Basic information

2010/0218(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Ukraine Framework Agreement: participation of Ukraine in Union programmes. Protocol to the Partnership and Cooperation Agreement establishing a partnership EC/Ukraine See also 1994/0136(AVC) **Subject** 6.40.02 Relations with central and eastern Europe 6.40.15 European neighbourhood policy **Geographical area** Ukraine	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	LEGUTKO Ryszard Antoni (ECR)	01/09/2010

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3086	2011-05-13

European Commission

Commission DG	Commissioner
External Relations	FÜLE Štefan

Key events

Date	Event	Reference	Summary
28/07/2010	Preparatory document	COM(2010)0407	Summary
19/10/2010	Legislative proposal published	13604/2010	Summary

13/12/2010	Committee referral announced in Parliament		
16/03/2011	Vote in committee		Summary
18/03/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0063/2011	
06/04/2011	Decision by Parliament	T7-0134/2011	Summary
06/04/2011	Results of vote in Parliament		
13/05/2011	Act adopted by Council after consultation of Parliament		
13/05/2011	End of procedure in Parliament		
20/05/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0218(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 1994/0136(AVC)
Legal basis	Treaty on the Functioning of the European Union TFEU 114-p1 Treaty on the Functioning of the European Union TFEU 168 Treaty on the Functioning of the European Union TFEU 169-p3 Treaty on the Functioning of the European Union TFEU 172 Treaty on the Functioning of the European Union TFEU 188-p2 Treaty on the Functioning of the European Union TFEU 192-p1 Treaty on the Functioning of the European Union TFEU 352-p1sub1 Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 218-p8-a2 Treaty on the Functioning of the European Union TFEU 019-p2 Treaty on the Functioning of the European Union TFEU 173-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/03536

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A7-0063/2011	18/03/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0134/2011	06/04/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	13604/2010	19/10/2010	Summary
Document attached to the procedure	13962/2010	19/10/2010	

European Commission			
Document type	**Reference**	**Date**	**Summary**
Preparatory document	COM(2010)0407	28/07/2010	Summary

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Decision 2011/0290 OJ L 133 20.05.2011, p. 0001	Summary

EU/Ukraine Framework Agreement: participation of Ukraine in Union programmes. Protocol to the Partnership and Cooperation Agreement establishing a partnership EC/Ukraine

2010/0218(NLE) - 06/04/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes.

Parliament gives its consent to the conclusion of the Protocol.

EU/Ukraine Framework Agreement: participation of Ukraine in Union programmes. Protocol to the Partnership and Cooperation Agreement establishing a partnership EC/Ukraine

2010/0218(NLE) - 19/10/2010 - Legislative proposal

PURPOSE: to conclude the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes.

PROPOSED ACT: Council Decision.

BACKGROUND: the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes was signed on behalf of the Union subject to its conclusion at a later date.

It is now appropriate to conclude the present Protocol.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASE: Articles 114, 168, 169, 172, 173(3), 188 and 192, in conjunction with Article 218(6)(a) and the first subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union.

CONTENT: with this proposed Decision, the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes is hereby approved on behalf of the European Union.

For details of the content of this Agreement, please refer to the summary of the previous initial legislative document dated 28/07/2010.

BUDGETARY IMPLICATION: this proposal has no implication for the Union's budget.

EU/Ukraine Framework Agreement: participation of Ukraine in Union programmes. Protocol to the Partnership and Cooperation Agreement establishing a partnership EC/Ukraine

2010/0218(NLE) - 28/07/2010 - Preparatory document

PURPOSE: to conclude the Protocol to the Partnership and Co-operation Agreement between the EC and their Member States, of the one part, and Ukraine, of the other part, concerning the participation of Ukraine in Union programmes.

PROPOSED ACT: Council Decision.

LEGAL BASES: Articles 19, 114, 168, 169, 172, 173 (3), 188, 192, 352, in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8) the Treaty on the Functioning of the European Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

BACKGROUND: as part of the European Neighbourhood Policy, the gradual opening-up of certain Union programmes and agencies to the participation of European Neighbourhood Policy partner countries represents one of many measures to promote reform, modernisation and transition in the EU's neighbourhood. This policy aspect is outlined in the Commission Communication "on the general approach to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes". The Council endorsed this approach on 5 March 2007.

Based upon the Communication and those conclusions, the Council, on 18 June 2007, issued directives to the Commission to negotiate Framework Agreements with Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the Palestinian Authority, Tunisia, and **Ukraine**, on the general principles for their participation in Community programmes.

