



EU-UKRAINE PARLIAMENTARY ASSOCIATION COMMITTEE

Fifteenth Meeting

5-6 July 2023

Brussels

FINAL STATEMENT AND RECOMMENDATIONS

pursuant to Article 467(3) of the Association Agreement

adopted on 6 July 2023

The fifteenth regular meeting of the EU-Ukraine Parliamentary Association Committee (PAC) was held in Brussels on 5-6 July 2023, co-chaired by Vadym Halaichuk on behalf of the Verkhovna Rada of Ukraine and Witold Waszczykowski on behalf of the European Parliament.

The Parliamentary Association Committee, having held extensive exchanges about the consequences of and joint responses to Russian aggression, recent developments in Ukraine and EU-Ukraine relations and Ukraine's Euro-Atlantic integration, agreed upon the following final statement and recommendations.

The Parliamentary Association Committee (PAC):

Countering Russian aggression against Ukraine

1. Reiterates its unequivocal condemnation of the Russian Federation's unprovoked, unjustified, senseless and cruel military aggression against Ukraine and demands that the Russian Federation immediately terminate all military activities in Ukraine, unconditionally withdraw all military and paramilitary forces and military equipment, including those of its proxies, from the internationally recognised territory of Ukraine and its territorial waters, and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders; underlines that it is Ukraine's legitimate right, in line with Article 51 of the UN Charter to defend itself against Russia's war of aggression so as to regain full control of its entire territory within its internationally recognised borders; reiterates its condemnation of the active collaboration of Aliaksandr Lukashenka's regime in Belarus in support of Russia's war of aggression against Ukraine;
2. Considers the Russian military invasion, illegal occupation and attempted annexation of the sovereign Ukrainian territories as a gross violation of international law and crime of aggression that also constitutes an open and

deliberate breach of the Russian Federation's international obligations and commitments;

3. Urges the Russian Federation to revoke all illegal decisions to attempt the annexation of sovereign Ukrainian territories, in particular Donetsk, Kherson, Luhansk, Zaporizhzhia regions, and the Autonomous Republic of Crimea; which are clear and blatant violations of the UN Charter and international law;
4. Calls on Ukraine's all international partners to reaffirm their determination to continue supporting Ukraine until the full restoration of its territorial integrity and control of its internationally recognised borders and to keep providing military assistance to Ukraine for as long as it takes to win against Russia; calls for further sustained support and coordination efforts under the European Peace Facility, as well as the "Ramstein format", urges the continued provision of military equipment, prompt and regular military intelligence cooperation and training, based on continued needs assessment agreed with the Ukrainian authorities; calls for serious consideration to be given to delivering further demining capabilities, Western fighter jets and helicopters, appropriate missile systems and substantial increases in munitions delivery; welcomes the EU Foreign Affairs Council decision of 26 June 2023 to top up the European Peace Facility (EPF) by a further EUR 3.5 billion in order to ensure the financial sustainability and predictability of the EPF in the longer term, as well as the EU's three-track approach under negotiations for the delivery and joint procurement of ammunition for Ukraine;
5. Underlines the importance of further strengthening cooperation in the area of cybersecurity and countering disinformation in order to stifle the Russian Federation's hybrid attacks and information warfare;
6. Acknowledges the resilience and determination demonstrated by the Ukrainian people defending their freedom and the sovereignty of Ukraine, as well as in their pursuit of democratic values, reform efforts and aspirations for integration into the Euro-Atlantic community of nations; underlines that a durable peace brought by Ukraine's victory must ultimately be secured by integrating Ukraine into the EU and NATO; reaffirms its support to the 10-point peace plan presented by President Zelenskyy;
7. Calls on NATO allies to honour their commitment regarding Ukraine's NATO membership and expects that the upcoming summits in Vilnius and Washington will pave the way for extending an invitation to Ukraine to join NATO and that the accession process will start after the war is over and be finalised as soon as possible; the EU, the Member States, NATO allies and like-minded partners should work closely with Ukraine to develop a robust framework for security guarantees, to be implemented immediately after the war, until full NATO membership is achieved;

