

**EP MONITORING MISSION TO UKRAINE**  
**Key observations to the Conference of Presidents of the European Parliament**

**15 October 2013, Brussels**

by

Mr Pat COX, former President of the European Parliament

Mr Aleksander KWA NIEWSKI, former President of Poland

Pending the final report of our mission, which we will submit to the European Parliament at the conclusion of our mandate, we would like to make several key observations regarding the current state of affairs and the way forward.

Since the last report to the Conference of Presidents on 18 April 2013, we have undertaken eight additional official missions to Ukraine (see Annex for details), bringing the total number of visits since the beginning of the monitoring mission to 22.

Since the beginning of the mission, we have spent the equivalent of twelve full working weeks in Ukraine, meeting President Yanukovich fourteen times, Prime Minister Azarov twenty-one times, Yulia Tymoshenko in hospital thirteen times for about thirty-two hours of dialogue and meeting members of her family and defence lawyers on a regular basis.

We also met on many occasions other senior current and former office holders both within the Government and the opposition, the representatives of the civil society and diplomatic corps. We are grateful for the continued high level of cooperation with all our counterparts in Ukraine, both with the authorities and with the opposition.

This cooperation has enabled the mission develop a high level of trust resulting in Mrs Tymoshenko remaining in hospital care, without video monitoring and attended only by female guards. She has not been forced to attend Court hearings and has not been transferred back to the colony. All trials and criminal investigations against her have been suspended at least since June 2013. Former Minister of the Interior Mr Lutsenko was pardoned on 7 April 2013 and released immediately. Former Acting Minister of Defence Mr Ivashchenko was released on 14 August 2012 and his travel ban lifted. Since December 2012, the mission has also paid close attention to a number of related cases brought against Mr Nemyria MP (Batkivshchina party & Chair of the Rada Committee on European Integration) and Mrs Tymoshenko's lawyer Mr Vlasenko, whose travel ban was lifted on 3 April 2013.

Moreover, we have systematically encouraged the authorities and the opposition to work together in order to meet with key expectations by the EU especially in terms of standards of democracy and Rule of Law. Electoral legislation is being improved following the last parliamentary elections and a date for new elections in the five disputed constituencies has been set on 15 December 2013. The new Criminal Procedural Code is being implemented, significantly reducing the number of pre-trial detainees. Moreover, the Venice Commission has recently adopted mostly positive recommendations as regards further proposed reforms to the Judiciary and the Public Prosecutor's Office. These reforms, if conducted and implemented fully and in line with European standards, could significantly change the political and legal landscape in Ukraine, an improvement which is also much needed to attract the available foreign direct investment.

As regards Mrs Tymoshenko's situation, the Former Prime Minister is being hospitalised since April 2012 in the Ukrzaliznytsia Central Clinical in Kharkiv where a team of doctors of the Charité clinic (Berlin, Germany) is overseeing her treatment. In June 2013, the assessment of Tymoshenko's medical situation concluded that she urgently requires appropriate surgical treatment. Due to her distrust in the Ukrainian authorities rather than the Ukrainian Doctors themselves, Yulia Tymoshenko has refused such treatment in Ukraine. She would however be willing to undergo surgery abroad as publically stated on 4 October 2013.

In the “gas case”, the Kyiv Pecherskyi District Court's verdict was upheld by the Court of Appeal and by the Cassation Court in August 2012. The judgment of the European Court of Human Rights on her pre-trial arrest and detention came into force on 30 July 2013, establishing that she was detained illegally before the conviction. The Committee of Ministers of the Council of Europe has already criticized Ukraine for not re-opening the criminal proceedings that led to her conviction in order to execute that judgment. There is currently also the second case pending before the Strasbourg Court as regards the alleged violations to her right to a fair trial. In the “tax case”, the trials at the Kharkiv District Court have been constantly postponed due to the ill health of the defendant. In the "Shcherban murder case" (merged with the "UESU debt case"), the pre-trial investigation has been also suspended.

