

REPORT

ACTIVITIES OF THE VERKHOVNA RADA OF UKRAINE IN EUROPEAN INTEGRATION AFTER UKRAINE'S STATUS OF CANDIDATE FOR EUROPEAN UNION MEMBERSHIP



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INTRODUCTION

The Ukrainian people's desire to live in a family of European nations has become the main driving force behind the transformational democratic changes in our country over the past decade. European values serve as a priority.



Despite the ongoing armed aggression launched by Russia against Ukraine, our course remains unchanged and irreversible. On the fifth day after Russia's full-scale invasion, President of Ukraine Volodymyr Zelenskyy signed an application for Ukraine's membership in the European Union, thereby confirming the Ukrainian people's respect for the principles enshrined in Article 2 of the EU Treaty and the readiness to defend and uphold them. At the June 23, 2022 meeting of the European Council where Ukraine's application was considered, leaders of EU member states made a historic decision to grant Ukraine candidate status for EU membership.

On July 1, 2022, President of Ukraine Volodymyr Zelenskyy, Speaker of the Verkhovna Rada of Ukraine Ruslan Stefanchuk and Prime Minister of Ukraine Denys Shmyhal signed a Joint Statement on the decision of the European Council to grant Ukraine candidate status for EU membership in which they confirmed Ukraine's devotion to European values; resolute commitment to implement recommendations of European institutions; willingness to strengthen institutional capacity of Ukraine to ensure progress in European integration reforms and access to EU financial support; readiness to ensure preparation and conduct of EU accession negotiations; and, Ukraine's commitment to effectively participate in EU institutions after earning full membership.

Ukraine continues to resolutely fight for the right to be a European state, not only on the battlefield, but also through legislation. Modern challenges and threats, minimized due to unwavering support of Ukraine by our European partners, did not prevent the Ukrainian state from purposefully moving towards achieving compliance with the Copenhagen criteria for membership and readiness to join the EU. This is confirmed by the Verkhovna Rada's legislative activity.

The focus of lawmaking to ensure convergence of Ukraine and the EU in political, economic and legal dimensions was implementing the Association Agreement as ratified by the Verkhovna Rada and the European Parliament on September 16, 2014. In addition to implementing the Association Agreement, the Verkhovna Rada administered systematic work on European Commission recommendations related to Ukraine's application for membership of the EU to ensure an immediate transition to the next stage of EU integration – accession negotiations.

The Verkhovna Rada is grateful to the European Parliament and the parliaments of EU member states for the unwavering support of Ukraine and its people on the path to full EU membership. We count on solidarity and support in the future for our earliest possible common victory.

R. Stefanchuk

EXECUTIVE SUMMARY

After Ukraine was awarded candidate status for EU accession, the Verkhovna Rada of Ukraine reinforced its activities to fulfill international legal obligations in European integration. In cooperation with the executive branch of government, the Rada identified priority draft laws to be considered.

In pursuance of recommendations provided in the opinion of the European Commission on Ukraine's application for EU membership dated June 17, 2022, the Verkhovna Rada adopted six laws and two resolutions.

As part of implementation of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, after Ukraine's candidate status for EU accession, the Verkhovna Rada adopted 35 laws.

ACTS OF THE VERKHOVNA RADA IN DIFFERENT FIELDS OF THE EUROPEAN INTEGRATION



Some Verkhovna Rada acts are aimed at both implementing European Commission recommendations and the Association Agreement between Ukraine and the EU. For convenience, the acts adopted by the Verkhovna Rada are systematized in chronological order according to the Association Agreement in accordance with the government system of monitoring its implementation.* Key report concepts are presented in the form of infographics. The information contained in the report reflects the situation as of December 21, 2022.

* pulse.kmu.gov.ua

SECTION 1.

INSTITUTIONAL TRANSFORMATION

The decision of the European Council to grant Ukraine the candidate status for the accession to the EU became a catalyst for a systemic restructuring of the institutional and legal configuration and the procedure to adopt draft laws in order to bring the national legislation in line with the EU Law (EU acquis). In the Resolution “On Certain Measures to Fulfill Ukraine's Commitments in European Integration” dated July 29, 2022, the Verkhovna Rada introduced a number of legislative innovations to incorporate the best practices and experience of European states that took a path from a candidate to the EU member, in particular:

- within the Verkhovna Rada Committees, subcommittees have been set up to adapt Ukrainian legislation to the EU Law;
- the newly created subcommittees, in cooperation with the Verkhovna Rada Committee on the European Integration, have become a guarantor of strict compliance of all legislative initiatives with the acquis communautaire;
- each European draft law is now accompanied by an article-by-article table of concordance with the EU Law and an official translation of the EU Directive or Regulation which is being implemented;
- in preparation for the second and subsequent readings, an additional examination of the European integration draft law shall be conducted by the Cabinet of Ministers of Ukraine (the executive branch of government);
- the work is under way to develop a unified parliamentary-governmental information database to adapt Ukraine's legislation to the EU Law; the work is in progress to establish a state service (a bureau) to provide translation of legal acts.

The newly created procedure to consider draft laws aimed at adapting Ukraine's legislation to the EU acquis, dated July 29, 2022, was successfully probed and tested in practice. Based on this, a number of comprehensive proposals was developed to ensure integration of the Resolution's provisions into the Verkhovna Rada's Rules of Procedure.

The Draft Law № 8242 on amendments to the Verkhovna Rada's Rules of Procedure to regulate issues of introduction, consideration and adoption of European integration draft laws was registered on November 28, 2022. This Draft Law, in particular, provides the following:

- draft laws aimed at approximation of Ukraine's legislation to the EU Law shall be included in the Verkhovna Rada session agenda in an unscheduled manner, without the need for MPs to vote on a decision to include such draft laws in the agenda;
- it shall be required that such draft laws are supported by additional accompanying documents both at the time of their registration and at all stages of passage in parliament;
- additional examinations shall be conducted to ensure European integration draft laws comply with Ukraine's international legal obligations;
- the second reading procedure shall be applied when considering draft laws aimed at Ukraine's Law approximation to the EU Law;
- the text of the draft law prepared for consideration in the second reading may be improved on the basis of conclusions of the additional examination performed by the Cabinet of Ministers of Ukraine and/or the Committee whose area of responsibility includes assessing the draft laws compliance with Ukraine's international legal obligations in European integration.



SECTION 2.

IMPLEMENTATION BY THE VERKHOVNA RADA OF UKRAINE OF EUROPEAN COMMISSION RECOMMENDATIONS DATED JUNE 17, 2022

The Verkhovna Rada, within the scope of its powers, implemented the recommendations contained in the June 17, 2022 Opinion of the European Commission on Ukraine's application for EU membership. The Opinion of the European Commission consists of seven recommendations.¹ The information below concerns implementation of the European Commission recommendation that require legislative regulation by the Verkhovna Rada.