8. Condemns Russia's illegal occupation of Ukraine's Zaporizhzhia nuclear power plant and calls on Russia to withdraw its military equipment and all personnel, including that of Rosatom from the Zaporizhzhia NPP, and return its full control to its rightful owner, Ukraine; reminds that the destruction of the Kakhovka dam could also jeopardise the safety of the Zaporizhzhia NPP and demands that International Atomic Energy Agency (IAEA) personnel be granted continuous access to all facilities at the Zaporizhzhia NPP; expresses its concern about a possible Russia-instigated provocation of a localised explosion at the Zaporizhzhia NPP, as President Zelenskyy warned of; demands Rosatom and Russia to put the 5th reactor at the Zaporizhzhia NPP into a "cold shutdown" mode; calls for further international pressure on Russia and Rosatom that should be targeted by international sanctions;
9. Condemns in the strongest possible terms the detonation [destruction] by Russia of the Kakhovka dam on 6 June 2023, which brought about extensive flooding, caused an environmental disaster and ecocide in Ukraine and constitutes a war crime requiring a special mechanism of responsibility; reiterates that all those responsible for such war crimes, including the destruction of the dam, should be held accountable in line with international law; calls on the countries of the G7 and the EU to impose new far-reaching sanctions on the Russian Federation, in particular related to the Russian missile industry and the nuclear sector;
10. Urges Russia to stop undermining global food security by the blockade of the Black Sea and allow Ukrainian grain and agricultural products to reach global markets without hindrance; believes that the Black Sea Grain Initiative should be renewed by at least a year, as of the forthcoming expiry of the agreement on 17 July 2023;
11. Highlights the contribution of the recently prolonged EU autonomous trade measures to the stabilisation of the Ukrainian economy and its gradual integration into the EU market; welcomes the European Commission's intention to phase out the current exceptional safeguard measures for agricultural products by 15 September 2023 and encourages continuous dialogue and an early-warning system to prevent disruptions or unilateral measures; takes the view that more permanent trade liberalisation measures should be considered;
12. Considers it essential to put forward pragmatic and constructive solutions to improve the functioning of the Solidarity Lanes, so that Ukrainian agricultural products may reach world markets, without disrupting the local markets of Member States bordering Ukraine;
13. Underlines the need for stepping up international support to accelerate civilian and humanitarian demining in the liberated territories and agricultural land;

Pursuing accountability, reparations

14. Condemns in the strongest possible terms the gross violation of human rights and international humanitarian law, including mass and indiscriminate killings of peaceful citizens, rape and torture of civilians, enforced disappearances and mass deportations of civilians, especially children, and the destruction of energy and other critical civilian infrastructure such as schools, places of worship, cultural

monuments, residential buildings and hospitals, committed by the Russian military in Ukraine; stresses that these acts demonstrate a total disregard for human rights and international humanitarian law and amount to acts of terror against the Ukrainian population and constitute war crimes; calls on the international community to recognise Russia as a state sponsor of terrorism and as a state which uses means of terrorism; takes note of President Putin's acknowledgement of Russian government funding of Wagner Group that is already designated as an international criminal organization;

15. Calls on the Russian Federation to ensure humanitarian access and safe passage of all civilians and to immediately allow the safe return of Ukrainians, especially minors, forcibly removed to Russia;
16. Welcomes the global efforts to fight impunity and to bring to justice those responsible for war crimes, crimes against humanity, genocide and crime of aggression; underlines the existing accountability gap that needs to be addressed as a crucial pillar of global justice and accountability;
17. Commends the opening of an investigation into the situation in Ukraine by the ICC Prosecutor; takes note of the ICC arrest warrant for Russian President Vladimir Putin and Maria Alekseyevna Lvova-Belova, Russian Presidential Commissioner for Children's Rights, issued on 17 March 2023; is of the view that a similar ICC arrest warrant should be issued for Aliaksandr Lukashenka; welcomes the establishment of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA);
18. Supports the establishment of a Special Tribunal for the investigation and prosecution of the crime of aggression against Ukraine, as well as further efforts to collect and preserve evidence of war crimes, crimes against humanity, genocide and crime of aggression both at the local and international levels; welcomes the involvement of Eurojust to preserve, analyse and store evidence relating to core international crimes, including war crimes, crimes against humanity and genocide, as well as the work of an Atrocity Crimes Advisory Group (ACA) to coordinate accountability efforts on the ground;
19. Welcomes the pursuit of justice through trials under domestic legislation in Ukraine seeking to hold accountable perpetrators of war crimes in transparent and fair procedures; calls for the ratification of the Rome Statute by Ukraine;
20. Welcomes the decision of the Council of Europe summit of 17 May 2023 in Reykjavík to set up a register for damage caused by Russia's war of aggression against Ukraine, which serves as one of the first steps towards an international compensation mechanism for victims of Russia's war of aggression; and calls on the remaining Council of Europe members to join the agreement as soon as possible;

21. Calls on the EU and its partners to keep exploring all legal options in accordance with international law and basic principles of legal certainty and proportionality that could allow for Russian assets seized and frozen by the EU and other countries to be used for the purpose of paying damages and reparations to compensate the victims of the war, as well as for humanitarian relief and reconstruction; calls on the Commission and Member States to finalise their work on tracing and identifying the frozen assets in the EU Member States, including identification of their beneficiary owners; invites the Commission to propose without delay an EU legal framework for the seizure of these assets and their use for the purpose of reparations and reconstruction in Ukraine;
22. Considers that Russian Central Bank assets should be confiscated not as a consequence of the Western sanctions, but as lawful "countermeasures" to Russia's breaches of international law and damages inflicted by the Russian war of aggression against Ukraine;
23. Condemns the Russian Federation's continuous and systematic violation of key principles of international law and order; calls on the EU and its Member States to take further action to continue the international isolation of the Russian Federation, including with regard to Russia's membership of international organisations and bodies such as the United Nations Security Council;

