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*Plenary sitting*

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**A9-0219/2020**

17.11.2020

# **REPORT**

on the implementation of the EU Association Agreement with Ukraine  
(2019/2202(INI))

Committee on Foreign Affairs

Rapporteur: Michael Gahler

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the implementation of the EU Association Agreement with Ukraine (2019/2202(INI))

*The European Parliament,*

- having regard to Article 8 and Title V, notably Articles 21, 22, 36, 37 and 49, of the Treaty on European Union (TEU), as well as Part Five of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, including a Deep and Comprehensive Free Trade Agreement (AA/DCFTA), which entered into force on 1 September 2017, and to the related Association Agenda,
- having regard to the entry into force on 11 June 2017 of a visa-free regime for citizens of Ukraine, as a result of the amendments to Council Regulation (EC) 539/2001 made by the European Parliament and the Council,
- having regard to Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from their requirement<sup>1</sup>,
- having regard to its previous resolutions relating to Ukraine, in particular those of 12 December 2018 on the implementation of the EU Association Agreement with Ukraine<sup>2</sup>, and of 21 January 2016 on Association Agreements / Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine<sup>3</sup>, as well as to its recommendation of 19 June 2020 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the Eastern Partnership, in the run-up to the June 2020 Summit<sup>4</sup>,
- having regard to the Office of the United Nations High Commissioner for Human Rights (OHCHR) reports on Ukraine, in particular the 30th report on the human rights situation in Ukraine of September 2020,
- having regard to the UN Secretary-General's report of 19 June 2020 entitled 'Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine',
- having regard to the Commission and European External Action Service joint staff working document of 12 December 2019 on the Association Implementation Report on Ukraine (SWD(2019)0433),

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<sup>1</sup> OJ L 303, 28.11.2018, p. 39.

<sup>2</sup> Texts adopted, P8\_TA(2018)0518.

<sup>3</sup> OJ C 11, 12.1.2018, p. 82.

<sup>4</sup> Texts adopted, P9\_TA(2020)0167.

- having regard to the Joint Statement following the 22nd EU and Ukraine Summit of 6 October 2020,
- having regard to the recommendations and activities of the Euronest Parliamentary Assembly, the Eastern Partnership Civil Society Forum and other representatives of civil society in Ukraine,
- having regard to the final statements and recommendations of the meeting of the EU-Ukraine Parliamentary Association Committee of 19 December 2019,
- having regard to the conclusions of its election observation missions to the Ukrainian presidential elections of 31 March and 21 April 2019, and to the early parliamentary elections of 21 July 2019,
- having regard to the disbursement on 29 May 2020 of a EUR 500 million loan to Ukraine as part of the Commission’s fourth macro-financial assistance (MFA) programme,
- having regard to the unprecedented assistance packages put in place by the EU to help neighbouring countries in the fight against the COVID-19 pandemic, and particularly to the EUR 1.2 billion loans made available to Ukraine by Decision (EU) 2020/701 of the European Parliament and of the Council of 25 May 2020 on providing macro-financial assistance to enlargement and neighbourhood partners in the context of the COVID-19 pandemic<sup>5</sup>,
- having regard to the Joint Statement of the NATO-Ukraine Commission of 31 October 2019,
- having regard to the fifth country monitoring report of the European Commission against Racism and Intolerance (ECRI), published in September 2017, and to the conclusions on Ukraine, concerning the state of implementation of the 2017 recommendations, published in June 2020,
- having regard to the Council of Europe’s Recommendation of the Committee of Ministers to member states<sup>6</sup> on measures to combat discrimination on grounds of sexual orientation or gender identity, and to the standards adopted by the Parliamentary Assembly of the Council of Europe,
- having regard to the final report of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission of 21 July 2019 on the early parliamentary elections in Ukraine,
- having regard to the 2019 Transparency International corruption perception list, which ranked Ukraine 126th out of 180 countries and territories assessed (first place being the best),
- having regard to the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages,

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<sup>5</sup> OJ L 165, 27.5.2020, p. 31.

