



**COUNCIL OF
THE EUROPEAN UNION**



Brussels, 9 September 2008
12812/08 (Presse 247)

**EU-Ukraine Summit
Paris, 9 September 2008**

TABLE OF CONTENTS

I.	JOINT DECLARATION ON THE EU-UKRAINE ASSOCIATION AGREEMENT	2
II.	GEORGIA	4
III.	DEEPENING EU-UKRAINE COOPERATION	5

P R E S S

European Union-Ukraine Summit¹

I. JOINT DECLARATION ON THE EU-UKRAINE ASSOCIATION AGREEMENT

Presidents Yushchenko, Sarkozy and Barroso have met today and agreed on the following joint declaration:

The Presidents welcomed the fact that, since the adoption of the EU-Ukraine Action Plan in 2005, the partnership between the European Union and Ukraine has advanced considerably in all areas of common interest: cooperation on foreign policy and crisis management, economic and energy cooperation, cooperation in the field of justice, freedom and security including visa policy, and in many other sectors.

The successful holding of parliamentary elections in September 2007 bears witness to Ukraine's progress in implementing its democratic reforms, and its accession to the World Trade Organisation in 2008 rewarded its economic reforms. In this connection, the Presidents emphasised that political stabilisation in Ukraine, constitutional reform, the consolidation of the state of law, also in relation to investment, and full implementation of the undertakings given in the framework of the WTO are indispensable conditions for pursuing reforms and deepening the EU-Ukraine relationship based on our common values, notably democratic principles, good governance and human rights.

As stated in the second joint interim report on the negotiations for the new enhanced agreement, the negotiations have made substantial progress since their launch under the German Presidency of the EU in early 2007. The sections on political cooperation and Justice, Freedom and Security are virtually finalised now, as is the bulk of the section on economic and sectoral cooperation. The negotiation of a deep and comprehensive free trade area, which will be an integral part of the new agreement, began in February 2008 as a result of Ukraine's accession to the WTO, and the negotiations are progressing rapidly in a very constructive climate.

¹ The European Union was represented by Mr Nicolas Sarkozy, President of the French Republic, as President-in-office of the European Council, assisted by Mr Javier Solana, Secretary-General/High Representative, and accompanied by Mr Bernard Kouchner, French Minister for Foreign and European Affairs, and by Mr José Manuel Barroso, President of the European Commission, accompanied by the Commissioner in charge of External Relations and European Neighbourhood Policy, Ms Benita Ferrero-Waldner, and the Commissioner for Trade, Mr Peter Mandelson. Ukraine was represented by Mr Viktor Yushchenko, President of Ukraine, accompanied by Mr Volodymyr Ogryzko, Minister for Foreign Affairs of Ukraine.

The Presidents, aware of the strategic importance of the relationship between the European Union and Ukraine, decided at the Paris summit to provide a decisive impetus for the development of our relations.

They recognized that Ukraine as a European country shares a common history and common values with the countries of the European Union. They are pleased that the new agreement between the European Union and Ukraine will be an association agreement, which leaves open the way for further progressive developments in EU-Ukraine relations. The EU acknowledges the European aspirations of Ukraine and welcomes its European choice. The presidents acknowledge that gradual convergence of Ukraine with the EU in political, economic and legal areas will contribute to further progress in EU-Ukraine relations.

The Association Agreement will renew our common institutional framework, facilitate the deepening of our relations in all areas, strengthen political association and economic integration between Ukraine and the European Union by means of reciprocal rights and obligations. It will provide a solid basis for further convergence between Ukraine and the EU on foreign policy and security issues, including promoting respect for the principles of independence, sovereignty, territorial integrity and inviolability of borders. The EU and Ukraine shall address in a timely manner the challenges to these principles at all appropriate levels of the political dialogue, including ministerial level. The establishment of a deep and comprehensive free trade area with large-scale regulatory approximation of Ukraine to EU standards will contribute to the gradual integration of Ukraine to the EU Internal Market. The Association Agreement will also enhance cooperation on a broad range of aspects of justice, liberty and security, including migration issues.

Taking into account the substantial progress in the negotiating process, the presidents underlined the importance of developing a new practical instrument to replace the Action Plan in March 2009 with a view to preparing the implementation of the Association Agreement.

