

EU/Ukraine Association Agreement: treatment of third country nationals legally employed as workers in the territory of the other party

2013/0151B(NLE) - 20/06/2014 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Association Agreement between the European Union and EURATOM and their Member States, of the one part, and Ukraine, of the other part, as **regards provisions relating to the treatment of third-country nationals legally employed as workers** in the territory of the other part.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: on 22 January 2007, the Council authorised the Commission to open negotiations with Ukraine for the conclusion of a new agreement between the European Union and Ukraine to replace the Partnership and Cooperation Agreement (please refer to the summary of the initial legislative proposal of *15/05/2013*).

Those negotiations were successfully finalised and the Association Agreement between the European Union and EURATOM and their Member States, of the one part, and Ukraine, of the other part was initialled in 2012, subject to its conclusion at a later date.

This proposed Decision concerns only Article 17 of the Agreement, which contains specific obligations relating to the treatment of third country nationals legally employed as workers in the territory of the other party.

It should now be approved on behalf of the Union.

CONTENT: under this proposed Decision, the Council is called upon to approve, on behalf of the Union, the abovementioned Association Agreement between the European Union and Ukraine.

Provisions are regards the treatment of legal migrants: this proposal concerns only Article 17 of the Agreement, which contains specific obligations relating to the treatment of third country nationals legally employed as workers in the territory of the other party and which falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union. The aim and content of those provisions is distinct from and independent of the aim and content of the other provisions of the Agreement to establish an association between the parties. A [separate decision](#) relating to the other provisions of the Agreement will be adopted in parallel with this Decision.

N.B.: the future Agreement should not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.