Sanctions

24. Welcomes the adoption of the 11th EU sanction package on 23 June 2023; reiterates earlier calls of the European Parliament and the EU-Ukraine PAC to introduce further sanctions in the energy and banking sectors as well as dual-use goods and technologies; reiterates that - in order to stifle funding the Russian war machine - the EU should impose a complete and immediate embargo on Russian oil, nuclear fuel, LNG and gas; underlines that a full ban should be introduced in the next package of sanctions on those Russian media outlets that are loyal to the Russian regime and diffuse its official propaganda and which are still accessible for users in the EU Member States; reminds that any decisions on sanctions should be undertaken in close coordination with G7 nations and Ukraine;
25. Calls for the EU institutions and the Member States to maintain EU unity and to put increased pressure on Russia and its allies, particularly Lukashenka's regime in Belarus, including through further sanctions packages aimed at strategically weakening Russia's capacity to wage war and until the total withdrawal of Russian troops from Ukraine, the restoration of Ukraine's territorial integrity and a fundamental change of attitude in Russia towards its neighbours and international law and order; condemns the behaviour of any states, entities and individuals that help Russia avoid or mitigate the effects of EU sanctions; in this context welcomes the coordination efforts by the EU Sanctions Envoy and the Sanctions Coordinators Forum, as well as the establishment of a new anti-circumvention tool as part of the 11th sanctions package;

26. Reminds of the need for persistent diplomatic outreach to close sanctions loopholes and to build a wide international coalition in support of EU sanctions, notably in the EU neighbourhood, Africa and Asia, as well as to counter disinformation narratives propagated by the Russian Federation;
27. Welcomes the inclusion in the sanctions list of further individuals for their involvement related to war crimes as a strong signal of the determination to pursue accountability for these crimes without prejudice to subsequent legal procedures under Ukrainian domestic legislation, universal jurisdiction or dedicated international mechanisms;

Relief and reconstruction

28. Welcomes the European Commission's proposal to create a new "Ukraine facility" which will involve loans, grants, attracting private sector investment and other instruments and sources under three pillars for a total amount of EUR 50 billion for the period from 2024 to 2027 for all types of support;
29. Calls for the government of Ukraine to prepare the corresponding "Ukraine Plan" for the recovery, reconstruction and modernisation of the country and set out the reforms and investments it intends to undertake related to the EU accession process; notes that the funds of the Facility will be provided based on the implementation of the plan, which will be underpinned by a set of conditions and a timeline for disbursements agreed with the EU;
30. Notes that this provides for a clear, sustained commitment over the coming years; emphasises that EU support for reconstruction will be linked to the continued implementation of reforms and anti-corruption measures consistent with Ukraine's chosen European path; emphasises that this would provide for a comprehensive tool to support Ukraine's preparations for EU accession by ensuring an effective use of allocated resources, while EU membership perspective would also create a favourable environment for attracting more investment to modernise Ukraine's economy and unleash its growth potential;
31. Calls for swift adoption of the Ukraine Facility regulation in the context of the Multiannual Financial Framework (MFF) mid-term review and active parliamentary involvement and follow-up of the proposal on both sides; emphasises that the EU and Ukraine should develop adequate institutional capacities for the implementation of Ukraine's relief and reconstruction plans; underlines the crucial role of the private sector and the necessity to mobilise the availability of financial resources to unleash its full potential as a prerequisite for Ukraine's sustained economic recovery;
32. Emphasises the need for sustained public support across EU Member States for the EU's role and leadership in the reconstruction efforts, bearing in mind the significant resources and long-term commitment necessary for a successful and historic sustainable reconstruction programme; highlights the urgent importance of establishing a mechanism for Ukraine's economic reconstruction that ensures full transparency, accountability, oversight and sound financial management in the

use of funds; highlights the importance of active involvement of civil society and local authorities in the process of reconstruction;

State of play of the legislative and reform agenda in support of Ukraine's official candidate status and moving towards starting accession negotiations this year;

