

EU-UKRAINE PARLIAMENTARY ASSOCIATION COMMITTEE

First Meeting
24-25 February 2015

DRAFT FINAL STATEMENT AND RECOMMENDATIONS

Pursuant to Article 467 (3) of the Association Agreement

Under the co-chairmanship of Mr. Andrej Plenković on behalf of the European Parliament and of Mr Ostap Semerak on behalf of the Verkhovna Rada of Ukraine, the first meeting of EU-Ukraine Parliamentary Association Committee (PAC) was held in Brussels on 24-25 February 2015. This first meeting was inaugurated by the President of the European Parliament Mr. Martin Schulz and the Chairman of the Verkhovna Rada of Ukraine Mr. Volodymyr Groysman. The Parliamentary Association Committee, having considered the state of play of the EU-Ukraine relations and the overall security and political situation in Ukraine, agreed upon the following final statement and recommendations.

The Parliamentary Association Committee (PAC):

1. Commemorates together with the Ukrainian people the first anniversary of the Revolution of Dignity; admires the courage and determination of the Ukrainian people who, a year ago, stood for and defended their right – even at the sacrifice of their own life- to live in a democratic and European state, free to decide on its own future;

On the overall political and security situation:

2. Strongly condemns that Ukraine has been subject to Russia's aggressive and expansionist policy and undeclared hybrid war, which constitutes a threat to the unity, integrity, and independence of Ukraine and poses a potential threat to the security of the EU itself, emphasises that there is no justification for the use of military force in Europe in defence of so-called historical or security motives;
3. Acknowledges with regret that almost one year has passed since the illegal annexation of Crimea by the Russian Federation in violation of international law; strongly supports the EU's non-recognition policy and underlines the importance of its strict observance by the EU Member States;
4. Reiterates its strong support to independence, sovereignty and territorial integrity of Ukraine within its internationally recognized borders;
5. Welcomes the various diplomatic peace efforts that are based on Ukraine's territorial integrity and strongly supports the agreement that was reached in Minsk on 12 February 2015 under the facilitation of Angela Merkel and François Hollande and the signature by the Trilateral Contact Group of the «Package of Measures for the Implementation of the Minsk Agreements »;
6. Calls on all sides to act responsibly and to make every effort to implement the package of measures in full and in good faith as it offers a way forward to a comprehensive and peaceful resolution of the crisis in eastern Ukraine;
7. Calls for the full adherence to the Minsk package starting with full respect of the ceasefire and removal of heavy weapons as well as the implementation of the other provisions of the package including exchange of hostages, restoration of full Ukrainian government control over the border; withdrawal of all “foreign armed contingents”, weapons and mercenaries from Ukrainian territory, defining modalities for local elections and constitutional reforms;
8. Expresses deep concerns over the reported numerous breaches of the cease fire and strongly condemns the recent actions perpetrated by the Russian-backed separatists in and around

Debaltseve that are a clear violation of the Minsk Agreements; calls on Russia and the separatists to immediately and fully implement the commitments agreed to in Minsk starting with the halt of all military activities and withdrawal of all heavy weapons; reiterates that the OSCE Special Monitoring Mission must be granted full and immediate access to the affected zones in order to assume its monitoring and verification functions; underlines the need to provide further means, personnel and equipment to the OSCE Special Monitoring Mission in Ukraine;