SEVEN RECOMMENDATIONS OF THE EUROPEAN COMMISSION

- 1. Enact and implement legislation on a **selection procedure for judges of the Constitutional Court of Ukraine**, including a pre-selection process based on evaluation of their integrity and professional skills, in line with Venice Commission recommendations.**
- 2. Finalise the integrity vetting of the candidates for the High Council of Justice members by the Ethics Council and the **selection of candidate to establish the High Qualification Commission of Judges of Ukraine.****
- 3. Further strengthen the fight against corruption**, in particular at high level, through proactive and efficient investigations, and a credible track record of prosecutions and convictions; complete the appointment of a new head of the Specialised Anti-Corruption Prosecutor's Office through certifying the identified winner of the competition and launch and complete the selection process and appointment for a new Director of the National Anti-Corruption Bureau of Ukraine.
- 4. Ensure that **anti-money laundering legislation** is in compliance with the standards of the Financial Action Task Force (FATF); adopt an overarching strategic plan for the reform of the entire law enforcement sector as part of Ukraine's security environment.**
- 5. Implement the **Anti-Oligarch law** to limit the excessive influence of oligarchs in economic, political, and public life; this should be done in a legally sound manner, taking into account the forthcoming opinion of the Venice Commission on the relevant legislation.**
- 6. Tackle the influence of vested interests by adopting a media law that **aligns Ukraine's legislation with the EU audio-visual media services directive and empowers the independent media regulator.****
- 7. Finalise the reform of the legal framework for **national minorities** currently under preparation as recommended by the Venice Commission, and adopt immediate and effective implementation mechanisms.**

1. Opinion on the EU membership application by Ukraine. URL: ec.europa.eu/commission

As of December 21, 2022, legal acts were adopted to improve the candidate selection procedure for the position of judge of the Constitutional Court of Ukraine; to improve legal regulation of ultimate beneficial ownership; to adapt Ukraine's legislation to FATF standards; to ratify the Additional Protocol to the Convention on the Prevention of Terrorism; to regulate Media Services; and, to regulate the exercise of rights and freedoms of national minorities. Two members of the High Council of Justice were elected according to the parliamentary quota.

RECOMMENDATION 1.



Enact and implement legislation on a selection procedure for judges of the Constitutional Court of Ukraine, including a pre-selection process based on evaluation of their integrity and professional skills, in line with Venice Commission recommendations.

1 On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for the Selection of Candidates for the Position of Judges of the Constitutional Court of Ukraine on a Competitive Basis ²



Law № 2846-IX, December 13, 2022



Objective: to improve the procedure of candidate selection for the position of judges of the Constitutional Court of Ukraine on a competitive basis.



Main provisions: to improve the candidate selection procedure for the position of judges of the Constitutional Court of Ukraine, in particular through the creation of a new body - the Advisory Expert Group, which will assist the entities appointing judges of the Constitutional Court in assessing the moral qualities and level of competence of candidates for the position of the Constitutional Court judges, as well as the procedure to form the Advisory Expert Group and define the powers of its members.



Pursuant to:

- Article 14 of Section III of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (hereinafter — the Association Agreement between Ukraine and the EU);
- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).


2. zakon.rada.gov.ua/laws/show/2846-IX#Text

Finalise the integrity vetting of the candidates for the High Council of Justice members by the Ethics Council and the selection of candidate to establish the High Qualification Commission of Judges of Ukraine.

1 On the Election of Moroz M.V. to the Position of a Member of the High Council of Justice³

 **The Resolution** of the Verkhovna Rada № 2498-IX, August 15, 2022

 **Objective:** to elect members of the High Council of Justice according to the parliamentary quota.

 **Main provisions:** to elect Moroz Mykola Volodymyrovych to the position of a member of the High Council of Justice.


 **Pursuant to:**

- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of 17 June 2022 COM (2022) 407).

2 On the Election of Maselko R.A. as a Member of the High Council of Justice⁴

 **The Resolution** of the Verkhovna Rada № 2499-IX, August 18, 2022

 **Objective:** to elect members of the High Council of Justice according to the parliamentary quota.

 **Main provisions:** to elect Roman Anatoliyovych Maselko to the position of a member of the High Council of Justice.

 **Pursuant to:**


- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).


3. zakon.rada.gov.ua/laws/show/2498-20#Text


4. zakon.rada.gov.ua/laws/show/2499-20#Text

Ensure that anti-money laundering legislation is in compliance with the standards of the Financial Action Task Force (FATF); adopt an overarching strategic plan for the reform of the entire law enforcement sector as part of Ukraine's security environment.

1 On Amendments to Certain Laws of Ukraine on Improving the Regulation of Ultimate Beneficial Ownership and Ownership Structure of a Legal Entity⁵

 **Law** № 2571-IX, September 6, 2022

 **Objective:** to simplify the presentation of information on ultimate beneficial owners and ownership structure, speed up the verification of the information provided and create a system of methodological assistance to legal entities.

 **Main provisions:** modernize requirements on the information entry in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations as regards an ultimate beneficial owner or absence thereof and/or ownership structure; verification of the information provided, including by means of automatic verification through the Unified State Web Portal of Electronic Services; improve the procedure for settling discrepancies between information on ultimate beneficial owners and ownership structure; clarify certain aspects of the information presentation on the ultimate beneficial owners of legal entities by lawyers, notaries, auditors, and other.


 **Pursuant to:**


- the provisions of subsection 6 of chapter 6 of Section IV, chapter 13 of section V, Annexes XVII and XXXIV of the Association Agreement between Ukraine and the EU;
- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 “On the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Council 2005/60/EC and Commission Directive 2006/70/EC”;
- Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of corporate law;


5. zakon.rada.gov.ua/laws/show/2571-20#Text

- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).

2 On Amendments to Certain Laws of Ukraine to Protect the Financial System of Ukraine from the Actions of a State Carrying Out Armed Aggression Against Ukraine, and Adapting Ukrainian Legislation to Certain Standards of the Financial Action Task Force on Money Laundering (FATF) and the Requirements of the EU Directive 2018/843⁶

 **Law** № 2736-IX, November 4, 2022

 **Objective:** ensure the protection of economic and internal interests of the national security of Ukraine; protection of the financial system of Ukraine from threats arising from the armed aggression of the Russian Federation; ensuring compliance of national legislation with international standards in the field of preventing and combating the legalization (laundering) of proceeds from crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

 **Main provisions:** compiled the list of clients identified by primary financial monitoring authorities as a 'high risk' business operations; identified persons associated with the Russian Federation; established a number of other requirements to limit the aggressor's ability to influence the financial system of Ukraine; expanded the list of business entities (as identified by primary financial monitoring authorities) engaged in trading cultural property and / or providing intermediary services in cultural property trading, as well as business entities providing intermediary services and / or consulting services in real estate transactions; eliminated restrictions in the application of financial sanctions by the primary financial monitoring authorities; updated the list of characteristics of impeccable business reputation; released primary financial monitoring authorities from liability in case of violation of the requirements in prevention of legalization (laundering) of proceeds from crime, if they occur in the territory of hostilities and / or temporarily occupied territories.

 **Pursuant to:**


- Article 20 Section III, Item G Appendix VII-2 to Annex XVII of the Association Agreement between Ukraine and the EU;


6. zakon.rada.gov.ua/laws/show/2736-IX#Text

- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 “On the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing the Directive of the European Parliament and Council Directive 2005/60/EC and Commission Directive 2006/70/EC”;
- Directive 2018/843 of the European Parliament and of the Council of May 30, 2018 amending Directive 2015/849/EU on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, and amending Directive 2009/82013/36/EU;
- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and The Council as of June 17, 2022 COM (2022) 407);
- Recommendation 28 of the Financial Action Task Force (FATF).

3 Ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism⁷

 **Law** №2589-IX, September 20, 2022

 **Objective:** ratify the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, signed on behalf of Ukraine on October 28, 2015 in Riga.