Given this medical and legal context, the mission delivered an appeal to the President of Ukraine on 4 October 2013 (see annex) to release Yulia Tymoshenko for medical treatment on health and humanitarian grounds by way of pardon. As publically stated, Germany would be ready to host Mrs Tymoshenko for such a treatment, not least due to the Doctors from the Charité clinic being based in Berlin.

Our appeal comes at a time of strategic importance for EU-Ukraine relations. Addressing the issues of selective Justice is one of the key requirements identified by the European Union's Foreign Affairs Council in December 2012 in order to sign the Association Agreement with Ukraine. Many efforts have been made as regards the other requirements, notably in terms of legislative reforms as outlined above.

We were mandated by the European Parliament to deal with the question of selective justice in Ukraine. The conditions for signature were set by the Foreign Affairs Council of the EU, not by our mission. In our opinion, these conditions, especially as regards Yulia Tymoshenko, still remain to be fulfilled. After 16 months and 22 missions, we conclude at this point in time that further work is required to ensure compliance.

In this context, we believe this mission should continue its efforts in order to facilitate the implementation of a mutually acceptable solution before the decision by the Council of the European Union on a potential signature of the Association Agreement. Given the pressing nature of the remaining timeframe we urge all parties in Ukraine, the EU institutions and its Member States to lend their focussed and fullest support to the mission in order to secure the necessary conditions that would ensure success at the Eastern Partnership summit in Vilnius.

## ANNEXES

### 1 - Composition of the mission:

#### **Special envoys**

Mr Pat COX, former President of the European Parliament  
Mr Aleksander KWA NIEWSKI, former President of Poland

#### **Core team**

Mr Arnoldas PRANCKEVI IUS, External Relations Adviser to the EP President  
Mr Mihkel ALLIK, Member of the European Parliament Legal Service  
Mr Julien CRAMPES, Policy Advisor, European Parliament DG External Policies  
Prof. Hans-Jörg ALBRECHT, Director, Max Planck Institute for Foreign and International Criminal Law

#### **Brussels-based team**

Mr Alexandre STUTZMANN, Diplomatic Adviser to the EP President  
Mr Joseph DUNNE, Head of the European Added Value Unit, DG Internal Policies, former Diplomatic Adviser to Pat COX  
Ms Myriam GOINARD, Policy Advisor, European Parliament DG External Policies  
Ms Lorena MÜLLER CAMARENA, Assistant  
Ms Erica SCREEN, Assistant

### 2 - Key statistics

- **22** visits to Ukraine
- **13** Court hearings attended
- **61** days of meetings in Kyiv, Kharkiv, Mena penal colony, Yalta
  
- **14** meetings with President Yanukovich
- **21** meetings with Prime Minister Azarov
- **3** meetings with the Prosecutor General of Ukraine
  
- **13** meetings with Yulia Tymoshenko in the Kharkiv hospital
- **6** meetings with Yuriy Lutsenko (2 in Court, 2 in prison, 2 in EU Delegation)
- **5** meetings with Valeriy Ivashchenko
- **23** meetings with Yulia Tymoshenko's representatives (lawyer & family)
- **15** meetings with opposition leaders (Batkivshchina & UDAR)
  
- **15** meetings with EU-27 Heads of Mission
- **9** meetings with US Ambassador
- **4** meetings with Ukraine's former Presidents (Presidents Kravchuk, Kuchma & Yushchenko).
- **6** meetings with NGOs (18 in total)
  
- **17** days of meetings in Brussels and Strasbourg

- **8** meetings with the European Commission (President Barroso, Mr Füle 6 times & Mr De Gucht)
- **5** meetings with the External Action Service (Chief Operating Officer Mr O'Sullivan, Deputy Secretary General Mr Popowski, Managing Director Mr De La Peña, Director Mr Wiegand)
- **2** meetings with representatives of the Council of Europe and the Venice Commission
- **12** debriefing meetings at the European Parliament
  
- **48** telephone talks with Ukrainian authorities and opposition leaders

### **3 - Our visits to Ukraine in detail**

Since the last report to the Conference of Presidents on 18 April 2013, we have conducted 8 official visits to Ukraine, bringing the total number of visits since the beginning of the monitoring mission to 22. Here are the details of the Court hearings that we attended as well as the meetings that we held with the authorities, the opposition and the civil society.

