



FIFTH UKRAINE-EU ASSOCIATION COMMITTEE IN TRADE CONFIGURATION

BRUSSELS, 8-9 DECEMBER 2020

AGENDA

Welcome statements

1. Adoption of the agenda

- Confirmation of contact points

2. Trade development and trade policy aspects

2.1. Bilateral and multilateral trade in goods and state of play of FTA negotiations

- Recent trends in bilateral trade of goods and services
- EU trade policy review – state of play
- Trade relations with UK
- State of play of FTA negotiations

3. Review under the DCFTA

4. Bilateral Trade Issues

- Application of Commission Regulations on TRQs No. 760 and 761
- Trade Defence
- Crop protection products-approximation to EU legislation
- Wood export ban
- Road services

5. DCFTA Implementation

5.1. Technical barriers to trade (TBT)

- State of play on approximation in the field of technical regulation, standardization, market surveillance, accreditation and conformity assessment.
- Preliminary feedback on the informal pre-assessment of the Ukrainian quality infrastructure and horizontal and sectorial legislation

5.2. Customs and trade facilitation

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- Outcome of the 4th meeting of EU-Ukraine Customs Sub-Committee on 23 September 2020:
 - o Conventions on a Common Transit Procedure and the simplification of formalities in trade in goods
 - o New Computerised Transit System (NCTS).
 - o Authorised Economic Operator (AEO).
 - o Protection of intellectual property rights at the customs border
 - o Alignment with the Union Customs Code
 - o Criminalisation of smuggling
 - o Transparency in Customs valuation/customs clearance
 - amending Annex XV (Approximation of Customs legislation), further steps
 - PEM evolution: state of play

5.3. Sanitary and phytosanitary measures (SPS)

- General implementation of SPS chapter of DCFTA
- Recognition of the equivalence of the seed certification system of Ukraine to EU requirements
- Decision on mutual recognition of regional measures in cases of animal disease outbreaks (art 65 of the EU-UA AA/DCFTA) measures both for Ukraine and EU (application of zoning principle)
- Outcome of the 5th meeting of the EU-Ukraine Sanitary and Phytosanitary Management Sub-Committee, including MSM
- Maximum Residue Levels (MRLs) of chlorpyrifos and chlorpyrifos-methyl in food and feed of agricultural origin

5.4. Intellectual Property Rights (IPR) including Geographical Indications (GIs)

- State of play on reform in the field of intellectual property:
 - o approximation of legislation, implementation and protection
 - o state of play of National Intellectual Property Authority; IP office IP Court, specialised
 - o adopted European integration laws in the field of intellectual property,
 - o collective management organizations and payments of royalties by state broadcasters
- Outcome of the 4th meeting of the EU-Ukraine Sub-Committee on Geographical Indications

5.5. Public procurement

- State of play on the formal decision of fulfilment of Phase 1 under Annex XXI
- State of play on fulfilment of Phases 2 and 3 of Annex XXI to Chapter 8
- The technical steps that Ukraine would propose for the integration of the Ukrainian e-procurement system Prozorro with the EU's database TED.
- State of play of the draft proposals on local content requirements in public procurement
- Latest developments concerning the Anti-Monopoly Committee of Ukraine (AMCU)

5.6. Establishment, trade in services and electronic commerce

- Exchange of views on the Ukrainian proposal to establish a Subcommittee on Trade in Services

Updating and monitoring of Annex XVII

- State of play on Decision on amending to Appendices XVII-3, XVII-4, XVII-5 (Rules applicable to telecommunication services, postal and courier services international maritime transport)
- Amending Appendix XVII-2 (financial services)
- Monitoring of implementation

Telecommunication services

- State of play of implementation of Appendix XVII-3 (approximation to the acquis in telecommunication services)
- Presentation of Ukraine's "Roadmap of Ukraine's integration into the EU Digital Single Market"
- Presentation of the key findings of the EU onsite assessment in implementation of commitments, including approximation with the EU Electronic Communications code, eIDAS Regulation etc.
- State of play of the preparation of the joint working plan for co-operation on electronic trust services

Financial services

- State of play of implementation of Appendix XVII-2 (approximation to the acquis in financial services)
- Liberalization of capital movements (Article 147 of AA)
- Establishing cooperation between regulators of the financial sector of Ukraine and European supervisory authorities (EBA, EIOPA, ESMA)

Postal, courier and international maritime transport services

- State of play of implementation of Appendices XVII 4 and 5 (approximation to the acquis in postal, courier and international maritime transport services)

5.7. Competition policy

- Review of outstanding deadlines under the Association Agreement:
 - o establishing an inventory (Art. 267) and
 - o introducing transparency in the transactions between the State and State Owned Enterprises (Art. 263).
- Competition and State Aid legal framework: recent developments and outlook. Short update amendments to the law of Ukraine “on state aid to business entities.
- State of play in approximating of Ukrainian legislation to EU legislation, in particular:
 - o Application of exceptions to Article 266 of the Association Agreement and exceptions to Annex 1 to the WTO Agreement from the Law of Ukraine “On State Aid to Business Entities”.
- Establishment of clear criteria and technical procedures for mutual exchange of information regarding deviations from the state aid compatibility requirements (Article 262 (1) of the Association Agreement).

5.8. Institutional Aspects

- Outcome of the 4th meeting of the EU-Ukraine Trade and Sustainable Development Sub-Committee on 27 October 2020

6. Institutional Aspects

Dispute settlement

- Revision and completion of the list of arbitrators

7. Any other business (AOB)

8. Adoption of operational conclusions

Closing remarks