33. Reaffirms its commitment to Ukraine's membership of the EU, which represents a geostrategic shift and investment in a united and strong Europe; stresses that the launching of official accession negotiations by the end of 2023 would firmly and irreversibly lock in Ukraine's European path and commitment and act as a fundamental catalyst in the further deep transformation of Ukraine, based on democratic values, the rule of law and respect for human rights, political and media pluralism, and further anti-corruption and decentralisation reforms;
34. Welcomes the oral interim assessment provided by the European Commission on 22 June 2023, according to which Ukraine has fully satisfied two of the steps and achieved significant progress on the remaining five steps; expects further legislative efforts from the Ukrainian authorities and calls for deepening and continuous dialogue and support and a clear roadmap to fulfil the remaining steps;
35. Urges the Commission and the Member States to continue supporting Ukraine so that its EU accession negotiations can be opened this year, followed by an intergovernmental conference to be convened in the same timeframe in 2023; hopes for a positive recommendation from the Commission following the fulfilment of the seven steps set out in the Commission opinion on Ukraine's EU membership application; calls on the Council and the Commission to set out a clear pathway for the start of the accession negotiations, based on a step-by-step approach, focusing on providing tangible benefits for Ukrainian society and citizens from the start of the process; calls to establish clear deadlines for concluding negotiations with Ukraine by the end of the current decade at the latest;
36. Recognises steady progress in the implementation of the Association Agreement and the Deep and Comprehensive Free Trade Agreement which puts future accession negotiations on a consolidated footing;
37. Reiterates its call for an innovative, complementary and flexible interaction between the ongoing work on the implementation of the Association Agreement in force and the accession negotiation process, thus allowing for Ukraine's accelerated integration into the EU single market and sectoral programmes, including access to EU funds in the respective areas; urges the Member States to abstain from any unilateral actions that would limit Ukraine's access to the EU single market;
38. Underlines that the process of accession to the EU must take place in accordance with Article 49 of the Treaty on European Union, based on respect for the relevant procedures and conditional upon the fulfilment of the established criteria, in particular the Copenhagen criteria for EU membership, and remains a merit-based process that requires the adoption and implementation of relevant reforms, in

particular in the areas of democracy, the rule of law, human rights, a functioning market economy, a reduction of the much increased role of the state in the economy and the implementation of the EU acquis; calls for the EU to accelerate preparations to undertake the institutional reforms necessary for a successful enlargement based on the new geopolitical reality in Europe;

39. Calls for the EU institutions to extend the opportunities for Ukrainian elected representatives and officials to observe and study the work of the EU institutions, including by staff placement and internship schemes;

Deepening inter-parliamentary cooperation, notably inter-committee meetings, capacity building and strengthening legislative processes

40. Commends the continued session and work of the Verkhovna Rada of Ukraine under the conditions of Martial Law since 24 February 2022; reminds of the intensifying cooperation, mutual visits of the President of the European Parliament and the Speaker of the VRU and frequent exchanges as a clear commitment and dedication to reinforcing political cooperation;
41. Recalls that the EU-Ukraine Parliamentary Association Committee (PAC) has continued its work and remains determined to hold regular discussions on EU-Ukraine relations and to ensure parliamentary follow-up to Ukraine's candidate status and to provide comprehensive parliamentary support to the accession process and Ukraine's accelerated integration into EU single market; expresses the readiness of the EU-Ukraine PAC to play its full role in facilitating the parliamentary dimension of the transition from an Association Agreement framework towards a pre-accession framework, and to explore new ways of supporting the parliamentary dimension of Ukraine's reconstruction efforts and accession process, including through inviting the national parliaments of the EU member-states to launch a regular dialogue in a "PAC+27" format;
42. Welcomes the launching of regular inter-committee exchanges between the two parliaments and remains determined to consolidate the role of the EU-Ukraine PAC to provide for a flexible coordinating platform to facilitate these exchanges without prejudice to the autonomy of parliamentary committees;
43. Underlines the key role of the Verkhovna Rada of Ukraine as a democratically elected institution for public policy debate, effective and inclusive scrutiny and transparent, rules-based legislative processes underpinning Ukraine's sustained reform agenda; takes note of the ongoing internal reforms and the establishment of dedicated sub-committees to support the VRU's work on legislative alignment with the EU acquis;
44. Underlines the potential of sharing best practices and the experience of EU Member State national parliaments; encourages, when appropriate, the extension of the inter-committee dialogue between the European Parliament and Verkhovna Rada of Ukraine to a cooperation also involving the relevant parliamentary committees and bodies of EU national parliaments ("PAC+27");

45. Highlights the two parliaments' readiness to enhance their partnership and cooperation on the basis of a renewed Memorandum of Understanding and to support the parliamentary dimension of Ukraine's reconstruction and EU accession process, further internal reform in the VRU aiming at improving the quality of legislation, consolidating rules-based decision making, increasing transparency, predictability and openness, as well as strengthening the VRU's oversight function and capacity, thus contributing to the effective alignment of Ukrainian legislation with the EU acquis in the context of Ukraine's EU accession path.