<sup>6</sup> CM/Rec(2010)5, available at [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805cf40a](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cf40a)

adopted on 5 November 1992,

- having regard to the Venice Commission’s opinion on the Law on Supporting the Functioning of the Ukrainian Language as the State Language and its opinion on the provisions of the Law on Education of 5 September 2017, which concern the use of the State Language and Minority and other Languages in Education,
  - having regard to Rule 54 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
  - having regard to the opinion of the Committee on International Trade,
  - having regard to the report of the Committee on Foreign Affairs (A9-0219/2020),
- A. whereas the AA/DCFTA is the cornerstone of the European Union’s relations with Ukraine based on political association and economic integration, and constitutes a roadmap for reforms, whose full implementation should be considered as enabling a continuous rapprochement towards the Union, leading to a gradual integration into the Union’s internal market, and towards fully reaping the potential and benefits of the AA/DCFTA;
- B. whereas Ukraine has a European perspective pursuant to Article 49 of the TEU and may apply to become a member of the Union provided that it adheres to all of the Copenhagen criteria and the principles of democracy, respects fundamental freedoms, human and minority rights, and upholds the rule of law;
- C. whereas the 22nd EU-Ukraine Summit acknowledged the European aspirations of Ukraine, welcomed its European choice, recognised the substantial progress made by Ukraine in its reform process and welcomed the results already achieved in the implementation of the AA and the success of the DCFTA;
- D. whereas in 2019, Ukraine went through a delicate electoral period, both at presidential and parliamentary level, and whereas its handling of the processes, as well as the peaceful and orderly transition of power that ensued, should be praised;
- E. whereas the nationwide local elections of 25 October 2020 represented another test of the state of democracy and an opportunity for further consolidation; whereas, in the run-up to the local elections on 25 October 2020, attempts were made to change the Electoral Code during the ongoing election campaign, and whereas the lack of clear measures on how to respond to the COVID-19 situation remains a significant concern, with a view to adopting new standards for safe voting;
- F. whereas civil society and election experts reported that local party organisations, candidates and members of the election commissions were not able to prepare properly for the candidates’ registration since the Electoral Code was adopted immediately before the election process;
- G. whereas the introduction of the top-down control mechanisms enacting the imperative mandate principle, as well as linking the party lists to the minimum number of 10 000 voters, weakens the democratic nature of the elections;

- H. whereas civil society criticised the decision not to hold elections in 18 local communities in government-controlled areas of Donetsk and Luhansk oblasts with no clear justification for this decision by the civil-military administration, which effectively disenfranchised about 475 000 voters living in these communities;
- I. whereas, particularly during the second part of 2019, in order to deliver quickly on the reform promised during the electoral campaigns, the pace of legislative activity has been particularly sustained, sometimes to the detriment of parliamentary scrutiny, transparency and quality of legislation;
- J. whereas while Ukraine has made substantial advancements in its implementation of AA-related commitments and integration with the Union, several of the reforms initiated need to be completed, in particular in the areas of the rule of law, good governance and anti-corruption, as, despite notable progress, widespread corruption continues to hamper Ukraine's reform process; whereas, moreover, some additional measures still need to be adopted in order to avoid any backsliding, with a focus on the judiciary;
- K. whereas the full potential of the reforms adopted is not being realised because of the reform process dynamics and related institutional challenges; whereas reforms are also being impaired by internal institutional instability and contradictions, the lack of clear benchmarks, weak capacity, limited resources and external factors such as the COVID-19 pandemic, as well as by a lack of political resolve to accept and ensure the full independence of judicial and economic institutions and to avoid a selective use of justice;
- L. whereas the Joint Statement of the NATO-Ukraine Commission of 31 October 2019 calls on Ukraine to comply with international obligations and commitments, to respect human and minority rights and to fully implement the recommendations and conclusions of the Venice Commission on the Law on Education;
- M. whereas the most recent report by the OHCHR highlights the lack of progress in criminal proceedings concerning grave human rights violations allegedly perpetrated by members of the Ukrainian forces, as well as delays and insufficient progress in investigating the Maidan-related crimes;
- N. whereas the perception of corruption in Ukraine has fallen back to 2017 levels according to the latest Transparency International report;
- O. whereas support for modernisation, de-oligarchisation, reform and the fight against corruption is still very high among Ukrainian citizens and these expectations should be met without further delay;
- P. whereas before the outbreak of the COVID-19 pandemic the Ukrainian economy had recovered stability and was showing satisfactory growth and decreasing unemployment, fostered by the progress made in exploiting the potential of the AA/DCFTA;
- Q. whereas there is a need for Ukraine to maintain macro-economic stability by adhering to its International Monetary Fund commitments and implementing all medium-term structural policies agreed upon within the EU MFA programme, as well as by ensuring a strong and independent National Bank of Ukraine;

