

# Joint press statement following the 6th Association Council meeting between the EU and Ukraine

The European Union and Ukraine held the sixth meeting of the Association Council on 28 January 2020 in Brussels. This was the first Association Council chaired by Oleksiy Honcharuk, Prime Minister of Ukraine, and the EU delegation was led by Josep Borrell, High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission. The meeting demonstrated the intensity of dialogue between the EU and Ukraine, covering a wide range of issues of mutual interest, and welcomed the progress made since the last EU-Ukraine Summit held on 8 July 2019.

The EU side expressed its heartfelt condolences over the lives lost in the crash of Ukrainian International Airlines Flight PS 752 on 8 January and the Association Council expects that Iran will continue to fully cooperate and undertake a comprehensive and transparent investigation into this tragedy, which should abide by international standards.

The Association Council reaffirmed the continued commitment of the parties to strengthening the political association and economic integration of Ukraine with the European Union on the basis of the Association Agreement and its Deep and Comprehensive Free Trade Area and to the common values enshrined in it.

The Council welcomed the concrete results that **the implementation of the Association Agreement** continues to deliver for the benefit of the citizens of the EU and Ukraine. This is demonstrated, inter alia, by increasing bilateral trade, which grew by 13% the first nine months of 2019 compared to 2018.

The Association Council also welcomed the positive impact of the **visa-free regime** on people-to-people contacts between Ukraine and the EU, with Ukrainian citizens with biometric passports having visited the Schengen area without a visa already more than three million times.

The Association Council welcomed the reform efforts by Ukraine and the significant progress already achieved. Both sides agreed on the need for Ukraine to continue strengthening the **rule of law and structural reforms**. These are necessary to sustain the growth path and create a transparent level playing field and attractive business and investment climate in Ukraine, as well as to reduce the influence of vested interests.

The Association Council welcomed in particular recent steps by the Government of Ukraine in launching the High Anti-Corruption Court, the relaunching of the National Agency for Corruption Prevention and re-criminalisation of illicit enrichment. It also noted that the Constitutional Court had declared unconstitutional the electronic asset declaration requirement for civil society activists.

The Association Council agreed to continue enhancing Ukraine's **economic integration and regulatory approximation** with the EU in sectors such as digital economy, trade facilitation, customs cooperation and Justice and Home Affairs, within the framework of the Association Agreement. The EU reaffirmed its continued support in that regard, including financial assistance, which remains linked to concrete reform progress.

The Association Council recalled the update of the Annex XXVII of the Association Agreement on energy as well as the necessity of its proper implementation in line with the agreed guidelines. Both sides agreed to work on updating other annexes, as necessary.

The Association Council welcomed Ukraine's aspirations to further approximate its national legislation with the EU *acquis* in the area of the **digital economy**, underlining the importance of full implementation of the commitments under the Association Agreement. It recalled the ongoing assessment of Ukraine's policy framework, and its institutional and regulatory capacities. The EU reiterated its readiness to further support Ukraine's digital transformation, including through a programme on e-governance and digital economy.

The parties agreed to further cooperate in tackling **cyber** and **hybrid** threats as well as **disinformation**, in order to enhance their resilience and the security of their citizens. The Association Council welcomed the dialogue on strategic communications and the role of the High Level Informal Working Group on Strategic Communications in this regard.

The Association Council reaffirmed Ukraine's role as a strategic transit country for gas. Both sides welcomed the agreement on gas transit through Ukraine, the conclusion of interconnection agreements with neighbouring EU operators and the unbundling of Naftogaz. They agreed on the importance of continued implementation of reforms in the **energy** sector, including to ensure the independence of the Energy Regulator and Nuclear Regulatory Inspectorate and to create a competitive and transparent electricity market. The Association Council took note of the amended the gas directive. Both sides agreed on the importance of further approximation of gas rules between the EU and Ukraine.