#### **First Visit: 11-12 June 2012, Kyiv**

Mr Viktor Yanukovich, President of Ukraine (3 hours)  
 Mr Mykola Azarov, Prime Minister of Ukraine  
 Justice Minister Lavrynovych, Health Deputy Minister Moisenko and other officials

Family and lawyers of Yulia Tymoshenko

#### **Second Visit: 24-26 June 2012, Kharkiv and Kyiv**

**Attendance of the 3rd Court hearing (Tax case) in Kharkiv (postponed)**  
**Attendance of the 2nd Cassation hearing in Kiev (Gas case) (postponed)**

Mrs Yulia Tymoshenko in Kharkiv hospital (3 hours)  
 The doctors of Mrs Yulia Tymoshenko in Kharkiv hospital  
 Kharkiv hospital, local prosecution and penitentiary administration  
 Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko

Mr Mykola Azarov, Prime Minister of Ukraine  
 Mr Viktor Pshonka, Prosecutor General and Mr Renat Kuzmin, his Deputy (5 hours)

EU Heads of Missions, US Ambassador Tefft and Mr Parliamentary Secretary to the Minister of Foreign Affairs of Canada Bob Dechert

Political foundations Friedrich Ebert Stiftung and Friedrich Naumann Stiftung

#### **Third Visit: 9-13 July 2012, Kharkiv and Kyiv**

**Attendance of the Court hearing (Tax case) in Kharkiv (postponed)**  
**Attendance of the Cassation hearing in Kiev (Gas case) (postponed)**  
**Attendance of the Yuriy Lutsenko investigation case (hearing)**

Mrs Yulia Tymoshenko in Kharkiv hospital (2 hours)  
 The doctors of Mrs Yulia Tymoshenko in Kharkiv hospital  
 Kharkiv hospital, local prosecution and penitentiary administration

Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko

Mr Yuriy Lutsenko and Mr Valeriy Ivashchenko in Kyiv Prison (5 hours)  
Lawyers and wives of Lutsenko and Ivashchenko

Mr Mykola Azarov, Prime Minister of Ukraine

Mr Borys Tarasyuk, EU-Ukraine PCC Co-Chair, Co-President of the Euronest PA  
Mr Ievgen Zakharov, Head of the Kharkiv Human Rights Union

EU Heads of Missions

Civil Society organisations: December 11 Initiative, Chesno / Civic Consortium for Election Initiatives, Opora, Committee of Voters, Amnesty International, Renaissance Foundation, Helsinki Human Rights Union

#### **Fourth Visit. 22-24 July 2012, Kharkiv and Kyiv**

##### **Attendance of the Court hearing (Tax case) in Kharkiv (postponed)**

Mrs Yulia Tymoshenko in Kharkiv hospital (2.5 hours)  
The doctors of Mrs Yulia Tymoshenko in Kharkiv hospital  
Kharkiv hospital, local prosecution and penitentiary administration  
Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko

Mr Mykola Azarov, Prime Minister of Ukraine

Ombudswoman of Ukraine Valeria Lutkovska

EU Head of Delegation Pinto Teixeira  
TVi Director General Mykola Knyazhytsky and the Gorshenin Institute