- R. whereas the ongoing global crisis calls for a coordinated approach and exceptional packages of support measures; whereas any emergency measures must be proportionate, limited in time and respect fundamental freedoms;
- S. whereas the EU has stood by the people of Ukraine from the beginning of the COVID-19 pandemic, providing financial and material support through bilateral and regional programmes, such as the ones made available by the Union to Ukraine in March, April and May 2020;
- T. whereas the COVID-19 pandemic has deepened the problems of the Ukrainian healthcare system; whereas despite the fact that, according to Ukrainian law, healthcare is free, this is not the reality that many of the country's citizens experience when seeking medical treatment;
- U. whereas, in the light of the COVID-19 pandemic, it is even more essential that humanitarian aid continues to be delivered and that the OSCE Special Monitoring Mission, UN agencies, non-governmental organisations and the International Committee of the Red Cross have unimpeded access to the non-government-controlled areas;
- V. whereas the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders, as well as its ability to implement necessary economic and social reforms, are still being severely undermined by targeted disinformation campaigns, cyber-attacks and other hybrid threats, as well as by the unresolved conflict in the east of the country, caused by the ongoing Russian military aggression and occupation of large portions of Donetsk and Luhansk oblasts, as well as the continuous illegal occupation and annexation by Russia of the Autonomous Republic of Crimea and the city of Sevastopol, which worsen the human rights situation and represent a barrier to enhancing the country's prosperity, stability and growth;
- W. whereas the EU has strongly condemned the ongoing Russian aggression against Ukraine, including the illegal annexation of Crimea and Sevastopol in violation of its sovereignty and territorial integrity, and has established and will continue a policy of non-recognition thereof and, in this context, continues to implement restrictive measures against individuals and entities involved in this breach of international law;
- X. whereas the EU remains committed to the endeavours of the Normandy format, the OSCE, the Trilateral Contact Group and the OSCE Special Monitoring Mission (SMM) to Ukraine, and has welcomed the constructive approach of Ukraine in the Normandy format and the Trilateral Contact Group, and called on Russia to reciprocate;
- Y. whereas, on 17 July 2014, Malaysia Airlines Flight MH17 between Amsterdam and Kuala Lumpur was shot down over Donetsk Oblast in the context of Russian efforts to undermine Ukraine's territorial integrity, leading to the death of all 298 passengers and crew; whereas the Netherlands-led Joint Investigation Team (JIT) confirmed that Flight MH17 had been downed with the use of a Buk surface-to-air missile supplied by the Kursk-based 53rd anti-aircraft brigade of the Russian Ground Forces;
- Z. whereas a trial involving four prime suspects of the downing of Malaysia Airlines Flight MH17, enabled by Ukraine's cooperation within the JIT, commenced under Dutch law on 9 March 2020; whereas on 10 July 2020, the Netherlands brought an inter-State

application against the Russian Federation before the European Court of Human Rights for its role in the downing of Flight MH17; whereas Russia exerted pressure on Ukraine to include a fifth person of interest, Volodymyr Tsemakh, in a prisoner exchange on 7 September 2019; whereas on 15 October 2020, Russia unilaterally ceased its participation in the trilateral truth-finding consultations with Australia and the Netherlands; whereas Russia has consistently obstructed all efforts to bring the perpetrators to justice, including through its rejection of the results of the JIT, the promotion of disinformation on Flight MH17 and by exerting its veto power in the UN Security Council to thwart the establishment of an international tribunal;