They also decided to launch a visa dialogue, developing the relevant conditions, with the long-term perspective of establishing a visa free regime between the EU and Ukraine.

Based on the discussions between the European Union and Ukraine, the Presidents hope that the Association Agreement, which will be as ambitious as possible, will be finalised rapidly and can be signed as soon as possible.

II. GEORGIA

The European Union and Ukraine are gravely concerned by the open conflict which has broken out in Georgia, by the resulting violence and by the disproportionate reaction of Russia. Military action of this kind is not a solution and is not acceptable. We deplore the loss of human life, the suffering inflicted on the population, the number of displaced persons and refugees, and the considerable material damage.

The European Union and Ukraine recall that a peaceful and lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognised by international law, the Final Act of the Helsinki Conference on Security and Cooperation in Europe and United Nations Security Council resolutions.

The European Union and Ukraine emphasise that all European States have the right freely to determine their foreign policy and their alliances, while respecting international law and the principles of good neighbourliness and peaceful cooperation. They are concerned by the impact which the current crisis is having on the whole of the region and affirm their common desire to participate actively in the strengthening of regional cooperation.

The European Union and Ukraine undertake to contribute actively to the full implementation of the six-point agreement signed by the parties to the conflict, to the lasting restoration of peace in Georgia and to the humanitarian, economic and social rehabilitation of the areas affected by the hostilities.

III. DEEPENING EU-UKRAINE COOPERATION

Action Plan – New Joint Instrument

The leaders of Ukraine and the EU welcomed the closer cooperation achieved in the past year, notably through the **EU-Ukraine Action Plan**, and looked forward to a further deepening of the relationship in the future. They confirm their commitment to implementing the Action Plan, including the additional measures agreed at the EU-Ukraine Cooperation Council in March 2008, and recalled the decision to develop a new practical instrument to replace the Action Plan in March 2009.

Foreign and Security Policy

While discussing **foreign policy and security issues** the Parties reiterated full and wholehearted commitment to strict adherence to and respect of internationally recognized principles of sovereignty and territorial integrity as well as inviolability of borders. They expressed their satisfaction with the development of cooperation between Ukraine and EU in this field, leading to ever closer political convergence.

Further convergence in positions on regional and international issues within the existing framework on political consultations, Ukraine's alignment with EU statements and positions, as well as Ukraine's participation in EU efforts on crisis management were particularly emphasized. The Parties recognized a new horizon for practical cooperation in the given field, which has been opened by entrance into force of the Framework Agreement on Ukraine's participation in EU led operations on crisis management.

The Summit welcomed the establishment and encouraged further development of regular dialogue between the military bodies, namely the EU Military Committee and the General Headquarters of the Armed Forces of Ukraine. The Parties expressed their intention to explore the potential for developing military and technical cooperation. Ukraine and the European Defense Agency will establish close contacts to discuss military capability issues.

Cooperation in the Energy Sphere

The Parties reaffirmed their joint strategic interest in energy co-operation and reconfirmed that the energy security needs of the EU and Ukraine are intrinsically linked. The Parties welcomed the commitment of Ukraine to progress in the reforms of the gas sector and to establish efficient financial mechanisms for the modernisation of the gas transit system of Ukraine. In this context, the Parties welcome the forthcoming conference on the gas transportation system of Ukraine.

They also welcomed the significant progress achieved in implementing the priorities of the EU-Ukraine Memorandum of Understanding on co-operation in the field of energy of 1 December 2005, as reflected in the 3rd progress report presented to the Summit. They agreed to continue co-operation with the aim of advancing Ukrainian energy sector reform and of ensuring safe, reliable and transparent energy transit through Ukraine. The leaders welcomed progress made on Ukraine's integration into the EU's energy system, in particular the imminent start of negotiations regarding Ukraine's accession to the Energy Community Treaty and the preparatory studies concerning the synchronous interconnection of the Ukrainian electricity network with that of the Union for the Coordination of the Transmission of Electricity. They also welcomed the continuing good progress on nuclear safety cooperation.

Justice, Liberty and Security

The leaders of Ukraine and the EU discussed the implementation of agreements on facilitation of issuance of visas and readmission. The leaders underlined the need for full and effective implementation of the visa facilitation and readmission agreements by the authorities of EU Member States and Ukraine, acknowledging that Ukraine has exempted EU citizens from the visa obligation. Ukraine emphasised the importance of improving visa issuance procedures.