As part of the **European Green Deal**, the parties agreed to further cooperate on decarbonisation and environmental protection. The parties agreed on the need for ambitious **climate** and environmental policies, including to meet the commitments under the Paris Agreement.

Both sides recalled the need to speed up Ukraine's legislative approximation in the field of **transport**. The Association Council recalled the importance of concluding the Common Aviation Area Agreement at the earliest possible date.

The Association Council acknowledged Ukraine's successful **macroeconomic** stabilisation. It welcomed the comprehensive and effective work of Ukraine in implementing the policy conditions of the EU macro-financial assistance programme, currently assessed by the Commission, and encouraged Ukraine to continue close cooperation with the IMF.

The sides agreed on the importance of irreversibility of reforms in the banking sector, in particular in relation to the nationalisation of PrivatBank stressing the importance of bringing to justice those responsible for the large-scale fraud at PrivatBank, and the recovery of assets.

To further facilitate **trade**, the Association Council agreed on the need for effective and timely implementation of the Deep and Comprehensive Free Trade Area. It also agreed on the importance of the elimination of trade irritants, including the wood export ban, in order to fully reap the benefits of the Association Agreement. The Association Council looked forward to the entry into force of the agreement on 1 February 2020 on amending the trade preferences on poultry meat and poultry meat preparations provided for by the Association Agreement.

Both sides agreed on the need to speed up Ukraine's regulatory approximation to the EU legal framework in areas where delays have occurred, including protection of intellectual property rights.

The Association Council welcomed the progress made by Ukraine to approximate its legislation in the area of technical regulations, standards, and conformity assessment as envisaged by the AA/DCFTA. Before the negotiations on an Agreement on Conformity Assessment and Acceptance of Industrial Products can start, the required legislation should be adopted, entered into force and effectively implemented by the relevant Ukrainian institutions. The Parties reaffirmed their commitment to conduct and facilitate a pre-assessment mission to assess the state of the Ukrainian quality infrastructure and adaptation of national legislation to the EU standards

The Association Council welcomed the Ukrainian authorities' steps to open the **land market**, which should be based on the rule of law and the principles of sustainability, transparency, fairness and inclusiveness.

The Association Council welcomed progress made in **decentralisation** which has been one of the key successes, empowering newly amalgamated communities to deliver quality services to citizens. In this context, they underlined that changes to the constitution and territorial-administrative structures should be taken forward in wide consultation with all stakeholders.

The Association Council noted the importance of engaging the regions of Ukraine and the steps by Ukraine to establish offices in its regions aimed at supporting their ties with the EU.

The Association Council welcomed the adoption of the **Electoral Code** as a positive step towards the harmonisation of the Ukrainian electoral legislation.

The Association Council agreed on the need to ensure the respect for rights already exercised of persons belonging to **national minorities** as enshrined in UN and Council of Europe Conventions and related protocols, non-discrimination of persons belonging to minorities and respect for diversity, on the basis of a substantive dialogue with representatives of persons belonging to national minorities. The Association Council took note of the

steps taken by Ukraine to implement the recommendations of the Venice Commission on the law on education and underlined the need to fully implement these recommendations. Ukraine referred to the adoption by the Parliament of the law on general secondary education, which includes the exemption of private schools. As regards the law on state language, the Association Council encouraged Ukraine to implement the recommendations of the Venice Commission.

The Association Council noted the importance of **media** pluralism and of preserving freedom of expression and media. It welcomed the key role that **civil society** continues to play and agreed on the need to swiftly and thoroughly investigate attacks against civil society activists and journalists.

The EU reaffirmed its continued commitment to support Ukraine in reforming the justice and **civilian security sector** through the work of the EU Advisory Mission and EU programmes. The Association Council recalled that reforming the Security Service of Ukraine and strengthening democratic oversight over the security sector remains of key importance. It welcomed the ongoing ambitious reform of the prosecution.