 **Main provisions:** the relevant Protocol has been ratified, which supplements the Convention with provisions to criminalize such actions as “participation in a terrorist organization or group”, “undertaking training in terrorism”, “travel abroad for terrorist purposes”, “financing travel abroad for terrorist purposes”; “organizing or facilitating another way of traveling abroad for the purpose of terrorist activities”; to appoint the Security Service of Ukraine as the authority responsible for information exchange regarding persons traveling abroad for terrorist purposes.

 **Pursuant to:**

- Article 3 of Section I, Article 13 of Section II of the Association Agreement between Ukraine and the EU;
- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's

7. zakon.rada.gov.ua/laws/show/2589-20#Text

application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).

RECOMMENDATION 6.



Tackle the influence of vested interests by adopting a media law that aligns Ukraine's legislation with the EU audio-visual media services directive and empowers the independent media regulator.

1 About Media



Law dated December 13, 2022



Objective: create a robust, orderly and commonly agreed legal framework to regulate legal relations in the field of media, as well as to ensure Ukraine fulfills its obligations before the European partners; implement the provisions of the EU Law on media in the national legislation of Ukraine.



Main provisions: regulate the media sector in accordance with the principles of transparency, fairness and impartiality; promote a competitive environment, equality and independence; determine the main objectives of the public policy and regulation in the field of media; introduce standards in the field of media; establish requirements for the content of information and the provision of media services.




Pursuant to:


- articles 396-397 of Chapter 15 of Title V of the Association Agreement between Ukraine and the EU;
- Directive 2010/13/EU of the European Parliament and of the Council of 10.03.2010 (Directive on Audiovisual Media Services);
- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine's application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).

Finalise the reform of the legal framework for national minorities currently under preparation as recommended by the Venice Commission, and adopt immediate and effective implementation mechanisms.

1 On National Minorities (Communities) of Ukraine

 **the Law** dated December 13, 2022

 **Objective:** to improve the legislative regulation for the exercise of the rights and freedoms of persons belonging to national minorities (communities), and the legal framework of the public policy in the field of protection and ensuring the rights of national minorities (communities) in Ukraine.

 **Main provisions:** establish the definition of “national minorities (communities)”; establish the rights, freedoms and obligations of persons belonging to national minorities (communities); define the principles of public policy to ensure the exercise of the rights and freedoms of persons belonging to national minorities (communities); ensure the creation of ethnic centers either in regional capitals or certain settlements at the expense of the state and/or local budgets to ensure functioning of public associations of national minorities (communities) at no cost.

 **Pursuant to:**

- the European Commission recommendations referred to in Section 4 “Conclusions and Recommendations” of the Commission Opinion on Ukraine’s application for membership of the European Union (Communication from the Commission to the European Parliament, the European Council and the Council as of June 17, 2022 COM (2022) 407).

SECTION 3.

IMPLEMENTATION OF THE ASSOCIATION AGREEMENT BETWEEN UKRAINE AND THE EU IN THE PERIOD FROM JUNE 23, 2022

The Verkhovna Rada of Ukraine continues coordinated and consistent work to fulfill the international legal obligations of Ukraine, stipulated by the Association Agreement between Ukraine and the EU. Legislative work in the field of European integration permeates all spheres of public life and is aimed at bringing the national regulatory field in line with European norms and standards. Compliance with qualitative and quantitative indicators when adopting bills aimed at implementing the Association Agreement will ensure Ukraine's utmost readiness to open negotiations on EU accession and fulfill future requirements that will be presented to Ukraine in the context of 35 negotiating chapters of the EU acquis.

 **35**
legislative
acts

Since Ukraine was granted a status of a candidate for membership in the European Union, pursuant to the provisions of the Association Agreement, the Verkhovna Rada of Ukraine has considered and adopted 35 legislative acts, information about which is provided in this Section.

AREA 1


JUSTICE, FREEDOM, SECURITY, HUMAN RIGHTS




1 Ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism⁸

 Law № 2589-IX, September 20, 2022⁹

2 On Amendments to Certain Legislative Acts of Ukraine in Connection with the Ratification of the Convention on Choice of Court Agreements¹⁰


 Law № 2627-IX, September 21, 2022

 **Objective:** create legal framework for the implementation in Ukraine of the Convention on Choice of Court Agreements; regulate the issues of contractual jurisdiction and the corresponding powers of courts in the legislation of Ukraine; ensure the recognition and enforcement by foreign countries of court judgments in civil and economic cases issued by the courts specified in the agreements on choice of court.

8. zakon.rada.gov.ua/laws/show/2589-20#Text

9. Information on this Law is provided in Section 2 of this Report.

10. zakon.rada.gov.ua/laws/show/2627-20#Text

 **Main provisions:** Article 497 of the Civil Procedure Code of Ukraine and Article 366 of the Economic Procedure Code of Ukraine establish the procedure to determine the jurisdiction of a case with a foreign element by agreement of the parties; Amendments to the Law of Ukraine “On Private International Law” provide for a written form of an agreement on the choice of court, the regulation of its content and the procedure for concluding an agreement.

 **Pursuant to:**


- Article 14 “The rule of law and respect for human rights and fundamental freedoms” of the Association Agreement between Ukraine and the EU;
- Convention on Choice of Court Agreements of June 30, 2005.


3 On Amending Certain Laws of Ukraine to Protect the Financial System of Ukraine from the Actions of a State Carrying out Armed Aggression Against Ukraine, and Adapting Ukrainian Legislation to Certain Standards of the Financial Action Task Force on Money Laundering (FATF) and the Requirements of the EU Directive 2018/843¹¹

 **Law** № 2736-IX, November 4, 2022¹²

4 On Amendments to Article 166¹¹ of the Code of Ukraine on Administrative Offenses in Connection with Changes in the Procedure for Providing the State Registrar with Information on the Ultimate Beneficial Owner of a Legal Entity¹³

 **Law** № 2756-IX, November 16, 2022

 **Objective:** introduce administrative liability for failure to submit, or untimely submission to the state registrar of information about the ultimate beneficial owner of a legal entity or absence thereof, or documents to confirm information about the ultimate beneficial owner of a legal entity.

 **Main provisions:** expand the list of legislative acts, the violation of provisions of which entails liability, to include the Law of Ukraine “On Preventing and Countering the Legalization (Laundering) of Proceeds from Crime, the Financing of Terrorism and the Financing of Proliferation of Weapons of Mass Destruction” (Part 6 of Article 166¹¹ of the Code of Administrative Offenses).

 **Pursuant to:**

- article 20 of Section III of the Association Agreement between Ukraine and the EU;


11. zakon.rada.gov.ua/laws/show/2736-20#Text


12. Information on this Law is provided in Section 2 of this Report.


13. zakon.rada.gov.ua/laws/show/2756-20#Text

- Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 “On the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing the Directive of the European Parliament and of the Council 2005/60/EC and Commission Directive 2006/70/EC”, as well as recommendations 8 and 25 of the Financial Action Task Force on Money Laundering (FATF).

5 On Amendments to the Law of Ukraine “On Private International Law” in Connection with the Ratification of the Protocol on the Law Applicable to Maintenance Obligations¹⁴

 the Law № 2802-IX, December 1, 2022


 **Objective:** bring Ukraine's legislation in line with the Maintenance Obligations Protocol; establish uniform conflict-of-laws provisions to regulate maintenance obligations, regulated by the Convention on the International Recovery of Child Support and Other Types of Family Maintenance of 2007.

