PCC.

Mr TARASYUK opened the meeting by welcoming all the members with a reference to the EU-Ukraine summit of 9 September 2008, underlining the particular importance of the 10th PCC meeting and its joint recommendation for the success of this summit. He also referred to the very useful ENP East Parliamentary Conference held in Brussels on 4-5 June 2008 as an important step in fostering the multilateral relations of the countries concerned. For the draft joint statement of this 11th meeting all text proposals and amendments should be tabled by 12h30 this morning.

Mr SEVERIN welcomed the programme of this meeting showing the common purpose and agenda of the both delegations. He expressed the European Parliament delegation's satisfaction with the EU-Ukraine summit results, in particular with those elements highlighting the joint values and common European culture and history as the basis for political association and eventual membership. He also raised the difficulties due to global disrespect of international law such as the Caucasus conflict, the actual financial crisis, the constitutional crisis in Ukraine and last but not least, Europe's weakness not to finalize the ratification of the Lisbon Treaty, all-together resulting in a political violability and instability in Ukraine. This meeting, thus his hope, should contribute to the national unity in Ukraine.

1. Adoption of draft agenda

The draft agenda was adopted as tabled.

2. Adoption of the minutes of the 10th meeting of the EU-Ukraine PCC in Brussels on 26-27 February 2008

The minutes were adopted unanimously as tabled.

Joint Debate

3. State of play of the EU-Ukraine relations after the EU-Ukraine summit in Paris (9 September 2008), including the negotiations on the Association agreement and the implementation of the EU-Ukraine Action Plan

4. Internal political and economic developments in the EU and Ukraine

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

Mr NEMYRYA, Deputy Prime Minister, on behalf of the Ukrainian government, followed upon the introductory statements of the Co-chairs, and with a citation from a Metternich letter drew a picture of the Ukrainian aspirations of Ukraine's future in the European Union, the summit results being another step towards European

integration. Political association and economic integration would be Ukraine's mid-term objectives and a conclusion of the Association Agreement the next step in this direction. He described his government's efforts to involve all political actors in Ukraine into this European integration policy, and explained how closely Ukraine is cooperating with the EU with regard to the different conflicts, consulting also with the upcoming Czech and Swedish Presidencies. Coordination being an important part of this, the newly established "Coordination Bureau for European Integration" served very beneficially as a multiparty platform for this purpose. Together with the Verkhovna Rada delegation to the PCC the government had earmarked 37 legal projects of priority importance for the EU approach, and all 37 projects had been presented to the Verkhovna Rada. As on 21-24 October the next round of WTO negotiations will take place, the Coordination Bureau is working on getting all this legislation adopted. He also referred to the importance of an integrated approach in the energy sector, and made mentioning of the need to strengthen the educational level of civil servants and officials in the administration, notably in Home Affairs and the legal system.

Mr FAURE, Ambassador of France, speaking on behalf of the Presidency-in-Office of the Council, opened his presentation by commenting on the Paris EU-Ukraine summit, in particular on the new EU-Ukraine agreement to be named an Association Agreement, and the text adopted in Paris further underlining Ukraine's EU aspirations; the EU-Ukraine visa agreement, all directed towards an eventual visa free arrangement; and on the very ambitious calendar established in Paris calling for a new Action Plan for spring 2009 and for finalizing the Agreement in 2009. Convergence of legislations and their implementation in Ukraine would now be of prior importance for a successful "European agenda", and a good coordination of political activities by the "Coordination Bureau" strongly needed.

Mr SCHUEBEL, representing the European Commission, addressed the internal developments in Ukraine since the 9th and 10th PCC as well as the very intensive EU activities in Ukraine, visible also through the high presence of the EU institutions in the country, such as visits of Commissioners, parliamentary bodies and more, and thanked the Presidency-in-office for the excellent summit results. The new Action Plan should be equipped with well functioning instruments. He enumerated a long list of cooperation projects covering a wide range of successful cooperation such as visa free, the European Football Championship to be hold jointly in Ukraine and Poland, and other joint undertakings in the field of culture, education, research, aviation, etc. The European Commission shortly will present proposals on the Eastern Partnership. He underlined the necessity for Ukraine to move ahead with the reform of the constitution, and to honour all the steps agreed on its way towards joining the WTO.