- AA. whereas the EU has condemned Russia for ending its cooperation in the MH17-cases; whereas the EU has strongly appealed to Russia to fully cooperate in the MH17 investigations and court cases;
- AB. whereas since the beginning of the war in eastern Ukraine, around 13 000 people have been killed, a quarter of them civilians, and as many as 30 000 wounded; whereas approximately 1.5 million Ukrainians have had to flee their homes due to the armed conflict with Russia-backed armed groups; whereas hundreds of Ukrainians have been imprisoned by Russia and its proxies, while the whereabouts of many others are still unknown; whereas the ongoing military conflict has caused a humanitarian crisis with devastating consequences for 4.4 million people, of whom approximately 1.5 million are internally displaced persons (IDPs); whereas 3.4 million people who are living on the line of contact require humanitarian assistance and protection; whereas, as a result of attacks on public infrastructure, local populations are facing limited access to healthcare facilities, schools, water and sanitation;
- AC. whereas the human rights situation in eastern Ukraine and on the Crimean peninsula has significantly deteriorated, while violations of freedom of speech, media abuse and the forced imposition of Russian citizenship have become systematic, and fundamental human rights and freedoms are not guaranteed; whereas the self-proclaimed authorities in occupied Crimea continue to harass Crimean Tatars, prosecuting dozens on trumped-up terrorism charges; whereas the Center for Civil Liberties in Ukraine estimates that at least 94 Ukrainian citizens have been persecuted for political motives in Crimea or in Russia, of whom 71 are Crimean Tatars, including Marlen Asanov, Memet Belyalov, Timur Ibragimov, Seyran Saliyev, Server Mustafayev, Server Zekiryayev and Edem Smailov, sentenced in September 2020 to prison terms of between 13 and 19 years;
- AD. whereas Ukraine ranked 96th in the 2020 World Press Freedom Index; whereas Ukraine has adopted a number of reforms, including a law on transparency of media ownership, but much more is needed to loosen the oligarchs' tight grip on the media, encourage editorial independence and combat impunity for crimes of violence against journalists;
- AE. whereas the media landscape in Ukraine remains under the strong influence of media owners of an oligarchic nature, and whereas media workers, particularly journalists investigating corruption and fraud, continuously face the threat of violence, intimidation and death, such as in the case of journalist Vadym Komarov in 2019, while their work is often obstructed by limited access to information, legal pressure, such as in the case of the criminal proceedings against Bihus.info, and cyber-attacks, inter alia;
- AF. whereas Ukraine has a significant problem in the area of gender inequality; whereas

equality before the law does not mean actual equality, but in practice women continue to encounter major obstacles, in particular in their workplaces; whereas in the World Economic Forum's Global Gender Gap Index of 2018, Ukraine ranks 65th out of 149 countries; whereas according to the income inequality indicator in Ukraine, for every USD 100 of income earned by men, women will earn only USD 63.1;

- AG. whereas LGBTI people and feminist activists are continuously subjected to hate speech and violent attacks, and Roma people face discriminatory language and hate speech from state and local authorities and the media;
- AH. whereas law enforcement has refused on numerous occasions to investigate criminal complaints by LGBTI persons, namely Pride demonstrators, pertaining to hate crimes or speech, owing to the lack of provisions in the Criminal Code to prosecute incitement to hatred or violence on grounds of sexual orientation or gender identity; whereas ECRI has recommended that the Criminal Code be amended to cover such grounds and to consider them as aggravating circumstances;
- AI. whereas Parliament recognises the leadership and political will by the Ukrainian authorities in providing sufficient protection to national Prides; whereas hate speech and hate crime against LGBTI persons nevertheless remain pervasive and police protection is not always forthcoming, as demonstrated by the violent attacks during Kyiv Pride, where demonstrators were not able to fully enjoy their universal right to freedom of peaceful assembly while being protected from violence;
- AJ. whereas the AA/DCFTA pursued the goal of approximating the national law of Ukraine and its national standards to those of the EU, including in the social area; whereas, despite these commitments, the implementation of the AA/DCFTA in the social sphere remains dissatisfactory; whereas Ukraine has ratified the main international instruments, but continues to fail to implement them;
- AK. whereas despite the obligations under the AA and the numerous calls by trade unions to the government to apply the necessary measures to advance social dialogue, the concept of tripartite consultation basically remains dysfunctional; whereas after more than a decade since its establishment, the National Tripartite Social and Economic Council (NTSEC) remains weak and ineffective with no real influence on social dialogue, while constantly suffering from understaffing and inconsistency in the coordination of its activities; whereas in 2019, out of 177 all-Ukrainian trade unions registered by the Ministry of Justice, only one third were given the opportunity to participate in collective bargaining;