#### **Fifth Visit: 13-17 August 2012, Kharkiv, Kyiv and Yalta**

**Attendance of the Court hearing (Tax case) in Kharkiv (postponed)**  
**Attendance of the Cassation hearing of Yulia Tymoshenko (Gas case) (opened)**  
**Attendance of the appeal trial of Valeriy Ivashchenko in Kyiv (verdict)**  
**Attendance of the Yuriy Lutsenko investigation case (verdict)**

Mrs Yulia Tymoshenko in Kharkiv hospital (2.5 hours)  
The doctors of Mrs Yulia Tymoshenko in Kharkiv hospital  
Kharkiv hospital, local prosecution and penitentiary administration

Mr Valeriy Ivashchenko in the EU Delegation after his release

Mr Viktor Yanukovych, President of Ukraine (4 hours)  
Mr Mykola Azarov, Prime Minister of Ukraine

Mr Volodymyr Lytvyn, Speaker of the Verkhovna Rada  
Mr Andriy Portnov, Presidential Adviser for Judicial System Affairs

Mr Viktor Yushchenko, Former President of Ukraine  
Mr Oleksandr Moroz, former Speaker of Verkhovna Rada

Opposition leaders Mr Oleg Turchynov and Mr Hryhory Nemyrya (Batkivshchyna)

NGOs on elections: Chesno, Committee of Voters, Opora  
EU Heads of Missions

**Sixth Visit: 20-21 August 2012, Kyiv**

**Attendance of the Cassation hearing in Kiev (Gas case) (completion)**

Mr Mykola Azarov, Prime Minister of Ukraine

**Seventh Visit: 28-30 August 2012, Kyiv**

**Attendance of the Cassation hearing of Yulia Tymoshenko (Gas case) (verdict)**

Mr Mykola Azarov, Prime Minister of Ukraine

Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

**Eighth Visit: 5 October 2012, Kyiv**

Mr Viktor Yanukovich, President of Ukraine

Mr Mykola Azarov, Prime Minister of Ukraine

Opposition leader Mr Hryhory Nemyrya (Batkivshchyna)

Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko

Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

EU Heads of Missions

**Ninth Visit: 6-7 November 2012, Kyiv**

Mr Viktor Yanukovich, President of Ukraine

Mr Mykola Azarov, Prime Minister of Ukraine

Opposition leaders Mr Oleg Turchynov and Mr Hryhory Nemyrya (Batkivshchyna), Vitali Klitschko and Vitaly Kovalchuk (UDAR)

Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko

Mr Valeriy Ivashchenko (freed ex-Defence Minister)

Head of OSCE-ODIHR electoral mission to Ukraine, Ambassador Audrey Glover

EU Head of Delegation Jan Tombinski

EU Heads of Missions

**Tenth Visit: 19-20 November 2012, Kharkiv & Kyiv**

**Attendance of the Yuriy Lutsenko investigation case (hearing in appeal then verdict)**

Mr Viktor Yanukovich, President of Ukraine

Mr Mykola Azarov, Prime Minister of Ukraine

Mrs Yulia Tymoshenko in Kharkiv hospital

Mr Yuriy Lutsenko in Kyiv Appeal Court

Mr Valeriy Ivashchenko

Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

EU Head of Delegation Jan Tombinski

EU Heads of Missions

**Eleventh Visit: 17-19 December 2012, Kyiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Volodymyr Rybak, Speaker of the Rada  
Mr Andriy Portnov, Chief Legal Advisor to the President

Opposition leaders Mr Arseniy Yatsenyuk & Mr Hryhory Nemyrya (Batkivshchyna) and Vitali Klitschko (UDAR)  
Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

US Ambassador Tefft & Deputy Head of Mission Eric Schultz

EU Head of Delegation Jan Tombinski  
EU Heads of Missions

**Twelfth Visit: 3-6 February 2013, Kharkiv, Kyiv & Mena**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Leonid Kozhara, Minister of Foreign Affairs of Ukraine

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Yuriy Lutsenko in Mena penitentiary colony  
Opposition leaders Mr Arseniy Yatsenyuk & Mr Hryhory Nemyrya (Batkivshchyna) and Vitaly Kovalchuk (UDAR)  
Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