 **Main provisions:** The Law of Ukraine “On Private International Law” was supplemented by articles 67¹ – 67⁴ which standardize the choice of the law of the state, which regulates maintenance obligations: between parents and children; maintenance of children by other persons; maintenance obligations arising out of marriage; maintenance obligations arising out of family relationships. Article 68 of this Law establishes the law of the state, according to which a person may choose to exercise his or her right to refuse maintenance and deny the maintenance requirement.

 **Pursuant to:**

- Article 14 “The rule of law and respect for human rights and fundamental freedoms” of the Association Agreement between Ukraine and the EU.

6 On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for the Selection of Candidates for the Position of Judge of the Constitutional Court of Ukraine on a Competitive Basis¹⁵

 the Law № 2846-IX, December 13, 2022¹⁶

7 On National Minorities (Communities) of Ukraine¹⁷

 the Law dated December 13, 2022¹⁸

14. itd.rada.gov.ua/billInfo/Bills/Card/27868

15. itd.rada.gov.ua/billInfo/Bills/Card/40213

16. Information on this Law is provided in Section 2 of this Report.

17. itd.rada.gov.ua/billInfo/Bills/Card/40892

18. Information on this Law is provided in Section 2 of this Report.



1 On Medicinal Products¹⁹



Law № 2469-IX, July 28, 2022



Objective: to protect the health of the population of Ukraine by providing access to effective, high-quality, modern and safe medicines, as well as the implementation of certain provisions of the EU Law regarding medicines for human use.



Main provisions: establish legal and organizational grounds for the public policy in the field of circulation of medicinal products; define the powers of state authorities and officials, the rights and obligations of legal entities and individuals in the field of medicinal products circulation; establish the procedure for the following: creation of medicinal products; pharmaceutical development; preclinical and clinical trials; state registration of medicinal products; introduced general requirements for the production of medicinal products; manufacture in a pharmacy; import of medicinal products; wholesale, retail and distance trade of medicinal products; introduced quality control in the field of circulation of medicinal products.





Pursuant to:


- Article 222, Subsection 5, Chapter 9, Section IV of the Association Agreement between Ukraine and the EU;
- Directive No 2001/83/EC of the European Parliament and of the Council of November 6, 2001 (on the Community Code relating to medicinal products for human use);
- Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 “On medicinal products for paediatric use and amending Regulation (EEC) № 1768/92”;
- Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004;
- Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency;
- Regulation (EU) No 536/2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use, and repealing Directive 2001/20/EC of the European Parliament and of the Council of 04.04.2001 “On the approximation of laws, regulations and provisions of the Member States regarding the implementation of good clinical practices in the conduct of clinical trials of medicinal products intended for human use”.

19. zakon.rada.gov.ua/laws/show/2469-20#Text

2 About Materials and Articles Intended to Come into Contact with Food ²⁰

 **Law** № 2718-IX, November 03, 2022

 **Objective:** to determine the legal and organizational framework to ensure the safety of materials and items intended for contact with food products in order to protect the life and health of people, as well as other rights and interests of consumers.

 **Main provisions:** established general requirements for materials and items that come into contact with food, including active and intelligent articles; established special requirements for certain groups of materials and items; defined the powers of executive authorities in the sphere of production, circulation and use of such materials and items.

 **Pursuant to:**

- article 68 of Part 7 of Chapter 2 of Section IV of the Association Agreement between Ukraine and the EU;
- Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC;
- Commission Regulation (EC) No 282/2008 of 27 March 2008 on recycled plastic materials and articles intended to come into contact with foods;
- Commission Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food;
- Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food.





1 On Amendments to the Law of Ukraine “On Accounting and Financial Reporting in Ukraine”²¹

Law № 2435-IX, July 19, 2022

Objective: improve the legal framework for accounting and financial reporting in accordance with the provisions of European legislation.

Main provisions: introduced concepts and categories of the parent and daughter companies; exempted small and medium groups from mandatory preparation and presentation of consolidated financial statements; improved standards for the presentation of financial statements prepared in accordance with International Financial Reporting Standards based on the taxonomy of financial statements in a single electronic format; updated the list of enterprises that prepare financial statements in accordance with these Standards; clarified requirements for disclosure of consolidated financial statements.

Pursuant to:

- Chapter 13 of Section V and Annex XXXV of the Association Agreement between Ukraine and the EU;
- Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings.

2 On Joint-Stock Companies²²

Law № 2465-IX, July 27, 2022

Objective: to improve the level of corporate governance in business entities in accordance with European practices and standards.

Main provisions: introduced a procedure for holding a general meeting using electronic voting; a procedure for recording the shares of limited and additional liability companies in the accounting system of the Central Securities Depository; provided the possibility of introducing a single-level company management structure in joint-stock companies; regulated issues of responsibility of a joint-stock company officials; regulated mergers and acquisitions, spin-off and separation of joint-stock companies.

21. zakon.rada.gov.ua/laws/show/2435-20#Text

22. zakon.rada.gov.ua/laws/show/2465-20#Text



Pursuant to:

- Article 91 of Chapter 6 of Section IV, Article 387 of Chapter V and Annex XVI of the Association Agreement between Ukraine and the EU;
- Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of corporate law;
- Directive 2007/36/EC of the European Parliament and of the Council of 11 July 2007 on the exercise of certain rights of shareholders in listed companies.

3

On Amendments to Certain Laws of Ukraine on Improving the Regulation of Ultimate Beneficial Ownership and Ownership Structure of a Legal Entity²³



Law № 2571-IX, September 6, 2022²⁴

4

On Amendments to Certain Laws of Ukraine on Improving the Legal Framework for Audit Activity in Ukraine²⁵



Law № 2597-IX, September 20, 2022



Objective: improve the legal framework for the audit of financial statements and the audit activity in Ukraine; implement the provisions of the EU Law and create favorable conditions for their further development; improve the quality of audit services and integrate the Ukrainian audit services providers into the European market of audit services.



Main provisions: ensure the terminological consistency with the EU legislation; precise the requirements for auditors, audit firms, audit reports; the rules for attestation of auditors; the rules of conduct of the statutory audit; and, the procedure for monitoring the quality of audit services.



Pursuant to:

- Article 76, Chapter 5 of Section IV, Article 263 of Part 2 of Chapter 10 of Section IV, provisions of Chapter 3 and Chapter 13 of Section V, Annex XXXV of the Association Agreement between Ukraine and the EU;
- Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC;


23. zakon.rada.gov.ua/laws/show/2571-20#Text


24. Information on this Law is provided in Section 2 of this Report.


25. zakon.rada.gov.ua/laws/show/2597-20#Text

- Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC.

5 On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Procedure Code of Ukraine on Electronic Trust Services and Electronic Identification ²⁶

 **Law** № 2685-IX, October 18, 2022

 **Objective:** ensure the terminological consistency in the sectoral legislation in the field of electronic identification and electronic trust services based on the EU Law and the experience of EU Member States in order to simplify access to electronic services.


 **Main provisions:** bring the conceptual framework for electronic identification and electronic trust services in criminal proceedings and court proceedings in cases of administrative offenses in line with the Law of Ukraine “On Electronic Trust Services”.


 **Pursuant to:**

- Article 124 of subsection 5 of part 5 of chapter 6 of section IV of the Association Agreement between Ukraine and the EU;
- Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

6 On Amendments to Certain Legislative Acts of Ukraine to Ensure the Conclusion of an Agreement Between Ukraine and the European Union on the Mutual Recognition of Qualified Electronic Trust Services and the Implementation of European Union Legislation in the Field of Electronic Identification ²⁷

 **Law** dated December 1, 2022

 **Objective:** bring legislation in the field of electronic identification and electronic trust services in compliance with the European requirements to accelerate Ukraine's integration into the EU Digital Single Market.