### ***Common values and general principles***

1. Notes that the AA/DCFTA is a reflection of the shared ambition of the EU and Ukraine to move towards political association and economic integration, which can serve as a blueprint for reform, and stresses its paramount importance, especially in the current exceptional times; urges that the agreement be fully implemented and its potential exploited; further urges the Ukrainian authorities to keep its implementation high on their agendas despite the challenges posed by the COVID-19 pandemic; stresses that the EU's assistance to Ukraine is subject to strict conditionality and reiterates the need for Ukraine to show a renewed commitment to reform and adherence to the Union's principles; recalls the necessity for the AA/DCFTA to be updated, to take due account

of the evolution of the regulatory frameworks and economic development needs, and to strengthen monitoring mechanisms;

2. Welcomes the unprecedented aid packages, including macro-financial assistance, made available by the Union to Ukraine as part of Team Europe, to help partner countries to cope with the COVID-19 emergency; notes that this is a crucial demonstration of the EU's solidarity at a time of unprecedented crisis; calls on the Ukrainian authorities to create a climate conducive to investments and to swiftly implement the agreed conditions for the disbursement of the EU Macro-Financial Assistance set out in the Memorandum of Understanding;
3. Is satisfied that the OCSE/ODIHR election observation missions, with the participation of the European Parliament, assessed the 2019 presidential and parliamentary elections overall as competitive, well-administered and managed in an efficient way, which confirms Ukraine's attachment to the Union's democratic values and is particularly notable in the context of ongoing Russian efforts to destabilise Ukraine; urges the Ukrainian authorities to address the shortcomings identified in the statements of the Heads of the European Parliament's delegations and to follow the recommendations contained in the OCSE/ODIHR election observation mission final reports; remains vigilant in observing the extent to which the democratic standards of holding free and fair elections in Ukraine are being upheld as the country held its first local elections after the welcomed decentralisation reform; calls on the Ukrainian Government to ensure free and fair electoral campaigns, without improper campaign financing methods, in which there is no room for vote buying; stresses that the electoral process and the voting process on election day should ensure higher safety standards and envisage special safety measures to prevent the spread of COVID-19; notes that during the Ukrainian early parliamentary elections in 2019 the boundaries in single-mandate electoral districts were delimited in a manner not favourable to national minority representation; notes that in some regions, such as Transcarpathia, electoral abuses were observed, such as the launch of 'clone' candidates, which reduced the chances of Hungarian minority members getting into parliament;
4. Welcomes the new Electoral Code adopted in December 2019, including its provisions on the rights of IDPs; recalls, however, that continuous amendments to the Electoral Code during an ongoing election go against Venice Commission recommendations, cause legal uncertainty and negatively impact the work of election commissions; urges Ukraine to further tackle illegal campaigning, vote buying, misuse of administrative resources and the legal uncertainty surrounding campaigning on social media;
5. Insists that the Electoral Code should be improved and brought into line with international standards in order to address issues such as social media campaigning, transparency of campaign spending and access of independent candidates to the electoral process; with regard to local elections, stresses, moreover, the importance of eliminating bureaucratic barriers to voter registration for IDPs, of setting a financial ceiling for campaigning and of enabling the participation of individual candidates, including by reconsidering the plan to introduce a cash deposit for candidates in small communities;