Former President Leonid Kuchma

EEAS Director Gunnar Wiegand  
EU Head of Delegation Jan Tombinski  
EU Heads of Missions  
US Ambassador Tefft & Deputy Head of Mission Eric Schultz

**Thirteenth Visit: 7-8 March 2013, Kyiv**

Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Portnov, Deputy Head of the Presidential Administration

Opposition leaders Mr Arseniy Yatsenyuk, Mr Oleg Turchynov & Mr Hryhory Nemyrya (Batkivshchyna) and Vitali Klitschko (UDAR)  
Mr Sergey Vlasenko, defence lawyer of Mrs Tymoshenko  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

EU Head of Delegation Jan Tombinski  
EU Heads of Missions

**Fourteenth Visit: 27-29 March 2013, Kharkiv & Kyiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Viktor Pshonka, Prosecutor General and other PGO officials  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko

Former President Leonid Kravchuk  
Former Minister of Foreign Affairs Volodymyr Ohryzko

Opposition leaders Mr Arseniy Yatsenyuk & Mr Hryhory Nemyrya (Batkivshchyna) and Vitaly Kovalchuk (UDAR)

EU Head of Delegation Jan Tombinski  
EU Heads of Missions  
US Ambassador Tefft & Deputy Head of Mission Eric Schultz

**Fifteenth Visit: 21-24 April 2013, Kyiv & Brussels**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine (in Brussels on 23rd)  
Mr Volodymyr Rybak, Speaker of the Rada

Leaders of the political factions in the Rada: Oleh Tihipko (Party of Regions), Serhii Tianyok (Batkivshchyna), Rostyslav Pavlenko (UDAR), Petro Symonenko (Communists).

Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Opposition MP Hryhory Nemyrya (Batkivshchyna)  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

Mr Yuriy Lutsenko in EU Delegation

Former President Kuchma

EU Heads of Missions including EU Head of Delegation Jan Tombinski and Mr Yuriy Lutsenko  
US Ambassador Tefft & Deputy Head of Mission Eric Schultz  
Lithuanian Foreign Minister Linas Linkevicius (in Brussels on 23rd)

MEPs Elmar Brok, Pawel Kowal and participants in the debriefing to the EP delegation to the EU-UA PCC (all in Brussels on 23rd)

**Sixteenth Visit: 26-27 May 2013, Kyiv & Kharkiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine

Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine  
Mr Andriy Portnov, Chief Legal Advisor to the President

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Opposition MP Hryhory Nemyrya (Batkivshchyna)  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

Civil society organisations (International Renaissance Foundation, Institute for Civic Research and Policy Consulting, Razumkov Centre, Agency for Legislative Initiatives, Centre for Political and Legal Reform, Anti-corruption network for Eastern Europe and Central Asia, Institute for Euro-Atlantic Cooperation, Open Policy Analytical Centre).

EU Heads of Missions including EU Head of Delegation Jan Tombinski  
US Ambassador Tefft & Deputy Head of Mission Eric Schultz

**Seventeenth Visit: 13-15 June 2013, Kyiv & Kharkiv**

Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine  
Mr Viktor Pshonka, Prosecutor General and other PGO officials

Mrs Yulia Tymoshenko in Kharkiv hospital

Canadian Ambassador Troy Lulashnyk

Annual Business Conference (President Cox speech on business and investment environment on Ukraine)

**Eighteenth Visit: 26-28 June 2013, Kyiv & Kharkiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Opposition MP Hryhory Nemyrya (Batkivshchyna)  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

Opposition deputy leaders Mr Oleg Turchynov (Batkivshchina) & Vitaly Kovalchyuk (UDAR)

EU Heads of Missions including EU Head of Delegation Jan Tombinski  
US Ambassador Tefft & Deputy Head of Mission Eric Schultz

