

From: [REDACTED]
Sent: 28 September 2015 15:48
To: [REDACTED]
[REDACTED] Art 4.1(b)
[REDACTED] GARCIA BERCERO Ignacio (TRADE); [REDACTED]
[REDACTED] EICHHORN Nele (CAB-MALMSTROM);
[REDACTED]
Subject: RE: NL referendum on EU UA FTA - follow up

Art 4.1(b)

As discussed please find here the draft LTT [REDACTED]

Art 4.1(a) [REDACTED]

LTT

- The ratification process of the EU-UA AA/DCFTA is ongoing, so far 22 Member States have notified the General Secretariat of the Council of ratification, we understand that in other Member States the process is ongoing. **The internal procedure for such ratification is a matter of national competence.**
- Until ratification by all Member States, those parts of the Association Agreement relating to EU competences are already being provisionally applied (since 1 November 2014) and the trade part of the Agreement, putting in place a Deep and Comprehensive Free Trade Area (DCFTA) between the EU and Ukraine, will provisionally apply as of 1 January 2016.

Background (mostly from EEAS based on an input from NL gvt)

- The groups that are campaigning for a referendum are making use of a new law, which gives citizens the right to request an advisory referendum on domestic legislation and international treaties.

- At present the situation concerning the **ratification process** is that the **NL parliament** has already **voted** on the Association Agreement (including the DCFTA) and **is expected to submit the ratification instrument** for "promulgation" **after** **which** the completion of the internal procedure can be **notified to the Council** of the European Union.

Art. 4.1(a)

Art 4.1(a)

- To be clear, the referendum is a **new democratic right** and the **first time that this right is being exercised**.

Art 4.1(a)

This is a very important agreement for both Ukraine as well as the EU.

- In order to make a referendum possible 300.000 signatures need to be submitted before Monday, September 28. [According to media sources, this threshold has been reached.] **But: the Dutch Electoral Council will still have to verify the signatures. They will have two weeks to finalize this process after which, on October 14, they will announce whether the threshold for a referendum was reached.**

- If this is the case, **a referendum will need to be organized early 2016.**

Art 4.1(a)

Art 4.1(a)

- [NOTE GLM: whether the referendum will have an impact on the overall EU calendar of ratification process and conclusion of the AA/DCFTA depend ultimately on the speed to which the other members who have neither ratified nor notified will accelerate their procedures.]

Art 4.1(a)

Art 4.1(a)

From: Art 4.1(b)
Sent: Monday, September 28, 2015 10:40 AM
To: Art 4.1(b)
Subject: NL referendum on EU UA FTA.

Dear All

As you will see from the emails below and attached. The Netherlands flagged at TPC D on 11 September, that signatures are being sought online for a public initiative referendum on the EU Ukraine FTA. They have confirmed that a sufficient number of signatures have been collected and pending verification, will be sufficient to trigger a consultative referendum on the agreement.

Art 4.1(a)

I will now ask NL for some further information on the form of the referendum but for your information. I copy, for info, Nele who raised a particular interest in this at the time.

Art 4.1(b)

From: Art 4.1(b)
Sent: Sunday, September 27, 2015 7:56 PM
To: Art 4.1(b)
Subject: RE: NL Legislation

Art 4.1(b)

The weblog just announced it collected 440,000 signatures, which should be sufficient to organize the referendum. The signatures will be checked in the coming days/weeks.

Best,

Art 4.1(b)

From: Art 4.1(b)
Sent: maandag 14 september 2015 13:50:17
To: Art 4.1(b)
Subject: RE: NL Legislation

Dear Art 4.1(b)
This is very helpful indeed. Many thanks
Art 4.1(b)

From: Art 4.1(b)
Sent: Monday, September 14, 2015 1:30 PM

To: Art 4.1(b)
Subject: RE: NL Legislation

Dear Art 4.1(b)

The referendum law can into effect on 1 July 2015. The referendum is consultative. See e.g.:

<http://www.referendumplatform.nl/1432>

Within 8 weeks after parliamentary approval (of a law or a Treaty) anybody who wants to organize a referendum should collect 10,000 signatures as a preliminary step. If collected, than step 2 is to collect 300,000 signatures within the next six weeks. For the fta with Ukraine this second period ends on September 28.

The weblog that started the initiative is:

<http://www.geenstijl.nl/>

They developed a special website:

<http://geenpeil.nl/>

These websites are in Dutch only. Art 4.1(a)

Should you have more questions, please do not hesitate to contact me.

Best,

Art 4.1(b)

The remaining text is out of scope