 **Main provisions:** improved legislation in the field of electronic identification; Ukraine has recognized the status of the following: European qualified suppliers, means of a qualified electronic signature or seal used in the provision of electronic trust services; identified trust lists of EU Member States, information about

26. zakon.rada.gov.ua/laws/show/2685-20#Text

27. itd.rada.gov.ua/billInfo/Bills/Card/28015

which is published by the European Commission; ensured the possibility of remote identification of a person who applied to obtain a service of a qualified public key certificate; established requirements for advanced electronic signature and seal; precised the requirements for the means of a qualified electronic signature or seal; ensured the possibility of replacing the provider of electronic trust services by common agreement of the parties or in case of succession in order to guarantee the continuous provision of qualified electronic trust services; defined the powers of state authorities that carry out state regulation in the field of electronic identification and electronic trust services; identified administrative and economic sanctions for violation of legal requirements in the areas of electronic trust services and electronic identification; and, expanded the conceptual framework. Furthermore, changes and amendments were made to a number of existing legislative acts of Ukraine (six Codes and 74 Laws of Ukraine).



Pursuant to:

- Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC;
- Article 140, Part 6, Chapter 6, Section IV of the Association Agreement between Ukraine and the EU.

AREA 5

PUBLIC HEALTH



1

About the Public Health System²⁸



Law № 2573-IX, September 6, 2022



Objective: to determine the legal, organizational, economic and social principles for the functioning of the public health system in Ukraine in order to improve the health of the population; prevent diseases; improve the quality of life and increase life expectancy.



Main provisions: created a comprehensive public health system that complies with the European requirements; identified the principles, tasks and functions of the public health system; determined the powers of state bodies and local self-government bodies, as well as the rights and obligations of legal entities and individuals in this area; established the legal and organizational framework for the implementation of state oversight (control) in the areas of economic activity that may pose a risk to the sanitary and epidemic well-being of the population.



Pursuant to:

- Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union dated March 30, 2010;

28. zakon.rada.gov.ua/laws/show/2573-20#Text

- Article 35 of the Charter of Fundamental Rights of the European Union of dated December 7, 2000;
- Article 361 of Chapter 6 of Section V, Articles 426-429 of Chapter 22 of Section V of the Association Agreement between Ukraine and the EU.

AREA 8

HUMANITARIAN POLICY



1 On Media²⁹



Law dated December 13, 2022³⁰

AREA 13

SCIENCE, TECHNOLOGY AND INNOVATIONS, SPACE



1 On Amendments to Certain Laws of Ukraine to Improve the System of Emergency Assistance to the Population Using a Single Telephone Number 112³¹



Law № 2581-IX, September 07, 2022



Objective: provide the population with high-quality and timely emergency assistance; create conditions to provide access to a single telephone number 112 to all persons located in the territory of Ukraine, including persons with disabilities and persons who do not speak the state language.



Main provisions: ensured the terminological consistency with the EU legislation; expanded the powers of operational dispatch services and their officials.



Pursuant to:


- Article 392 of Chapter 14 of Section V and Annex XVII-3 of the Association Agreement between Ukraine and the EU;
- Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) Text with EEA relevance.


29. itd.rada.gov.ua/billInfo/Bills/Card/3115


30. Information on this Law is provided in Section 2 of this Report.

31. zakon.rada.gov.ua/laws/show/2581-20#Text

**1 On Official Statistics** ³²

 Law № 2524-IX, August 16, 2022

 **Objective:** provide the state and society with impartial and objective official state statistical information on economic, social, demographic, ecological, cultural and other spheres of public life in Ukraine and its regions.

 **Main provisions:** determine the public policy and basic principles in the field of official statistics; establish the legal and organizational foundations for the functioning of the national statistical system; define the competences and powers of the state statistics bodies; regulate legal relations in this area.


 **Pursuant to:**

- Article 355 of Chapter 5 of Section V of the Association Agreement between Ukraine and the EU;
- Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics.

**1 On Postal Services** ³³

 Law № 2722-IX, November 03, 2022

 **Objective:** harmonize national legislation with the EU Law in the field of postal services.

 **Main provisions:** identified the powers of the central executive authorities and the national regulator; the rights and obligations of postal operators and users of these services; principles of responsibility of postal operators and users of postal services.

 **Pursuant to:**

- obligations defined by Articles 109-114 of the Association Agreement between Ukraine and the EU;
- Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service,

32. zakon.rada.gov.ua/laws/show/2524-20#Text

33. zakon.rada.gov.ua/laws/show/2722-20#Text

amended by Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 and of the Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003, Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC.


AREA 18


ENVIRONMENT AND CIVIL DEFENSE



1 On the National Pollutant Release and Transfer Registry³⁴

 **Law** № 2614-IX, September 20, 2022

 **Objective:** establish the legal and organizational principles for the creation and operation of the national register of pollutant release and transfer.


 **Main provisions:** determine the legal and organizational principles to create and maintain a unified electronic system on the state of environment and to provide access thereto to public authorities; ensure the right of every citizen to access such information in order to improve efficiency of electronic management in the field of environmental protection.

 **Pursuant to:**

- the provisions of Chapter 6 of Section V and Annex XXX of the Association Agreement between Ukraine and the EU;
- the Protocol on Pollutant Release and Transfer Registers dated 21.05.2003;
- the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters of 25.06.1998;
- Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC.


2 On Amendments to Certain Laws of Ukraine to Improve Licensing in the Field of Nuclear Energy³⁵

 **Law** № 2755-IX, November 16, 2022

 **Objective:** regulate the issuance of permits in the field of the nuclear energy use; ensure radiation safety in accordance with the EU Law.

34. zakon.rada.gov.ua/laws/show/2614-20#Text

35. zakon.rada.gov.ua/laws/show/2755-20#Text


 **Main provisions:** introduced a procedure to inform stakeholders and notify of intentions to conduct the activity involving the use of sources of ionizing radiation; to improve the licensing procedure by eliminating provisions that are not provided for by the EU Law; specify the grounds for amending licenses in the field of the nuclear energy use and introduce grounds for leaving an application for a license without consideration.


 **Pursuant to:**

- Article 342 of Chapter 1 of Section V of the Association Agreement between Ukraine and the EU;
- Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom.

3 On Amendments to the Law of Ukraine On the Use of Nuclear Energy and Radiation Safety ³⁶

 **Law** № 2762-IX, November 16, 2022

 **Objective:** regulate the procedure for the nuclear energy use and bring the legal terminology in the field of nuclear installations safety and spent nuclear fuel in compliance with the EU Law.

 **Main provisions:** introduced a procedure to inform stakeholders and notify of intentions to conduct the activity involving the use of sources of ionizing radiation; to improve the licensing procedure by eliminating provisions that are not provided for by the EU Law; specify the grounds for amending licenses in the field of the nuclear energy use and introduce grounds for leaving an application for a license without consideration.

 **Pursuant to:**


- Article 124 of Subsection 5 of Part 5 of Chapter 6 and Clauses 1-3 of Article 342 of Chapter 1 of Section V of the Association Agreement between Ukraine and the EU;
- Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom;


36. zakon.rada.gov.ua/laws/show/2762-20#Text

- Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations.

4 On Amendments to the Law of Ukraine “On the Use of Nuclear Energy and Radiation Safety” As Regards Radiation Protection Expert ³⁷

 **Law** № 2758-IX, November 16, 2022

 **Objective:** to determine the right of stakeholders, other legal and natural persons, and authorities in the field of nuclear energy to use the recommendations (consultations) of qualified radiation protection experts when planning and implementing measures to ensure radiation protection for personnel and the public.