9. Urges Russia to fulfil its international obligations and to genuinely contribute to the peace process by assuming its responsibility for the implementation of the Minsk agreements; calls on Moscow to stop escalating the situation by immediately halting the flow of weapons and mercenaries in support of the separatists militias and to use its influence to ensure the cessation of any violence; deplores that Russia has continued to send so-called humanitarian convoys in violation of international law in recent days; calls on the EU to take appropriate actions and notably to strengthen the EU sanctions particularly in the energy and financial sectors as stated in the EP resolution adopted on 15 January 2015 in case of further negative developments in relation to the violation of the Minsk agreements;
10. Encourages the adoption of confidence-building measures that support the peace and reconciliation efforts and underlines the importance of an inclusive political dialogue and of avoiding propaganda, hate speech and rhetoric including from Russia; recalls the European Parliament resolution of 15 January 2015 asking the European Commission to prepare and present within two months a communication strategy to counter the Russian propaganda campaign;
11. Condemns in the strongest possible terms the recent acts of violence which preceded the Minsk agreement and which resulted in great human suffering and in the death of numerous civilians including 66 children in different cities in the eastern part of Ukraine (Volnovaha, Donetsk, Mariupol, Kramatorsk, Debaltseve and others); underlines that the shelling of civilians is a grave violation of international humanitarian law;
12. Strongly condemns the increasing amount of terrorist acts in Ukrainian cities, including the recent act in Kharkiv committed on 22 February this year during the peaceful march that was aimed at commemorating the first anniversary of the shootings of civilians in Euromaidan;
13. Expresses its great concern about the humanitarian situation in the Donbas and draws attention to the European Parliament Resolution of 15 January 2015 asking the European Commission to prepare a humanitarian action plan and stressing the need for further financial assistance for Ukraine to help it to cope with the humanitarian crises; draws attention to an increasing number of internally displaced persons - now exceeding 1 million - and refugees in neighbouring countries and to an increasing number of children affected by the conflict which should be given proper attention;
14. Expresses its deep concern about widespread abuses of human rights both in occupied Eastern Ukraine and in Crimea, including of national minorities, in particular of the Crimean Tatars; supports the initiative within the European Parliament to organise a series of public hearings to monitor and record the violations of humanitarian law, human and minority rights with the participation of competent international organisations and the Ukrainian civil society;
15. Calls for a unified EU approach in the continuation of diplomatic pressure on the Russian Federation and states that the current EU sanctions regime should be maintained until Russia fully respects and fulfils its commitments under the Minsk agreements; welcomes the recent decision of the Council to extend until September 2015 the restrictive measures and to increase the list of persons, entities and bodies subject to these restrictive measures; stresses that only implementation of a clear set of benchmarks by Russia could prevent imposing new restrictive measures against Russia or lead to lifting of the previous ones;

16. Calls for the immediate release of Nadyia Savchenko and other Ukrainian and European citizens illegally detained in Russia;
17. Recalls that there are no objections or legal restrictions to prevent Member States from providing defensive arms to Ukraine; considers that the EU should explore ways to support the Ukrainian Government in enhancing its defence capabilities and the protection of Ukraine's external borders;
18. Takes note of the Ukrainian proposal of 19 February 2015, which calls upon the EU Council to consider the possibility of launching a EU CSDP mission in Ukraine as an effective tool of ensuring due and full implementation of the Minsk agreements aimed at safeguarding territorial integrity, sovereignty, independence and the inviolability of borders of Ukraine;
19. Supports the international and independent investigation of the circumstances of the tragic downing of Malaysian Airlines Flight MH17 and urges all parties to show genuine willingness to cooperate, guarantee safe and unrestricted access to the MH17 crash site, and allow access to all other relevant resources that can contribute to the investigation and bring to justice the perpetrators of this crime; underlines that no amnesty will be given to the perpetrators of this war crime.
20. Is determined to use the EU-Ukraine PAC as a framework of dialogue to help restoring Ukraine's sovereignty and territorial integrity and avoiding a frozen conflict scenario; stresses in that sense the need to consider applying similar successful models of internationally assisted peaceful reintegration of occupied territories into legal and constitutional orders;

On the Association Agreement and the reform agenda:

21. Welcomes the signing, the simultaneous ratification by the Verkhovna Rada of Ukraine and the European Parliament, as well as the provisional partial application of the Association Agreement as of 1 November 2014; calls upon the remaining national parliaments of the EU Member States to ratify the Association Agreement without delay and if possible by the Riga Eastern partnership Summit in May 2015;
22. Believes that the Association Agreement has set a path of further integration of Ukraine towards the EU and that pursuant to Article 49 of the Treaty on European Union, Ukraine has a European perspective and may apply to become a member of the European Union provided it respects the principles of democracy, fundamental freedoms and human and minority rights, ensures the rule of law and adheres to the Copenhagen criteria;
23. Calls upon the Ukrainian authorities to deliver tangible progress in implementing the Association Agreement and to undergo the ambitious but long overdue reforms with great determination and in parallel to the war effort; stresses the need to strengthen the rule of law and to move forward with key constitutional, judiciary and social and economic reforms; Expresses its gratitude to the European Commission for the support of reforms in Ukraine;
24. Strongly believes that an ambitious anti-corruption programme, including zero tolerance for corruption, is urgently needed; calls on the Ukrainian leadership to eradicate systematic corruption by immediate and effective implementation of the National Strategy against Corruption and stresses that the fight against this practice must be one of the top priorities of the new government and the subject of political dialogue between Ukraine and the EU, with the involvement of civil society;
25. Takes the view that it is of crucial importance to impartially and effectively investigate all major acts of violence that have taken place in all parts of Ukraine; encourages the Ukrainian authorities to swiftly take the legal steps enabling the International Criminal Court (ICC) to examine the alleged crimes against humanity as well as war crimes committed on the territory of Ukraine since 21 November 2013; takes notes in this context of the Declaration adopted on 4 February 2015 by the Verkhovna Rada calling for the extension of the ICC's ad hoc jurisdiction beyond 20 February 2014; recalls the Council Conclusions adopted on 29 January 2015 concerning the Rome Statute of the ICC;