After short interventions of the Co-chairs, the meeting was interrupted at 11h15 for a coffee break.

Mr SEVERIN resumed the proceedings by thanking the Ambassador, the Vice Prime Minister and the European Commission representative, and by honouring the creation of the "Coordination Bureau", since efforts on EU issues and EU integration were clearly above Ukraine's internal controversies.

Mr BIELAN, European Parliament draftsman on EU-Ukraine relations and the new agreement, opened his intervention by referring to the Paris EU-Ukraine summit and in particular to the perspective of an EU membership, which had not been included in the summit conclusions, thus using the term of the "half empty glass", notwithstanding that the simple naming the agreement an Association Agreement presented certainly a step forward, but still did not give the perspective necessary in the aftermath of the Caucasus conflict. The visa issue was of high importance in his view for all European regions bordering Ukraine, where visa facilitation would be of direct economic value. He welcomed the PCC initiative of visiting the Crimea in the actual political situation and inquired about the possibilities and timetables for a snap general election in Ukraine, and its probability to achieve the necessary 50% voter turnout.

Mr TARASYUK, intervening on behalf of the Verkhovna Rada delegation, raised questions with regard to visa free not only as a long term perspective but also in the short term, and proposed to include this objective into the roadmap, mentioning also specific problems some EU consulates encountered with the handling of the facilitated visa regime applications. He raised the timetable attached to the EU-Ukraine Action Plan and also the pending European Commission communication on the Eastern Partnership which will complete the ENP East following up on the Polish-Swedish initiative.

Mrs STANISZEWSKA reminded the Committee of the historic situation opening a window of opportunities for EU-Ukraine relations during the period of summit preparations, to be however pre-empted by the governmental crisis in Ukraine.

Mr SHEVCHUK, Deputy Head of the Verkhovna Rada delegation, referring to topics 3 and 4 of the agenda jointly and presenting the Verkhovna Rada delegation position, raised the issue of the enhanced cooperation to be initiated by the Association Agreement. This cooperation both in business sectors as well as in civil society would strengthen the bonds linking Ukraine with the EU, and thus contribute to further European integration of Ukraine. Civil society bodies, but also certain legislation such as the Labour Code being in line with EU standards would also help to strengthen internal integration within Ukraine and in the international context with the EU.

Mr LIOVOCHKIN underlined the role of the EU as trade partner, making reference to the macroeconomic situation, growth, inflation and Ukraine's confidence in the Euro zone in the light of the ongoing financial crisis. The inflation rate of above 14% being very high the difficulties of the financial markets could have devastating effects on the domestic economic situation. Referring to the political situation in Ukraine he elaborated on the Party of Regions' approach and political programme and in particular to certain aspects of EU policy such as the pending ratification of the Lisbon treaty, the nomination procedure for the next European Commission and the security of energy supplies in the EU.

Mr TANNOCK, having attended the national Congress of his party in the UK just prior to the PCC meeting, commented on the different experiences in relation to the handling of the financial crisis, touching also on the adoption of the Lisbon Treaty when voicing his views that the next European Parliament would most probably be

elected in June 2009 within the frame of the Nice Treaty. He referred to the Russia-Georgia 6 point plan and to Russia's role in the Caucasus crisis and its implications for the region and internationally, with a view to possible repercussions on the energy markets and energy supply security, mentioning a "Cold War" or "Cold Peace" scenario. In a political *tour d'horizon*, he commented on the EU energy policy and the 2020 targets, the ratification of the Lisbon Treaty and its effects for the enlargement process, on Croatia as being in the front line for accession, on EU-India relations, on EU-Czech specific relations to be seen in the light of the upcoming Presidency-in-office, on the Cyprus problem on its way towards a solution and on Turkey's accession, on Iran as a nuclear power and a gas exporter, with the future possibilities of the Nabucco pipeline, and mentioned EU-China relations, Darfur, the climate change and global warming and Russia's demands in the Arctic region.

