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Federica Mogherini  
High Representative of the Union for Foreign Affairs and Security Policy

Brussels, 8 February 2016

Madam High Representative,  
dear Federica Mogherini,

on the 25th of November 2015, the President of Ukraine submitted the Draft Law on Amending the Constitution on the Judiciary which contained a clause on the International Criminal Court (ICC) reading as follows: "Ukraine may recognize the jurisdiction of the International Criminal Court as provided for by the Rome Statute of the International Criminal Court". However, the ICC clause is the only one that contains an annotation concerning its entry into force, which should take effect only 3 years after adoption of the amendment. On 02 February, the EEAS made a statement on the vote on the Constitutional Amendments congratulating the Rada for its vote on it, which does not mention the ICC and/or the 3 years transitional provision.

In light of all the above elements, and the EU's long standing commitment to support the ICC and its activities, we urge you to make clear that the ratification of the ICC by Ukraine is indeed a priority for the EU and considering the unequivocal provisions of the EU-Ukraine Association Agreement, call on the Rada to drop the 3 years transitional provision.

Thank you for your kind attention and best regards,  
Ana Gomes  
Barbara Lochbihler