### ***Reforms and institutional framework***

6. Stresses the importance of pro-democratic reforms and trust in institutions as the most efficient security mechanisms; calls on the Commission to use the mechanisms in place to facilitate and support Ukraine's implementation of reforms; suggests the development and implementation, in close cooperation with civil society, of qualitative and quantitative mechanisms to monitor Ukraine's implementation of reforms, including clear benchmarks, recommendations and principles of conditionality to be used to improve the methodology of the annual implementation reports, which should become effective tools of guidance for reforms;
7. Highlights the need for upgraded steering and reporting mechanisms for assessing the progress made by Ukraine, in particular, in the areas of reform of the justice sector, anti-corruption, state-owned enterprises, corporate governance and energy reforms, which would be linked with economic and investment support;
8. Recommends focusing on a limited number of priorities on which to concentrate political efforts, financial support and technical assistance with a view to effectively building up the institutional capacity required to secure the long-term success of reforms, not only in legislation, but also in practice; supports strengthening EU-Ukraine sectoral cooperation in priority areas, such as the digital economy, energy, climate change and trade; welcomes Ukraine's ambitions to approximate to the EU's digital single market and European Green Deal policies by implementing the relevant *acquis*;
9. Acknowledges the associated partnership status of Ukraine and the other signatories of AAs and DCFTAs, and calls for an enhanced political dialogue with them in order to advance further economic integration and legislative harmonisation; invites the EU, in line with the principle of 'more for more', to consider creating for the three associated countries, including Ukraine, an enhanced cooperation strategy of reforms and investments, which would be conditional in the areas including, but not limited to, investment capacity building, transport, energy, justice and the digital economy, and would pave the way for an ambitious agenda of integration into the EU; invites the Commission to propose for Ukraine and other countries associated with the EU, in coordination with international financial institutions, a detailed, conditional and tailor-made economic and investment proposal in the context of addressing the consequences of the COVID-19 pandemic by the end of 2020; in addition, calls on the EU institutions to analyse the possibility of including Ukraine and the other associated countries as observers in the proceedings of the Committees established pursuant to Article 291 of the TFEU and Regulation (EU) No 182/2011<sup>7</sup>, as well as in the meetings of the Council working groups and committees, to show the EU's commitments to further integration and to strengthening the countries' reform orientation and administrative know-how;
10. Supports a comprehensive review of the AA/DCFTA in line with the provisions of the Agreement and with a view to utilising in full its potential for political association and economic integration, including enhanced sectoral integration of Ukraine with the EU;
11. Calls on the Commission to upgrade neglected areas of the AA/DCFTAs with regard to important policy areas such as gender mainstreaming and dealing with health crises, while ensuring that they do not run counter to the imperative for environmental and

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<sup>7</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.

climate action or the European Green Deal initiatives;

12. Calls on the Commission to support investments in sectors with potential for development, growth and competitiveness in the EU, and which could further foster economic diversification, such as sustainable energy and climate, the digital single market and cyber security, and transport;
13. Welcomes the advancements made by Ukraine in the fulfilment of the country's commitments enshrined in the AA, particularly in the fields of agriculture, energy, banking, decentralisation, the digital economy, the environment and electoral procedures; notes, however, that according to the review mechanism of the AA ('Pulse of the AA'), only 37 % of AA implementation-related tasks were completed in 2019 (down from 52 % in 2018); acknowledges the attempts made in the second half of 2019 to accelerate the pace of reforms, but urges Ukrainian institutions not to privilege the speed of the legislative process over the quality of the legislation adopted, and stresses the importance of continuing to implement its commitments;
14. Underlines, in this respect, that Ukraine must not overlook the fact that the level of political, technical and financial support from the EU will depend on the extent to which it fulfils the commitments it has made to the Union and its Member States, especially as regards the reform process, respect for human rights, minorities and fundamental freedoms, and the establishment of a genuine and effective rule of law;
15. Welcomes the Joint Government-Parliament Roadmap adopted in 2018 and the creation of a joint platform for European integration in November 2019, and hopes that these initiatives will result in enhanced coordination between the various institutions involved in the design, adoption and implementation of reforms; encourages the Parliament and the Government of Ukraine to enhance their use of this instrument in a more efficient manner and to review their cooperation on the implementation of AA-related commitments and the approximation of legislation with a view to maximising synergies, in particular on expertise in EU legislation and compliance assessments;
16. Commends Ukraine for the progress it has made in reforming its public administration and stresses the importance of not slowing down further progress and of submitting any temporary appointments during the COVID-19 period to merit-based recruitment procedures as soon as possible; is aware of the important challenge this represents for governance, institutions and public administration in Ukraine and encourages the Commission to provide adequate technical and financial support;
17. Welcomes the achievements of the reform on decentralisation and the empowerment of municipalities initiated in 2014, which has proven to be one of the most successful reforms so far; acknowledges the support of the U-LEAD project, resulting in the formation of almost 1 000 amalgamated local communities with around 11.7 million citizens; assesses positively the steps taken so far with a view to decentralising public authority and public finances through a package of legal acts and their practical implementation; in particular, fully supports the Verkhovna Rada's resolution on rayons' Formation and Liquidation of 17 July 2020, according to which the arrangements concerning the consolidation of rayons will, as a rule, be applicable also to the territories of Crimea and districts of the Donetsk and Luhansk regions currently not controlled by the Government of Ukraine;