The Association Council welcomed Ukraine's interest to enhance cooperation in Justice and Home Affairs, within the framework of the Association Agreement. Areas of mutual interest where tangible results could be achieved may include Integrated Border Management, national asylum systems and biometrics-based identity management, countering money laundering and financing of terrorism, fight against organized and serious international crimes. Ukraine presented its proposal to the EU for a new Ukraine-EU Agenda on Justice, Freedom and Security.

The EU reiterated its unwavering support and commitment to Ukraine's **independence, sovereignty and territorial integrity** within its internationally recognised borders. Both sides reiterated their strong condemnation of the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014. The Association Council reconfirmed its support for finding a peaceful and sustainable political solution of this conflict in eastern Ukraine. The Association Council agreed on the need for full implementation of the Minsk agreements by all sides, underlining Russia's responsibility in this regard. The EU recalled that the duration of economic sanctions against the Russian Federation remain linked to the complete implementation of the Minsk agreements. The Association Council also reiterated its full support to the efforts in the Normandy format, the Trilateral Contact Group and the OSCE. It welcomed the positive steps undertaken by Ukraine, including disengagement in certain areas affected by the conflict.

The Association Council welcomed the renewed engagement by the parties and the constructive approach of Ukraine in the Normandy format. This represents a window of opportunity to move towards the full implementation of the Minsk agreements and the Association Council called for the quick and thorough implementation of measures agreed at the Normandy Summit on 9 December 2019. The EU stands ready to further support the demining activities and the OSCE

Special Monitoring Mission, which must have safe, secure, unconditional and unimpeded access to the entire territory of Ukraine.

The EU recalled the guidance that it has issued on territorial competence and non-recognition of passports as a consequence of the Russian presidential decree of 24 April 2019.

The Association Council welcomed the **inclusive approach** by Ukraine towards the population of the conflict-affected areas of east and southeast of Ukraine. At the same time, it noted with concern the continuous deterioration of human rights situation in the non-government controlled areas of the Donetsk and Luhansk regions.

The EU reaffirmed its policy of **non-recognition of the illegal annexation** of the Autonomous Republic of Crimea and the City of Sevastopol by Russia, including through restrictive measures. The Association Council condemned the deterioration of the human rights situation in the Crimean peninsula, the conduct of Russian local elections in the illegally annexed Crimea and Sevastopol on 8 September 2019, the building of the Kerch Strait Bridge without Ukraine's consent, the opening of the railway link on 23 December, and the further militarisation of the peninsula as well as of the Black and Azov Seas. The Association Council called on Russia to ensure unhindered and free passage to and from the **Sea of Azov**, in accordance with international law.

The EU recalled its increased support to help mitigate the impact of Russia's destabilising actions in the Sea of Azov region, via a number of measures, including the opening of the EU office in Mariupol, and support for local economic diversification. Both sides welcomed the International Investment Conference in Mariupol in October 2019 dedicated to further development of the Azov region and agreed to stay engaged in its follow-up.

The Association Council noted the broad cooperation between Ukraine and the EU in the sphere of **Common Foreign and Security Policy**, in particular Ukraine's alignment with the EU's statements and declarations on international and regional issues.

The Association Council reiterated its full support for the UN Security Council Resolution 2166 concerning the downing of the flight **MH17** and, recalling the findings of the Joint Investigation Team, called on Russia to accept its responsibility and to fully cooperate with all efforts to establish accountability.

The Association Council acknowledged the interest of Ukraine to participate in the future Creative Europe programme, including Media sub-programme, and the new EU Horizon Europe research and innovation programme.

The Association Council confirmed the intention of both sides to pursue joint efforts to provide support for training of Ukrainian civil servants in cooperation with the College of Europe in Natolin.

The Association Council commended Ukraine's active participation and

contribution to the bilateral and multilateral dimensions of the Eastern Partnership. The EU and Ukraine looked forward to the **Eastern Partnership** Summit in June 2020.

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