In June 2007, it was decided to start negotiations with **Ukraine**. Negotiations have since been completed to the satisfaction of the Commission.

CONTENT: accordingly, the Commission submits a proposal on the conclusion of the Protocol. This protocol contains a Framework Agreement on the general principles for the participation of Ukraine in Union programmes. It contains standard stipulations that are intended to be applied to all European Neighbourhood Policy partner countries with which such protocols are to be concluded.

The specific terms and conditions regarding the participation of Ukraine in each particular programme, in particular the financial contribution payable and reporting and evaluation procedures, will be determined by agreement between the Commission, acting on behalf of the Union, and the competent authorities of Ukraine.

The negotiated text also provides that the Parties shall provisionally apply the provisions of the Protocol from the date of its signature.

According to 218(6)(a) of the Treaty on the Functioning of the European Union, the **European Parliament shall be requested to give its consent** to the conclusion of this Protocol. In parallel, the Commission submits a proposal for a Council Decision on the signature and provisional application of the Protocol. The Council is invited to adopt the following proposed Decision.

BUDGETARY IMPLICATIONS: the proposal has no implication for the EU budget. Ukraine **shall contribute financially to the general budget of the European Union** corresponding to the specific programmes in which it participates. To finance its participation, Ukraine may apply for external assistance on the basis the Regulation laying down general provisions establishing a European Neighbourhood and Partnership Instrument or pursuant to any similar Regulation providing for Union external assistance to Ukraine.

EU/Ukraine Framework Agreement: participation of Ukraine in Union programmes. Protocol to the Partnership and Cooperation Agreement establishing a partnership EC/Ukraine

2010/0218(NLE) - 13/05/2011 - Final act

PURPOSE: to conclude the Protocol to the Partnership and Co-operation Agreement between the EC and their Member States, of the one part, and Ukraine, of the other part, concerning the participation of Ukraine in Union programmes.

NON-LEGISLATIVE ACT: Council Decision 2011/290/EU on the conclusion of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes.

BACKGROUND: the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes was signed on behalf of the Union on 22 November 2010.

It is now appropriate to conclude this Protocol on behalf of the Union.

CONTENT: with this Decision, the EU concludes a Protocol to the Partnership and Co-operation Agreement between the EU and Ukraine concerning the participation of Ukraine in Union programmes.

The specific terms and conditions regarding the participation of Ukraine in each particular programme, in particular the financial contribution payable and reporting and evaluation procedures, will be determined by agreement between the Commission, acting on behalf of the Union, and the competent authorities of Ukraine.

The main provisions are as follows :

- Ukraine shall be allowed to participate in all current and future programmes of the Union opened to the participation of Ukraine in accordance with the relevant provisions adopting those programmes.
- **Ukraine shall contribute financially to the general budget of the Union corresponding to the specific programmes in which Ukraine participates**.
- Ukraine's representatives shall be allowed to take part, as observers and for the points which concern Ukraine, in the management committees responsible for monitoring the programmes to which Ukraine contributes financially.
- Projects and initiatives submitted by participants from Ukraine shall, as far as possible, be subject to the same conditions, rules and procedures pertaining to the programmes concerned as applied to Member States.
- The specific terms and conditions regarding the participation of Ukraine in each particular programme, in particular the financial contribution payable and reporting and evaluation procedures, shall be determined in a Memorandum of Understanding between the Commission and the competent authorities of Ukraine on the basis of the criteria established by the programmes concerned.
- Financial control or audits or other verifications, including administrative investigations, will be carried out by, or under the authority of, the Commission, the European Anti-Fraud Office and the Court of Auditors.
- Detailed provisions shall be made on financial control and auditing, administrative measures, penalties and recovery enabling the Commission, the European Anti-Fraud Office and the Court of Auditors to be granted powers equivalent to their powers with regard to beneficiaries or contractors established in the Union.
- This Protocol shall apply for the period for which the Agreement is in force.
- No later than three years after the date of entry into force of this Protocol, and every three years thereafter, both Parties may review the implementation of this Protocol on the basis of the actual participation of Ukraine in Union programmes.

ENTRY INTO FORCE: the Decision shall enter into force on 13 May 2011. The Agreement shall enter into force as soon as all the necessary procedures have been completed. Pending its entry into force, the Parties agree to provisionally apply this Protocol from the date of its signature, pending its conclusion at a later date.