 **Main provisions:** establish the basic principles for the procedure to review and recognize the competences of experts (individuals) in radiation protection; define the body endowed with the authority to recognize the competences of experts (individuals).


 **Pursuant to:**

- Article 342 of Chapter 1 of Section V of the Association Agreement between Ukraine and the EU;
- Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom.

5 On Ensuring Chemical Safety and Managing Chemical Products ³⁸

 **Law** dated December 01, 2022

 **Objective:** legal regulation of chemical safety and chemical products, taking into account Ukraine's international obligations.

 **Main provisions:** identify the legal, organizational and economic principles to ensure chemical safety and chemical products management in order to prevent the hazardous impact of chemical products on the environment and human health; establish requirements for the activities of business entities in the chemical industry; regulate relations in the field of chemical safety and chemical products management.

37. zakon.rada.gov.ua/laws/show/2758-20#Text

38. itd.rada.gov.ua/billInfo/Bills/Card/40476



Pursuant to:

- Chapter 6 of Section V and Annex XXX of the Association Agreement between Ukraine and the EU;
- Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006;
- Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

6

On Amendments to Certain Legislative Acts of Ukraine to Improve Legislation in the Sphere of Subsoil Use ³⁹



Law dated December 01, 2022



Objective: create a system of subsoil use; reduce excessive state influence over the industry; increase competition and legalize relations in the field of subsoil use.



Main provisions: created an interactive map of mineral resources of Ukraine; established an exhaustive list of cases of granting a special permit (license) without holding an auction and grounds for suspending a special permit (license) for the subsoil use; laid out the procedure for the sale of a special permit (license) for the subsoil use based on the results of an electronic auction; developed the procedure to submit the documents and reports on the subsoil use in electronic form through an electronic office.




Pursuant to:


- the provisions of Chapter 10 of Title IV of the Association Agreement between Ukraine and the EU;
- Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC;
- Council Directive 1999/31/EC of 26.04.1999 regarding subsoil debris;
- Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network on environmental management and monitoring.


³⁹. itd.rada.gov.ua/billInfo/Bills/Card/4241



1 On Amendments to the Customs Code of Ukraine to Regulate the Customs Declaration Procedure for Goods Classified Within the Same Heading According to UCGFEA, in accordance with the Customs Code of the European Union ⁴⁰

 Law N° 2458-IX, July 27, 2022


 **Objective:** approximate Ukraine's legislation to the EU Law in terms of customs declarations for goods falling under different commodity sub-items according to UCG FEA (Ukrainian Classification of Goods for Foreign Economic Activity) within one commodity item.


 **Main provisions:** introduce a simplified declaration of consignments of goods classified in different commodity sub-items according to the UCG FEA under one classification code, provided that this code corresponds to the highest duty rate from the commodity sub-item of the UCG FEA within one commodity item of the UCG FEA; simplify the procedure for re-calculating a specific duty rate into an ad valorem duty rate in order to collect duties at the highest rate from a UCG FEA commodity sub-item within one UCG FEA commodity item.

 **Pursuant to:**

- Chapter 5 of Section IV and Annex XV of the Association Agreement between Ukraine and the EU;
- Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code;
- Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code.

2 On Amendments to the Customs Code of Ukraine and Other Laws of Ukraine Regarding Certain Issues of Implementation of Chapter 5 of Section IV of the Association Agreement Between the European Union and the European Atomic Energy Community and Their Member States, of the One Part, and Ukraine, of the Other Part ⁴¹


 Law N° 2510-IX, August 15, 2022

 **Objective:** introduce European practices in the field of customs affairs in Ukraine; implement the requirements of the Convention on the joint transit procedure of

40. zakon.rada.gov.ua/laws/show/2458-20#Text

41. zakon.rada.gov.ua/laws/show/2510-20#Text


20.05.1987 into Ukraine's national legislation; to ensure Ukraine's participation in the New Computerized Transit System (NCTS).


 **Main provisions:** introduced a procedure similar to the EU customs procedure (decisions issued by the customs authorities); the right to apply certain simplifications in the implementation of customs formalities was granted to all reliable enterprises, and not only to authorized economic operators; improved the procedure for considering taxpayers' complaints in an administrative manner; established a clear system of oversight by the customs authority over the importation of goods intended for the specific use, both before granting authorization for the end use, and after.

 **Pursuant to:**

- Articles 76 and 84 of Chapter 5 of Section IV and Annex XV of the Association Agreement between Ukraine and the EU;
- provisions of the Convention on the Joint Transit Procedure of 20.05.1987;
- Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code;
- Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code.

About the Customs Tariff of Ukraine ⁴²

 **Law** №2697-IX, October 19, 2022

 **Objective:** bring the commodity nomenclature of Ukraine in compliance with the requirements of the seventh edition of the Harmonized Commodity Description and Coding System of the 2022 version.

 **Main provisions:** created the Customs Tariff of Ukraine, which is based on a new version of the Ukrainian Classification of Goods for Foreign Economic Activity (UCGFEA), built on the basis of the Harmonized Commodity Description and Coding System of 2012 (HS-2012) and the Combined Nomenclature of the European Union (CN EU), and on the implementation of tariffs obligations for 2013 within the framework of Ukraine's membership in the WTO, fixed in the Protocol on Ukraine's accession to the WTO.

 **Pursuant to:**

- the provisions of Chapter 1 of Section IV of the Association Agreement between Ukraine and the EU;

42. zakon.rada.gov.ua/laws/show/2697-20#Text

- the provisions of the International Convention on the Harmonized System for the Description and Coding of Goods dated 14.06.1983.

AREA 21

SANITARY AND PHYTOSANITARY MEASURES



1 On Amendments to Certain Laws of Ukraine on the Improvement of State Regulation in the Field of Handling Pesticides and Agrochemicals ⁴³



Law dated November 16, 2022



Objective: improve legal regulation in the sphere of handling pesticides and agrochemicals and bring it in compliance with the EU Law.



Main provisions: delineated the powers of state authorities in the field of pesticides and agrochemicals; regulated the issue of maintaining the State Register of pesticides and agrochemicals permitted for use in Ukraine; ensured terminological consistency with the EU Law; determined the grounds for a complete or partial ban on the use of pesticides and agrochemicals in accordance with the requirements of the WTO; ensured the transparency of the procedure for state testing of pesticides and agrochemicals; extended the requirement of compulsory licensing to include pesticide packaging operations; established rules for the seizure and disposal of counterfeit pesticides.



Pursuant to:

- the provisions of Chapter 4 of part 7 of Chapter 2 of section IV of the Association Agreement between Ukraine and the EU;
- Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC;
- Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage;
- provisions of the Agreement on the Application of Sanitary and Phytosanitary Measures of the WTO;
- Commission Regulation (EC) No 178/2006 of 1 February 2006 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council to establish Annex I listing the food and feed products to which maximum levels for pesticide residues apply;
- Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals

43. itd.rada.gov.ua/billInfo/Bills/Card/5122


Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC.


AREA 24


INTELLECTUAL PROPERTY



1 On the Specificity of Legal Protection of Geographical Indications for Agricultural Products and Foodstuffs, the Protection of Rights and the Application of Quality Schemes, Including Traditional Guaranteed Features for Agricultural Products and Foodstuffs⁴⁴

 Law № 2572-IX, September 6, 2022

 **Objective:** bring the procedure for the protection of rights to geographical indications in compliance with the EU Law, in terms of compliance with the rules for the protection of geographical indications for agricultural products and food products.