The leaders of Ukraine and the EU encouraged the maximum use of possibilities offered by Community legislation on local border traffic. They underlined the benefits of agreements on local border traffic and encouraged intensified co-operation aimed at the prompt entry into force of the relevant agreements of Ukraine with EU neighbouring countries, in full respect of the EC Local Border Traffic Regulation, in order to foster people-to-people contacts and economic development in the local border areas.

The leaders encouraged Ukraine and neighbouring EU Member States to examine possibilities for the introduction of joint border controls at the border crossing points on common borders, as an effective instrument of facilitating cross-border movement and trade, while respecting security requirements and relevant legislation.

With a view to launching a dialogue on the establishment of a visa-free regime for short stay travel between the EU and Ukraine as a long-term perspective, the leaders encouraged the experts to start this dialogue as soon as possible this year.

Specific attention would be paid to issues such as document security, illegal migration including readmission, public order and security, and external relations.

The Environment

The EU and Ukraine agreed on the importance of taking further practical steps to implement commitments under the Espoo, Aarhus and other relevant multilateral environment agreements, and of identifying and taking measures to reach full compliance.

The Parties confirmed their intentions to deepen further their co-operation on environment protection, including through high-level meetings, in particular concerning the development and implementation of Ukraine's national environment strategy. They welcomed the progress made towards the upgrading of an administrative arrangement on civil protection, in particular to ensure that its coverage extends to assessment of the environmental impact of disasters. In this regard, they highlighted the valuable role played by the European Commission's Monitoring and Information Centre during the recent flooding in Ukraine. They also noted the good progress in bilateral co-operation on climate change and stressed the need to complete negotiations on a global and comprehensive post-2012 agreement by 2009.

Trade, Economy and Transport

The Parties discussed the possible future applicability to Ukraine of the European Charter for Small Enterprises, which seeks to improve the business environment for SMEs and encourages their establishment and growth. They noted that the Charter can be a successful tool for structuring SME policies, exchanging best practices, setting benchmarks and monitoring progress. They agreed that such a process should be the basis for a new EU-Ukraine enterprise policy dialogue.

The leaders welcomed the significant progress towards achieving a more predictable and safe investment climate, and underlined the need for further improvements in the business environment, notably in relation to regulation and supervision in the field of financial markets and services which should be seen as a priority. Considering the importance of the financial sector as an engine for growth, they agreed that it is crucial to pursue regulatory approximation in this area in the context of the Free Trade Area, which will form an integral part of the Association Agreement, on the basis of clear objectives, priorities and timeframes. They committed to promote closer cooperation in this field, including through adequate cooperation between EU and Ukrainian regulators

The Summit welcomed the launch in December 2007 of EU-Ukraine negotiations on a Common Aviation Area and recognized the importance of an expeditious conclusion of the agreement. They emphasised the importance of safety and of the adoption of the new Ukrainian draft Air Code.

They resolved to cooperate more closely on the upgrading of Ukraine's land transport infrastructure, with reference to the High Level Group's Report on extension of the Trans-European Transport Networks and with particular regard to ensuring that Ukraine has the best possible transportation system in place by the time of the 2012 UEFA European Football Championships.

Euro-2012

Ukraine and the EU welcomed the fact that Ukraine and Republic of Poland were appointed as the co-hosting countries for the Euro-2012 finals.

The decision to place the part of the Euro-2012 Championship finals in Ukraine is an additional impetus for investment flows into the Ukrainian economy, which, in turn, could positively influence the development of Ukraine's infrastructure.

The sides agreed to use where appropriate existing forms of cooperation to facilitate the Ukrainian side's preparations for co-hosting the 2012 European football championships.

Republic of Moldova/Transnistria

The Parties expressed their strong interest in resuming the negotiations in the "5+2" format with the view to speeding the process of the conflict settlement. They expressed particular satisfaction with the on-going positive cooperation with the EU Border Assistance Mission at the Ukrainian-Moldovan border. The EU welcomed progress achieved so far in the demarcation of the Ukrainian/Moldovan state border, and reiterated its readiness to support this process.