Mrs HARMS, commenting on the Caucasus crisis, reminded the Committee of the conflicts prior and following the recognition of the Kosovo, and questioned the Ukrainian members of the Committee about ways and means to avoid "Cold Peace" and to solve the "Frozen Conflicts" effectively and peacefully.

Mr ZWIEFKA reminded the Committee that constitutional crises were not a temporary phenomenon exclusively in Ukraine but also very common in EU Member States such as Belgium, and pointed at the importance of economic stability at times of both financial turmoil and constitutional crisis.

Mr TARASYUK introduced the aspects of the Ukrainian constitution with regard to the status of the Autonomous Republic of Crimea, notably in comparison with other Russian-speaking regions of Ukraine, and as a reference he pointed to the Caucasus conflict and the situation with South Ossetia and Abkhazia as Russian speaking regions in Georgia. He also explained the constitutional provisions for early elections, following dissolution of the Verkhovna Rada by President Victor YUSHCHENKO, which could be achieved earliest by 3 October, and would thus open the path for snap elections within a deadline of the following 60 days. In the case of dissolution of the Parliament the pending presidential decrees still blocked by the Parliament would then become valid. He also insisted that the situation in Georgia should certainly be part of the Final Joint Statement. With regard to the expression of "Cold War" or "Cold Peace", he expressed his hope that "cold" would not be replaced by "hot", and underlined the necessity to stick to the complete fulfilment of the 6 Point Plan.

Declaring the deadline for tabling amendments to the Joint Statement closed, he announced that the Co-chairs would elaborate a proposal for adoption on the grounds of the draft text.

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The meeting was suspended at 13h30 and resumed at 15h00.

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2nd Working Session

Joint debate

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

7. Energy cooperation between EU and Ukraine

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

Mr SEVERIN opened the discussion of the three topics, and indicated that topic 9 would be dealt with on 3 October in Yalta, whereas topics 11 and 12 should be included in today's Working Session.

Mrs HARMS intervened on topic 7, referring to the experiences of gas shortages due to Russian cancellations of gas deliveries, the potential energy savings thanks to augmenting energy efficiency in Ukraine, to the mixed competencies of the EU Member States in the context of energy security, with environment and markets in EU competency, while energy supply agreements still resting with the Member States, and thus resulting in a weak position of the EU towards the energy suppliers.

Mr TANNOCK commented on the EU energy policy and the energy mix possibilities, the infrastructural aspects of the electricity grids and on aspects of coal and nuclear energy as being necessarily part of any future energy equation.

Mrs STANISZEWSKA addressed topic 8 concentrating on the visa-free regime and raising the fact that Ukraine's eastern borders are 'green' borders, not perfectly controlled and thus not up to Schengen standards. Schengen visa were currently delivered only at the Consulates which are normally located in capitals only and which are thus of considerable cost for any average applicant.

Mr KLIUCHKOVSKIY announced that at today's Parliamentary session of the Verkhovna Rada the governmental coalition had decided to form again a new government. He also spoke about the cooperation in the sphere of justice and home affairs and in particular the problems with regard to the readmission agreement.

Mr SHEVCHUK expressed his hope that talking to the EU about these topics would help to make the process for reinitiating the government as smoothly as possible.

Mr TANNOCK reiterated a question concerning the decision of the Crimean Parliament to call on the Ukraine authorities to recognize the independence of South Ossetia and Abkhazia.

Mr TARASYUK also intervened on point 8, reporting on a hearing his delegation had organised on visa facilitation, readmission and border controls. Although there was only a weak participation of EU Member States' missions, the hearing had resulted in evidence that the EU might not be in a situation to go ahead with the realisation of its proposals, in particular with facilitating border crossings in the border regions for local trade and business or for people-to-people contacts. He

mentioned the possibility of Ukraine charging EU citizens for visa reciprocally in the case of Member States that do not comply with the visa facilitation agreement.

Mr TANNOCK raised an issue with the PCC Rules of Procedure on the adoption of a Joint Statement, commenting on specific paragraphs of the draft statement dealing with the Russia-Georgia conflict.