 **Main provisions:** determined the conditions for granting legal protection to a geographical indication; established the entities and the range of their rights and obligations when applying for the preparation of specifications and other documents; defined the procedure for approval and technical requirements for documents necessary for the state registration of a geographical indication.

 **Pursuant to:**


- part two of Chapter 9 of Section IV, Articles 201 - 211 of Subsection 3 of Chapter 9 of Section IV, Articles 404-405 of Chapter 17 of Section V, as well as Annex XXII-A of the Association Agreement between Ukraine and the EU;
- Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs;
- Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs;
- Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules;


44. zakon.rada.gov.ua/laws/show/2572-20#Text

- Commission Delegated Regulation (EU) No 665/2014 of 11 March 2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to conditions of use of the optional quality term “mountain product”.

2 On Amendments to Certain Legislative Acts of Ukraine on Bringing Legislation in the Field of Protection of Rights to Plant Varieties and Seed Production and Nurseries in Compliance with the Provisions of the EU Law ⁴⁵

 **Law** № 2763-IX, November 16, 2022

 **Objective:** introduce advanced practice of regulating the procedure for conducting examination and registration of rights to plant varieties, introducing them into commercial circulation, deregulating and streamlining the mechanisms for registering varieties and certification of seeds; the above conditions are important for entering the market and creating an appropriate legislative framework for the operation of breeding and seed enterprises, and agricultural commodity producers.

 **Main provisions:** improved and simplified the procedure for state registration of plant varieties; reduced the number of expert review procedures and registration procedures; established clear deadlines for the examination of varieties; introduced a new institute of expertise – “Expert Variety”; precised and harmonized the terminology, taking into account the requirements of the EU Directives and international rules for the protection of rights to plant varieties, etc.

 **Pursuant to:**


- the provisions of Chapter 17 of Section V, Annex XXXVIII to Chapter 17 of the Association Agreement between Ukraine and the EU;
- Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed;
- Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights;
- Council Regulation (EC) No 2506/95 of 25 October 1995 amending Regulation (EC) No 2100/94 on Community plant variety rights;
- Commission Regulation (EC) No 874/2009 of 17 September 2009 establishing implementing rules for the application of Council Regulation (EC) No 2100/94 as regards proceedings before the Community Plant Variety Office;
- Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed.

45. zakon.rada.gov.ua/laws/show/2763-20#Text

3 About Geographical Indications of Spirits⁴⁶

 **Law** dated December 01, 2022

 **Objective:** to establish legal protection for geographical indications of spirits.


 **Main provisions:** established general rules for the definition, description, presentation and labeling of alcoholic beverages and rules for the use of official names of alcoholic beverages.


 **Pursuant to:**

- the provisions of subsection 3 of part 2 of chapter 9 of section IV of the Association Agreement between Ukraine and the EU;
- Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008.

4 About Copyright and Related Rights⁴⁷

 **Law** dated December 01, 2022

 **Objective:** improve the legal regulation for the exercise and protection of personal non-property and property rights of subjects of copyright and related rights.

 **Main provisions:** harmonized the provisions of the national legislation with the EU Law; eliminated gaps that impede the implementation of certain provisions of the current legislation, in particular, in terms of ensuring the implementation of the right to follow; improved the applicable legislation to address issues related to the implementation and protection of copyright and related rights.

 **Pursuant to:**

- chapter 1 Chapter 6 Section V and Annex XXX of the Association Agreement between Ukraine and the EU;
- Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases;
- Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs;
- Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property;


46. itd.rada.gov.ua/billInfo/Bills/Card/38701


47. itd.rada.gov.ua/billInfo/Bills/Card/26951

- Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the term of protection of copyright and certain related rights;
- Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society;
- Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs;
- Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art;
- Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission (as amended by Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019);
- Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works.

5 On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine on Liability for Violation of Copyright and (or) Related Rights ⁴⁸

 **Law** dated December 01, 2022

 **Objective:** enhance administrative and criminal liability for violation of copyright and/or related rights.

 **Main provisions:** specified the subject of the offenses provided for in article 51² of the Code of Administrative Offenses, part 1 of article 176 of the Criminal Code; increased the amount of sanctions in the form of a fine for illegal use of an object of intellectual property rights or other deliberate violation of legally protected rights to an object of intellectual property rights.

 **Pursuant to:**

- articles 161-192 of part 2 of subsection 1 of chapter 9 of section IV of the Association Agreement between Ukraine and the EU;
- Article 8 of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society.

48. itd.rada.gov.ua/billInfo/Bills/Card/26974

FURTHER STEPS

Understanding the parliament's role of a European Union candidate country combined with the unique traditions of Ukrainian parliamentarism underlies the range of issues the Verkhovna Rada of Ukraine will be focused on in its transformation.

The dynamics of lawmaking in European integration presented in this Report illustrate the readiness of Ukraine, despite the realities of war and martial law, to start negotiations on joining the EU as early as 2023. Legislative implementation of European Commission recommendations and adoption of 35 European integration laws, 14 of which were initiated by the Verkhovna Rada, convincingly testifies to the Rada's intent to be an engine of European integration for Ukraine.

In pursuit of European integration, the Verkhovna Rada has the following priority tasks on its agenda: consider on second reading and adopt draft laws aimed at Ukraine's legislative approximation to EU law and legal standards in protecting consumer rights (Draft Law № 6134); strengthening intellectual property rights (Draft Law № 6464); improving the investment climate (Draft Law № 5819); updating social policy and labor relations (Draft Law № 7628) and energy sector regulation (Draft Laws № 3356-d and 4527).

These actions should be complemented by measures to ensure institutional and organizational restructuring to guarantee the Verkhovna Rada's stability, consistency and efficiency. Here are some of the priority actions the Verkhovna Rada will take to ensure further progress:

- Approve the Verkhovna Rada's Legislative Work Plan in European integration for 2023;
 - Strengthen institutional capacity to approximate Ukraine's legislation to the EU legislative and legal structure through development of human and external resources;
 - Create a unified parliamentary and governmental information database on adapting Ukrainian legislation to EU law;
 - In cooperation with the Ukrainian Government, institutionalize the system of official translations of EU directives and regulations into the Ukrainian language;
 - Develop the recently created Verkhovna Rada Research Service as an institution that meets European practices and standards;
 - Strengthen parliamentary oversight to ensure Ukraine's obligations in implementing European integration, including commitments made during Ukraine's EU accession negotiations;
 - Establish interparliamentary relations with the European Parliament and parliaments of EU member countries to deepen bilateral relations at the level of parliamentary committees and organization of training and internships;
 - Further Europeanization of the Verkhovna Rada by generally implementing best European practices.
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List of acts adopted by the Verkhovna Rada of Ukraine in order to implement the recommendations of the European Commission on the status of Ukraine as candidate for EU membership of June 17, 2022

