



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.7.2005
COM(2005) 336 final

Proposal for a

COUNCIL DECISION

on the Community position to be adopted in the Cooperation Committee established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part, in relation to the revision of the present subcommittee structure

(presented by the Commission)

EXPLANATORY MEMORANDUM

- (1) In its conclusions on the European Neighbourhood Policy of 14 June 2004, the General Affairs and External Relations Council "welcomed the Commission's proposal to use the bodies under the Association Agreements and the Partnership and Cooperation Agreements (PCAs) to advance and monitor implementation of Action Plans (and) deemed that the structures under the relevant agreements, where appropriate, should be reviewed, to ensure that all priorities under the ENP are duly reflected".
- (2) On 21 February 2005, the EU-Ukraine Cooperation Council adopted a recommendation on the implementation of the EU-Ukraine Action Plan. As indicated in this recommendation, the Action Plan sets out concrete steps in bringing forward the fulfilment of the Parties' obligations set out in the 1998 Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine, and provides a broader framework for further strengthening EU-Ukraine relations to involve a significant measure of economic integration and a deepening of political cooperation.
- (3) The proposed revised PCA sub-committees structure will allow for Ukraine and the EU to comprehensively discuss all areas of its bilateral relationship and to effectively advance and monitor the implementation of the ENP Action Plans as foreseen in the Plan.
- (4) The revised structure will also provide optimal conditions for the effective involvement of all relevant Commission Services.
- (5) The text of the proposal for a Council Decision on the position to be taken by the Community in the Cooperation Committee, as provided for by Article 2 paragraph 1 of the Council and Commission Decision of 26 January 1998 on the conclusion of the aforementioned PCA is attached.

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on the Community position to be adopted in the Cooperation Committee established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part, in relation to the revision of the present subcommittee structure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Article 2 (1) of Council and Commission Decision of 26 January 1998 on the conclusion of the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and Ukraine, of the other part,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 14 June 2004, the Council “welcomed the Commission's proposal to use the bodies under the Association Agreements and PCAs to advance and monitor implementation of action plans (and)... deemed that the structures under the relevant agreements, where appropriate, should be reviewed, to ensure that all priorities under the European Neighborhood Policy (ENP) are duly reflected.”
- (2) The EU-Ukraine Cooperation Council, on 21 February 2005, adopted a recommendation on the implementation of the EU/Ukraine Action Plan,
- (3) Article 87 of the said PCA provides that the Cooperation Council shall be assisted in the performance of its duties by a Cooperation Committee,
- (4) The EU-Ukraine Cooperation Council adopted the Rules of Procedure of the Cooperation Committee on 9 June 1998 delegating responsibility for the establishment and further set up of subcommittees to the EU-Ukraine Cooperation Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted by the Community in the Cooperation Committee established by Article 87 of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part, in relation to the restructuring of PCA Subcommittees shall be in accordance with the annex to this Decision.

Done at Brussels,

*For the Council
The President*

ANNEX 1

THE COOPERATION COMMITTEE,

Having regard to the Agreement on Partnership and Cooperation between the European Communities and their Member States, of the one part, and Ukraine, of the other part, and in particular Article 87 thereof;

Whereas:

- (1) The EU-Ukraine Cooperation Council adopted a recommendation on the implementation of the EU/Ukraine Action Plan on 21 February 2005.
- (2) According to Article 10 of the Rules of Procedure of the Cooperation Committee, the Cooperation Council has delegated powers to establish sub-committees and to define their terms of reference to the Cooperation Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

A revised PCA subcommittee structure of which a copy is herewith attached is hereby adopted.

Done [by written procedure],

For the EU-Ukraine Cooperation Committee
For Ukraine

For the European Community

ANNEX 2
EU-Ukraine revised subcommittee structure

Subcommittee	Issues to be covered (non exhaustive)¹	Relevant PCA articles	ENP action plan (objectives)
Subcommittee 1: Trade and Investment	All WTO and/or predominantly trade and investment related issues; including: trade in services; TBT, investment, establishment, trade facilitation, IPR and public procurement (trade related); FTA; anti-dumping and safeguards; trade-related sector specific issues; agriculture, fisheries, sanitary and phytosanitary issues, relevant technical assistance.	10-23, 37-38, 39, 41-47, 49, 50, 55, annex IV, 4, 30, 32-36, 54, 57, 22, 60	18, 2.3 (Trade, market and regulatory reform), 25, 26, 27, 31, 32, 33, 34, 35, 41, 42
Subcommittee 2: Economic and Social Affairs, Finance and Statistics	Macro-economic issues, social and employment policy, financial markets, statistics, structural reform, taxation, public finance management, including audit and financial control, financial services, relevant technical assistance, general principles for the provision of technical assistance.	24, 25, 52, 67, 69, 48, 71, 77	16, 19, 20, 21, 22, 23, 34, 36, 37, 38, 43, 44
Subcommittee 3: Enterprise Policy, Competition, Regulatory Co-operation	Regulatory cooperation in the field of industrial goods (standards, technical regulations, conformity assessment); industrial policy dialogue; SMEs, competition, public procurement and IPR (regulatory aspects); , company law, space, consumer protection, and overview of regulatory co-operation and legislative approximation ² . Relevant technical assistance.	49, 51, 53, 55, 56, 65, 73, 75	16, 17, 19, 23, 24, 30, 32, 33, 34, 35, 39, 40, 41 42, 45, 65

¹ A small number of specific issues may fall into the remit of more than one sub-committee. Where this is the case it is the responsibility of the chair and secretariat, guided as necessary by the Cooperation Committee, to ensure coherent treatment of the subject across the PCA bodies in a pragmatic manner that advances the objectives of the PCA.

² Legislative approximation should continue to be treated across all sub-committees in their specific areas of competence.

Subcommittee 4 : Energy, Transport, Nuclear Safety and Environment	Integration of energy markets, energy infrastructure, nuclear safety, energy efficiency, energy production, transport, Galileo, maritime safety. Environment issues, sustainable development strategy, relevant technical assistance.	23, 31, 39, 40, 61, 62, 63, 64	24, , 46-57,60-62
Subcommittee 5: Customs and Cross-border cooperation	Customs co-operation, cross-border cooperation (other than those issues treated in SC6), relevant technical assistance.	39, 76, Protocol on customs cooperation	15, 28-29,31 69,70
Subcommittee 6: Justice, Freedom and Security	Fight against organised and trans-national crime, cross-border cooperation in Justice, freedom and security issues, border management, migration, asylum, money laundering, drugs combating, prevention of illegal activities, judicial reform, fight against corruption, rule of law, good governance, relevant technical assistance.	27, 68, 79	Relevant aspects of section 2.1 especially objectives 2, 3, 12 and 15; 2.4 (JHA action plan), 69
Subcommittee 7: Science and technology, R&D, education, culture and public health. Information Society & Media,	Space, general aspects of satellite navigation, education, participation in the 6 th Framework Programme, IST/information society (research aspects), culture, public health, Liberalisation of electronic communication, regulatory framework, on-line services, media policy, relevant technical assistance.	58, 59, 65, 66, 74, 80	58-59, 63-68, 71