Commission representative Fabiola DI CLEMENTE informed the Committee about the existing infringement procedure, which could be initiated by the European Commission against Member States when not complying. Actually 10 Member States are in non-compliance with the facilitation regime.

After further precisions and short interventions by Mr TARASYUK, Mrs STANISZEWSKA, Mr BIELAN and Mr CHENTSOV, the debate was closed by the chair, proposing to include this topic in the Joint Statement, and to organise a similar hearing in Brussels with the EU institutions and the Member States participating.

10. Follow-up of the final statement and recommendations of the 10th PCC meeting

Mr SEVERIN informed the Committee that the decision to install Working Groups of the Parliamentary Cooperation Committee had not been yet authorised by the authorities of the European Parliament, differently from the Verkhovna Rada, and Mr TANNOCK commented on that too.

11. Adoption of the final statement and recommendations

In an exchange of views on the procedure for the adoption of a final statement and of recommendations, the two Co-chairs, Mr ZWIEFKA, Mrs HARMS, Mr TANNOCK, and Mr BIELAN took the floor.

Mr TARASYUK concluded by calling for the adoption. Paragraphs 1 - 15 and 17 to end were all agreed to be put into a final text version by the Co-chairs, para 16 was agreed not to be amended since the amendment put forward by the European Parliament delegation did not carry a majority. The Final Statement and Recommendations were thus adopted in unanimity.

12. Any other business

There was no other business.

13. Date and place of the next meeting

It was declared that the next PPC is scheduled to take place in Brussels on 24-25 February 2009.

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The meeting was suspended at 17h00 and resumed the next day at 12h20 in Yalta.

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9. Regional development in Ukraine by the example of Autonomous Republic of Crimea

Mr TARASYUK opened the meeting by announcing that Mr Viktor PLAKIDA, Head of the Council of Ministers of the Autonomous Republic of Crimea, as well as Mr Anatoliy GRYTSENKO, the invited Chairman of the Supreme Council of the AR Crimea, and Mr Serhiy BRAYKO, mayor of Yalta city, have failed to be present.

He welcomed Mr Ihor TENYUKH, Commander of the Navy Forces of Ukraine, and Mr KUDRACHOV, representing the Sebastopol City Council, and representatives of non governmental organisations such as the Citizens Rights Centre and of the Sebastopol Media Union.

Mr SEVERIN, after having presented the Members of the European Parliament Delegation, invited the participants to express their views and opinions on their country's future with regard to the European Union.

Mr TARASYUK presented the Members of the Verkhovna Rada delegation before giving the floor to Mr TENYUKH, Ukraine Navy Forces Commander.

Mr TENYUKH, Commander of the Navy Forces of Ukraine, draw a picture of the Ukraine Navy as an integral part of the Ukrainian national defence, elaborated on it's composition and force, the educational programmes as well as actual plans for modernising the fleet and equipping it according to the changing tasks it most recently faces in the Black Sea and beyond, as part of the Black Sea Force. The Ukrainian Navy should also be up to fulfil the co-operational operations on the basis of international mandates, such as Action Endeavour, an anti terrorist operation in the Mediterranean Sea, and similar tasks. As a strategic objective for Ukraine's fleet, he pointed out the need to have the navy ready for a full-fledged NATO membership. The actual sea operations and exercises such as Sea Breeze Exercises are aimed to train staff and material for NATO operations. The overall goal is to form the navy for international cooperation.

Mr KUDRACHOV, representing the Sebastopol City Council, presented the economic and social situation of Sebastopol city, harbouring the Ukrainian Navy as well as the Black Sea Fleet of the Russian Federation. He pointed out that as far as growth in tourism services are concerned, Sebastopol occupies a leading position in Ukraine, and referred to the more than 150 km of sea line with spectacular bays, natural and developed harbours and marinas. He underlined also Sebastopol's outstanding location as a trade post and as service supplier with important shipyard facilities. Sebastopol's tropical climatic situation offers excellent conditions for agricultural production as well as for aqua farming. With 378 000 inhabitants and almost 200 000 employments the Sebastopol City Council is constantly working on strengthening the city's future as Ukraine's door to the sea.

