Basic information

2011/2132(INI) INI - Own-initiative procedure	Procedure completed
Recommendations to the Council, the Commission and the EEAS on the negotiations on the EU-Ukraine Association Agreement **Subject** 6.20.03 Bilateral economic and trade agreements and relations 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)	26/01/2010

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade	ZALEWSKI Paweł (PPE)	13/07/2011

Council of the European Union

Council configuration	Meetings	Date
Foreign Affairs	3117	2011-10-10

European Commission

Commission DG	Commissioner
European External Action Service	ASHTON Catherine

Key events

Date	Event	Reference	Summary
07/07/2011	Committee referral announced in Parliament		
10/10/2011	Debate in Council		
17/11/2011	Vote in committee		Summary
22/11/2011	Committee report tabled for plenary	A7-0387/2011	
01/12/2011	Decision by Parliament	T7-0545/2011	Summary

01/12/2011	Results of vote in Parliament		
01/12/2011	End of procedure in Parliament		

Technical information	
Procedure reference	2011/2132(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 117
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/06333

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE469.772	18/07/2011	
Amendments tabled in committee		PE472.290	23/09/2011	
Amendments tabled in committee		PE474.073	07/11/2011	
Committee opinion	INTA	PE469.872	15/11/2011	
Committee report tabled for plenary, single reading		A7-0387/2011	22/11/2011	
Text adopted by Parliament, single reading		T7-0545/2011	01/12/2011	Summary

Recommendations to the Council, the Commission and the EEAS on the negotiations on the EU-Ukraine Association Agreement

2011/2132(INI) - 01/12/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution containing the European Parliament's recommendations to the Council, the Commission and the EEAS on the negotiations of the EU-Ukraine Association Agreement, which heralds a new generation of association agreements under Article 217 TFEU and involves an unprecedented level of integration between the EU and a third country. With this agreement, Ukraine is committing itself to implement a large portion of the acquis communautaire.

Political situation in Ukraine: the resolution states that the current political situation in Ukraine, especially in the field of civil liberties and the rule of law, is at odds with the spirit of the EU-Ukraine Association Agreement under negotiation. It notes that the sentencing on 11 October 2011 of Ukraine's former Prime Minister, Yulia Tymoshenko, to seven years in prison and the trials of other ministers have raised serious concerns in the EU and are widely seen as either acts of revenge or as part of an attempt to convict and imprison opposition members in order to prevent them from standing and campaigning in next year's parliamentary elections or in the 2015 presidential election.

Accordingly, it addresses certain recommendations to the Council, the Commission and the EEAS, the main ones being as follows:

- to make the necessary progress in order to achieve the **rapid initialling of an EU-Ukraine Association Agreement, preferably by the end of 2011 if possible**; to ensure at the same time, in line with the demands made in Parliament's resolution of 27 October 2011, that this important initiative within the Eastern Partnership goes hand in hand with commitments by Ukraine to implement the necessary reforms and strengthen democratic values, human rights and the rule of law;

- to reschedule the recently postponed meeting with President Yanukovych ahead of the EU-Ukraine Summit in December 2011 and to strive to have the agreement signed by the Council during the first half of 2012, and to make all documents pertaining to the ratification process available to the European Parliament and to national parliaments by the end of 2012 at the latest.

Parliament stresses the need to recognise Ukraine's aspirations pursuant to Article 49 of the Treaty on European Union.

Targeted financial aid: Parliament insists on the Agreement with Ukraine to accord sufficient financial, technical and legal assistance during both the preparatory period and the implementation of the agreement, and to strengthen its administrative capacity by increasing all forms of available assistance in this area. A high-level EU advisory group to assist Ukraine in its efforts to align itself with EU legislation should be set up.