**Nineteenth Visit: 30-31 July 2013, Yalta, Kyiv & Kharkiv**

Mr Viktor Yanukovich, President of Ukraine  
Andriy Portnov, UA President's advisor for Judicial affairs

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

**Twentieth Visit: 2-4 September 2013, Kyiv & Kharkiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mrs Olena Lukash, Minister of Justice  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine  
Mr Andriy Portnov, Chief Legal Advisor to the President

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Opposition MP Hryhory Nemyrya (Batkivshchyna)  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

Opposition leaders Mr Arseniy Yatsenyuk (Batkivshchyna) and Vitali Klitschko (UDAR)

Attendance of the opening of the Rada including side meeting with Mr Volodymyr Rybak,  
Speaker of the Rada

EU Heads of Missions  
US Ambassador Pyatt

**Twenty-first Visit: 19-22 September 2013, Yalta**  
*(on the margins of the Yalta European Strategy annual meeting)*

Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine

EU Head of Delegation Jan Tombinski  
US Ambassador Pyatt

**Twenty-second Visit: 3-5 October 2013, Kyiv & Kharkiv**

Mr Viktor Yanukovich, President of Ukraine  
Mr Mykola Azarov, Prime Minister of Ukraine  
Mr Andriy Kluyev, Secretary of the National Security and Defence Council of Ukraine  
Mr Andriy Portnov, Chief Legal Advisor to the President

Mrs Yulia Tymoshenko in Kharkiv hospital  
Mr Sergiy Vlasenko, defence lawyer of Mrs Tymoshenko  
Opposition MP Hryhory Nemyrya (Batkivshchyna)  
Ms Eugenia Tymoshenko, daughter of Yulia Tymoshenko

EU Heads of Missions including EU Head of Delegation Jan Tombinski  
US Ambassador Pyatt

#### **4 - Copy of the mission's appeal to pardon Yulia Tymoshenko**

Kyiv, 4 October 2013

Recalling the joint decision by the President of European Parliament Martin Schulz and the Prime Minister Mykola Azarov of Ukraine in May 2012, to establish a European Parliament Monitoring Mission to Ukraine to address high profile criminal cases resulting in the imprisonment of former politicians;

Noting that the former President of the European Parliament Pat Cox and the former President of the Republic of Poland Aleksander Kwasniewski have undertaken 22 mission visits to Ukraine in the fulfilment of the mandate;

Acknowledging the high level of cooperation and commitment of the Ukrainian authorities in respect of the mission;

Recognising the progress achieved as regards the cases addressed by the mission including the ongoing dialogue in the case of former Prime Minister Yulia Tymoshenko;

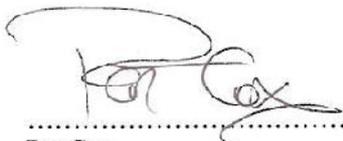
Accepting the conditions established by the Foreign Affairs Council of the European Union in December 2012 which include electoral and judicial reform and also the addressing of issues of selective Justice as essential prerequisites to the signing of the Association Agreement, including a Deep and Comprehensive Free Trade Area, between the European Union and Ukraine at the Eastern Partnership summit in Vilnius in November 2013;

Noting the medical advice received from the Doctors of Yulia Tymoshenko, expressing the urgent necessity for her to receive appropriate surgical treatment;

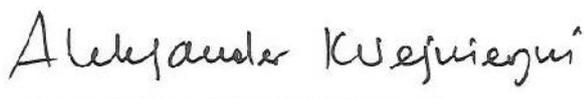
Express our belief that the signing of the Association Agreement would be an act of strategic and historical importance for all of the parties involved;

Request, with a view to fulfilling the above-mentioned conditions, that Yulia Tymoshenko be released for medical treatment on health and humanitarian grounds by way of pardon.

Signed,



.....  
Pat Cox



.....  
Aleksander Kwasniewski