Mr PILUNSKY, Member of the Crimea Verkhovna Rada, to the contrary pointed out that the Crimea is not a self sustained autonomous region, but subject to political

operations. In spite of having abandoned since 1995 the position of "President" in the Crimea, the Verkhovna Rada of the Autonomous Republic of Crimea had adopted a resolution recognizing the independence of South Ossetia and Abkhazia. Mr PILUNSKY questioned the Ukrainian Navy Commander about the stationing of nuclear armaments of the Russian Federation in Sebastopol, and about the future presence of the Russian Black Sea Fleet in Sebastopol after 2017, and mentioned also the ecological, social and minority problems for the Ukrainian population in relation with the Russian presence in Sebastopol. He raised the issue of a separatist movement represented in the Crimean Verkhovna Rada, and pointed to the need for the "resort industry" to create more lasting jobs working not only a short season of 4 weeks but to prolong the season to all year operations, thus generating sustainable revenues and employments.

.....,the representative of the Sebastopol Development Association, referred to the potentially damaging consequences of making Sebastopol a major coal transit harbour for the ecology as well as for the growing tourist business. The future status of Sebastopol still not being secured, development initiatives and investments are difficult to attract, and the city as well as possible investors would need clear programmatic guidance from central government about the future of the region. Although 2017 as the date of the end of the lease with the Russian Federation is already quite close, there was in his view a resentment of the Russian Black Sea Fleet towards its move to a different harbour.

Mr KULAKOV, Director of the Sebastopol Nomos Centre, spoke about the situation of civil society organisations in Sebastopol, referring to Trade Unions, NGOs and Media and people's social activities organisations, in spite of the burden of a strong military presence. The 10 km of piers occupied for military use could create an important number of jobs in civil field. But he also pointed out that actually the Russian Black Sea Fleet generates about 30% of the city budget, and more than 30 000 civilian jobs depend on the Russian Fleet. As for the European Union perspective, he underlined that EU accession of Ukraine was not of high interest, but European Neighbourhood Policy was welcomed by the public as a policy able to strengthen the region economically and thus to make people's lives better in terms of transport, medical, educational and other infrastructure.

Mr YANDZENIDZIN, representing the Sebastopol Media Club, raised the apparent absence of media at this meeting, before pointing out, that in his views the Crimean and Russian perceptions of seeing EU and NATO as an intrusion into a Russian region had been reason for many invitees to participate in this meeting. He also raised the issue of the Crimean Tartars, referring to them as "post genocide population".

Mr PILUNSKY added that the local media had stayed away from this meeting on purpose.

Mr SEVERIN opened the questions-and-answers session with questions on the inter-military cooperation between the Ukrainian and Russian Navies, on the effects of the presence of the Russian Fleet on investments in the region, and on the "separatist" movement, its causes and dimension, and on the situation of free media and the free exercise of this profession.

Mrs STANISZEWSKA inquired about the EU's possibilities to inform about and make more transparent the EU, its proposals, structures and objectives.

Mrs HARMS spoke of the Crimea as a region very little known in the EU, and inquired about the Annual Black Sea Forum of NGOs.

Mrs PLESTINSKA asked questions about the cooperation between Ukraine / Crimean region and Slovakia in the field of education and science, wanting to know better what specific cooperation would be beneficial for the region.

Mr PILUNSKY explained that the Russian Black Sea Fleet though making use of vast harbour facilities in Sebastopol did not occupy the entire harbour space, which was therefore not a limitative factor for a reinforcement of the fleet, and referred to the stability of the region with a view to other separatist regions such as Transnistria, and underlined Russia's pro-separatist propaganda in the region.

Mr KUDRACHOV mentioned the specific historical, cultural and economic bonds between Ukraine and Russia, and even more so between Russia and Crimea. Sebastopol harbouring the Russian Fleet needs not necessarily to have negative effects on the economic development of the city. A normal economic use of the harbour facilities would generate growth, and this should be fostered.