Institutional aspects: Parliament recommends:

- developing clear safeguard measures and a possible mechanism for the temporary suspension of the whole Association Agreement in the event that essential and fundamental principles thereof are ignored or deliberately violated;
- opening an EU information office in Ukraine as soon as possible, which will work both to raise awareness among the Ukrainian public of the functioning of the EU and of its policies and values, and to facilitate greater participation in EU programmes;
- urging the President and the Government of Ukraine to bring the political, legal and administrative situation in the country into line with what was agreed in the Association Agenda, and to **ensure that Yulia Tymoshenko and other opposition leaders are allowed to exercise their right to participate fully in the political process,** both as of now and in the forthcoming elections in Ukraine;
- assisting Ukraine in the process of achieving a **comprehensive reform of the judiciary** in line with EU standards, so as to prevent the selective use of justice and ensuring that legal proceedings cannot be used for political purposes and are conducted in strict accordance with the rule of law;
- assisting the Ukrainian authorities in the process of reforming the country’s constitution and electoral law along the lines proposed by the Venice Commission and the OSCE/ODIHR;
- including in the Association Agreement a comprehensive mechanism between Parliament and the EEAS, so as to allow for the regular provision of comprehensive information on the progress made in implementing the agreement, and in particular in achieving its objectives; this mechanism should contain the following elements: (i) information on the action taken and positions adopted by the EU with regard to the implementation of the agreement; (ii) EEAS progress reports setting out the results of the action taken by the EU and Ukraine, highlighting the situation of human rights, democracy and the rule of law in the country;
- including standard conditionality clauses on the protection of human rights which reflect the highest international and EU standards, taking full advantage of the OSCE framework;
- support the necessary reforms and to ensure that the Ukrainian authorities give high priority to developing an anti-corruption policy.

Economic and sectoral cooperation: Members recommend, as part of the agreement, **strengthening cooperation between Ukraine and the EU in the energy field**; and striving for the conclusion of further agreements between the EU and Ukraine aimed at securing energy supplies for both sides, including a reliable and diversified transit system for oil and gas and a common response mechanism in the event of disturbances or interruptions to oil and gas deliveries from the Russian Federation. Parliament recommends that the EU assist the Ukrainian authorities in negotiating the conditions governing the delivery of gas from Russia, in order to ensure that Ukraine's gas trade with Russia is consistent with EU trade standards and prices.

However, Parliament notes that although the liberalisation of services and investment in the energy sector would be beneficial to the EU, taking on commitments in respect of particular energy services may involve some risks, since strong energy players controlling Ukrainian companies could use the free trade agreement to dominate transmission networks in the EU. It calls for action to improve EU and Ukrainian energy security through the introduction of **bilateral mechanisms to provide early warnings** and prevent interruptions to the supply of energy and the related raw materials. It also wants to ensure that the Association Agreement reflects the highest environmental standards, bearing in mind inter alia the Strategy for the Danube Region. The resolution recommends also giving further consideration to the importance of regional cooperation in the Black Sea region and of Ukraine’ s active participation in EU policies for this area, including as part of a future EU strategy for the Black Sea.

Trade issues: Parliament wants to recognise the substantial efforts made by the Ukrainian Government in terms of reducing barriers overall and adapting geographical indications, and in relation to sanitary and phytosanitary measures, competition and technical barriers to trade as well as the very limited achievements reached in the course of the DCFTA negotiations in areas such as investment, services, agriculture, energy and export barriers. It makes a range of recommendations on tariffs, sustainable development, animal welfare, the modernisation of infrastructures, notably in the energy and transport sectors; to help the business sector, and a fundamental improvement in the investment climate for foreign investors in Ukraine. Members also ask for a decision to be taken authorising **provisional application of the regulations of the free trade agreement**, which is a fundamental part of the Association Agreement, before it enters into force.

Justice, freedom and security: Parliament recommends working actively towards the establishment of a **visa-free regime between Ukraine and the EU** rather than maintaining a long-term perspective, provided that Ukraine fulfils the necessary technical criteria set out in the Action Plan on Visa Liberalisation. It also wants to introduce appropriate measures during the European Football Championship with a view to using this special occasion as a trial period for a visa-free regime. As a matter of urgency, Members request that the Association Agreement include provisions to counteract fraud and the smuggling of excisable products in accordance with the EU’s Internal Security Strategy and taking into account the anti-illicit trade protocol to the World Health Organisation’s Framework Convention on Tobacco Control.

Frozen conflicts: lastly, Parliament calls for support on convergence on regional and international issues, conflict prevention and crisis management in progress, including the Transnistrian conflict.