26. Believes that civil society organisations, volunteer movements and activists can play an important role in promoting democratic change and respect for human rights; urges the EU to step up its support for civil society and the Ukrainian government to further facilitate the development of civil society organisations as well as regional self-governance reform within the framework of decentralisation, including through the educational programmes as a reform promotion tool;
27. Takes note of the EU assessment missions to Ukraine in the framework of the second phase of the Visa Liberalization Action Plan (VLAP) and acknowledges the determination of the Ukrainian government to put in place the necessary legislative, policy and institutional framework necessary to be granted a visa free regime with the EU once all conditions and benchmarks set in the VLAP have been fulfilled aiming to receive such a recommendation by the Riga Eastern Partnership Summit;
28. Welcomes the decision of the European Parliament's Democracy Support and Election Coordination Group to select Ukraine as a priority country for parliamentary capacity-building and dialogue facilitation activities; confirms the mutual commitment of the European Parliament and the Verkhovna Rada to develop a support programme for the Verkhovna Rada including the enhancement of the role of the European integration committee to underpin Ukraine's pursuit of its comprehensive reform agenda in line with the objectives set forth in the EU-Ukraine Association Agreement; understands that cooperation with national parliaments of the EU Member States is also envisaged in line with this framework;
29. Underlines that the improvement of the business and investment climate and the introduction of genuine economic reforms are prerequisite for the stabilization of the economic and social situation in the country and should be conducted with a view to upcoming application of the DCFTA starting from 1 January 2016; underlines the importance of the development of free and undistorted competition of the Ukrainian market; welcomes efforts of the European Parliament that allowed timely approval of a decision on prolongation of the EU autonomous trade measures providing unilateral tariff preferences for Ukraine until 31 December 2015;
30. Realizes that it is highly important to implement structural reforms in Ukraine, to introduce effective stimuli to attract investment in real economic sector, to create highly productive jobs and integrate Ukrainian producers into global value-added chains; acknowledges the importance of creating innovation infrastructure and effective system for intellectual property protection and technology transfer in order to attract R&D centers and production facilities of multi-national corporations;
31. Reminds of the substantial financial assistance package provided by the EU and EU-based international financial institutions and welcomes the proposal by the Commission to grant a third package of macro-financial assistance (EUR 1.8 billion) to help the new reform oriented Ukrainian government financially and economically; calls for the smooth and fast completion of all legislative procedures in order to launch this new programme without delay; reminds that the EU conditionality in this respect includes judicial reforms and measures to increase transparency and strengthen the fight against corruption;
32. Invites the European Union to step up preparations for the International Conference in support of Ukraine, as well as the EU Members States, other countries, international financial institutions and investors to actively take part in it;
33. Underlines the importance of further strengthening energy security in Ukraine and Europe as a whole in order to reduce dependence on Russia's energy resources; underlines the need for a reform of Ukraine's energy sector and the diversification of energy supplies in line with its Energy Community Commitments inter alia by creating a market price system; believes that the reform of Ukraine's energy sector together with the joint modernization and exploitation of the Ukrainian gas transit system with the participation of the EU companies, as well as the launch of big reverse gas flows from the EU to Ukraine and the utilisation of existing and future LNG facilities could contribute to it; calls on the EU to continue its active involvement in solving the existing problems with regard to the Russian gas supplies to

Ukraine, using the trilateral format European Commission-Ukraine-Russia, in particular on the so-called “summer package”; underlines the need for large scale energy efficiency modernisation based on Energy Service Company (ESCO) mechanism;

34. Underlines that the development of people-to-people contacts, providing access for the Ukrainian youth to EU education programs as well as support of local NGOs will contribute to the development of civil society in Ukraine and will be crucial for the implementation of reforms.
35. Welcomes the finalization of negotiations on Ukraine’s associated participation in the EU Programme "Horizon 2020"; calls for a smooth and fast completion of all legislative procedures in order to sign the agreement, which without doubt will boost EU – Ukraine cooperation in the spheres of science, innovation and research;
36. Intends to hold the next meeting of EU-Ukraine Parliamentary Association Committee in early Autumn 2015 in Ukraine.