....., the representative of the Sebastopol Development Association referred to the questions concerning the impact of the presence of the Black Sea Fleet on investors' interest in the region, and to the political representation of these interests on local, regional and national level.

Mr TENYUKH adamantly insisted on the necessity for the Russian Black Sea Fleet to leave Sebastopol harbour by 2017, since this is a constitutional necessity for Ukraine. A logistical operation of such enormous dimension would need to be started now if to be concluded in 2017.

Mr KUDRACHOV added information on the Russian reluctance to base their fleet further up on the coast on Russian territories.

Mr TARASYUK, with a reference to Mrs Staniszevska's question, informed the Committee on the Ukraine State Programme on Public Awareness of EU Accession, and a similar campaign being carried out on NATO accession, before responding to several of the questions and positions expressed in the debate, including specific budget aspects of the Crimean Autonomous Republic.

Mr SEVERIN concluded the meeting.

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The sitting was closed at 15h10.

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EUROPEAN PARLIAMENT

EU-UKRAINE PARLIAMENTARY COOPERATION COMMITTEE

ELEVENTH MEETING

2 - 3 October 2008

Kyiv/Yalta

Final List of Participants

Members :

Mr Adrian SEVERIN <i>Chairman</i>	PSE, Romania
Dr. Charles TANNOCK *) <i>1st Vice-Chairman</i>	PPE-ED, United Kingdom
Mr Andrzej ZAPALOWSKI *) <i>2nd Vice-Chairman</i>	UEN, Poland
Mr Gábor HARANGOZO	PSE, Hungary
Ms Rebecca HARMS	Verts/ALE, Germany
Ms Zita PLESTINSKA	PPE-ED, Slovenia
Mr Marek SIWIEC *)	PSE, Poland
Ms Grazyna STANISZEWSKA	ALDE, Poland
Mr Tadeusz ZWIEFKA	PPE-ED, Poland
Mr Adam BIELAN, Rapporteur AFET *)	UEN, Poland

*) Kyiv only

Secretariat of the Delegation :

Mr Arnoldas PRANCKEVICIUS	Administrator, Responsible for the Delegation
Mr Stefan PFITZNER	Deputy Head of Unit
Ms Eva PALATOVA	Foreign Affairs Committee, Administrator
Ms Claudia SIEGISMUND	Delegation Secretariat, Assistant
Ms Françoise CLAES	Delegation Secretariat, Assistant

Secretariat of the Political Groups :

Mr Lukasz DZIEKONSKI	Political Adviser, PPE-ED Group
Mr Keith AZZOPARDI *)	Political Adviser, PES Group
Ms Isabelle CLEENEWERCK DE CRAYENCOUR	Political Adviser, ALDE Group
Mr Aleksander GRABCZEWSKI	Political Adviser, UEN Group

European Commission :

Mr Dirk SCHÜBEL *)	Acting Head of EC Delegation Kyiv
Ms Fabiola DI CLIMENTE *)	Political Attaché, EC Delegation Kyiv
Mr Dimitri GORCHAKOV	EC Delegation Kyiv (accompanying to Crimea)

Accompanying Persons :

Mr Bartosz SZAJDA	Political Adviser to Vice-President Bielan
Mr Stephen JONES *)	Adviser to Mr Tannock, PPE-ED Group
Ms Lesya REKUNOVA	Assistant to Ms Staniszewska, ALDE Group

Interpreters :

Polish-English-Polish:

Ms Anna GAZDZINSKA (*team leader*)
Mr Grzegorz KOWALEWSKI
Ms Maria WANAT

Ukrainian-English-Ukrainian:

Ms Iryna SHYMANSKY
Mr Vickentiy SHYMANSKY
Mr Michael TYUTYUNNIK

Abbreviations :

PPE-DE	European People's Party/European Democrats	GUE/NGL	European United Left/Nordic Green Left
PSE	Party of European Socialists	UEN	Union for Europe of the Nations
ALDE	Alliance of Liberals and Democrats for Europe	IND/DEM	Independence and Democracy
Verts/ALE	Greens/European Free Alliance	NI	Non-Attached