No.	Law / Resolution Title
RECOMMENDATION 1	
1.	<p>On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for the Selection of Candidates for the Position of Judges of the Constitutional Court of Ukraine on a Competitive Basis Law № 2846-IX, December 13, 2022</p>
RECOMMENDATION 2	
2.	<p>On the Election of Moroz M.V. to the Position of a Member of the High Council of Justice Resolution of the Verkhovna Rada of Ukraine № 2498-IX, August 15, 2022</p>
3.	<p>On the Election of Maselko R.A. as a Member of the High Council of Justice Resolution of the Verkhovna Rada of Ukraine № 2499-IX, August 15, 2022</p>
RECOMMENDATION 4	
4.	<p>On Amendments to Certain Laws of Ukraine on Improving the Regulation of Ultimate Beneficial Ownership and Ownership Structure of a Legal Entity Law № 2571-IX, September 6, 2022</p>
5.	<p>On Amendments to Certain Laws of Ukraine to Protect the Financial System of Ukraine from the Actions of a State Carrying Out Armed Aggression Against Ukraine, and Adapting Ukrainian Legislation to Certain Standards of the Financial Action Task Force on Money Laundering (FATF) and the Requirements of the EU Directive 2018/ 843 Law № 2736-IX, November 4, 2022</p>
6.	<p>Ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism Law № 2589-IX, September 20, 2022</p>
RECOMMENDATION 6	
7.	<p>On Media Law dated December 13, 2022</p>
RECOMMENDATION 7	
8.	<p>On National Minorities (Communities) of Ukraine Law dated December 13, 2022</p>

List of acts adopted by the Verkhovna Rada of Ukraine pursuant to the Association Agreement between Ukraine and the EU

No.	Law Title
Area 1. JUSTICE, FREEDOM, SECURITY, HUMAN RIGHTS	
1.	Ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism Law № 2589-IX, September 20, 2022
2.	On Amendments to Certain Legislative Acts of Ukraine in Connection with the Ratification of the Convention on Choice of Court Agreements Law № 2627-IX, September 21, 2022
3.	On Amendments to the Law of Ukraine “On Private International Law” in Connection with the Ratification of the Protocol on the Law Applicable to Maintenance Obligations Law № 2802-IX, December 1, 2022
4.	On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for the Selection of Candidates for the Position of Judges of the Constitutional Court of Ukraine on a Competitive Basis Law № 2846-IX, December 13, 2022
5.	On National Minorities (Communities) of Ukraine Law as of December 13, 2022
6.	On Amendments to Certain Laws of Ukraine to Protect the Financial System of Ukraine from the Actions of a State Carrying Out Armed Aggression Against Ukraine, and Adapting Ukrainian Legislation to Certain Standards of the Financial Action Task Force on Money Laundering (FATF) and the Requirements of the EU Directive 2018/ 843 Law № 2736-IX, November 4, 2022
7.	On Amendments to Article 166th of the Code of Ukraine on Administrative Offenses in Connection with Changes in the Procedure for Providing the State Registrar with Information on the Ultimate Beneficial Owner of a Legal Entity Law № 2756, November 16, 2022
Area 2. TECHNICAL BARRIERS TO TRADE	
8.	On Medicinal Products Law № 2469-IX, July 28, 2022
9.	About Materials and Articles Intended to Come into Contact with Food Law № 2718-IX, November 3, 2022
Area 3. ENTREPRENEURSHIP	
10.	On Joint-Stock Companies Law № 2465-IX, July 27, 2022

No.	Law Title
11.	On Amendments to Certain Laws of Ukraine on Improving the Legal Framework for Audit Activity in Ukraine Law № 2597-IX, September 20, 2022
12.	On Amendments to the Law of Ukraine “On Accounting and Financial Reporting in Ukraine” Law № 2435-IX, July 19, 2022
13.	On Amendments to Certain Laws of Ukraine on Improving the Regulation of Ultimate Beneficial Ownership and Ownership Structure of a Legal Entity Law № 2571-IX, September 6, 2022
14.	On Amendments to Certain Legislative Acts of Ukraine to Ensure the Conclusion of an Agreement Between Ukraine and the European Union on the Mutual Recognition of Qualified Electronic Trust Services and the Implementation of European Union Legislation in the Field of Electronic Identification Law dated December 01, 2022
15.	On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Procedure Code of Ukraine on Electronic Trust Services and Electronic Identification Law № 2685-IX, October 18, 2022
Area 5. PUBLIC HEALTH	
16.	On the Public Health System Law № 2573-IX, September 6, 2022
Area 8. HUMANITARIAN POLICY	
17.	On Media Law dated December 13, 2022
Area 13. SCIENCE, TECHNOLOGY AND INNOVATIONS, SPACE	
18.	On Amendments to Certain Laws of Ukraine to Improve the System of Emergency Assistance to the Population Using a Single Telephone Number 112 Law № 2581-IX, September 7, 2022
Area 14. STATISTICS AND INFORMATION EXCHANGE	
19.	On Official Statistics Law № 2524-IX, August 16, 2022
Area 15. TRANSPORT, TRANSPORT INFRASTRUCTURE, POSTAL AND COURIER SERVICES	
20.	On Postal Service Law № 2722-IX , November 3, 2022

No.	Law Title
Area 18. ENVIRONMENT AND CIVIL DEFENSE	
21.	On the National Pollutant Release and Transfer Registry Law № 2614-IX, September 20, 2022
22.	On Amendments to Certain Laws of Ukraine to Improve Licensing in the Field of Nuclear Energy Law № 2755-IX, November 16, 2022
23.	On Amendments to the Law of Ukraine “On the Use of Nuclear Energy and Radiation Safety” Law № 2762-IX, November 16, 2022
24.	On Amendments to the Law of Ukraine “On the Use of Nuclear Energy and Radiation Safety” As Regards Radiation Protection Expert Law № 2758-IX, November 16, 2022
25.	On Ensuring Chemical Safety and Managing Chemical Products Law dated December 01, 2022
26.	On Amendments to Certain Legislative Acts of Ukraine to Improve Legislation in the Sphere of Subsoil Use Law dated December 01, 2022
Area 19. CUSTOMS AFFAIRS	
27.	On Amendments to the Customs Code of Ukraine to Regulate the Customs Declaration Procedure for Goods Classified Within the Same Heading According to UCGFEA, in accordance with the Customs Code of the European Union Law № 2458-IX, July 27, 2022
28.	On Amendments to the Customs Code of Ukraine and Other Laws of Ukraine Regarding Certain Issues of Implementation of Chapter 5 of Section IV of the Association Agreement Between the European Union and the European Atomic Energy Community and Their Member States, of the One Part, and Ukraine, of the Other Part Law № 2510-IX, August 15, 2022
29.	On the Customs Tariff of Ukraine Law № 2697-IX, October 19, 2022
Area 21. SANITARY AND PHYTOSANITARY MEASURES	
30.	On Amendments to Certain Laws of Ukraine on the Improvement of State Regulation in the Field of Handling Pesticides and Agrochemicals Law dated November 16, 2022

No.	Law Title
Area 24. INTELLECTUAL PROPERTY	
31.	<p>On the Specificity of Legal Protection of Geographical Indications for Agricultural Products and Foodstuffs, the Protection of Rights and the Application of Quality Schemes, Including Traditional Guaranteed Features for Agricultural Products and Foodstuffs Law № 2572-IX, September 6, 2022</p>
32.	<p>On Amendments to Certain Legislative Acts of Ukraine on Bringing Legislation in the Field of Protection of Rights to Plant Varieties and Seed Production and Nurseries in Compliance with the Provisions of the EU Law Law № 2763-IX, November 16, 2022</p>
33.	<p>About Geographical Indications of Spirits Law dated December 01, 2022</p>
34.	<p>About Copyright and Related Rights Law dated December 01, 2022</p>
35.	<p>On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine on Liability for Violation of Copyright and (or) Related Rights Law dated December 01, 2022</p>





RADA VERKHOVNA
RADA OF UKRAINE

Kyiv 2022