18. Urges Ukraine to complete the decentralisation reform in a broad and open dialogue, in particular with local self-governments and their associations, with the goal of increasing the autonomy and competences of local governments and encouraging regular exchanges between the central government and national associations of local and regional governments on any policy which may have a territorial impact;
19. Welcomes the organisation of the first round of local elections on 25 October 2020, with a turnout exceeding 36 %, which were free and fair, but coupled with a parallel public consultation, which, according to OSCE/ODIHR, created an undue political advantage and blurred the separation of state and party; calls on the state authorities to respect the autonomy of local self-government and to support the administrative capacities of municipalities and cities; welcomes the change to the budget code with a guarantee of a 60 % share of local personal income tax as a necessary contribution to sound public finances at local level; warns against the establishment of parallel structures at local level that could give rise to struggles over competences, but suggests that assigning office holders double competences, assuming both local competences and at the same time functioning as the lowest state authority, be considered;

***Cooperation in the field of the common foreign and security policy (CFSP)***

20. Acknowledges the unique experience and expertise of Ukraine, and welcomes Ukraine's participation in common security and defence policy (CSDP) missions, battlegroups and operations, its contributions to EU Battle Groups and its increasing alignment with EU statements and declarations on international and regional issues, as well as its contributions, and congratulates Ukraine on its new NATO Enhanced Opportunities Partner status;
21. Welcomes the successful steps taken in the field of scientific and technological cooperation, including the space industry, and in the field of defence, notably convergence in the operational, educational and institutional segments, and in the implementation of the necessary internal changes in these sectors; praises Ukraine's willingness to participate in the EU Research and Innovation Framework Horizon Europe and European Space Agency (ESA) research programmes; notes the fruitful cooperation between the Ministry of Defence of Ukraine and the European Defence Agency (EDA) and encourages its further development; calls for the EU and Ukraine to boost cooperation in security and defence and devote particular attention to the conflict in eastern Ukraine and Russia's attempts to subvert Ukraine's territorial integrity, by means of reconciliation, cooperation in the sphere of cyber security and the fight against disinformation, as well as by working to strengthen the resilience of families, communities and state institutions;
22. Supports the possible participation of Ukraine in selected CSDP projects, including cooperation with the EDA and, in particular, Permanent Structured Cooperation (PESCO), provided that it meets an agreed set of political, substantive and legal conditions, as other third countries do; welcomes the recent decision of the EU to invite Ukraine to participate in the EU's ALTHEA operation in Bosnia and Herzegovina and encourages both sides – the EU and Ukraine – to continue extending Ukraine's participation in missions and operations of the European Union;
23. Welcomes the enhanced cooperation between the Ukrainian authorities and the

European public and private sector to combat hybrid threats, primarily from Russia, which aim to, inter alia, spread false information, incite violence and push anti-government and anti-European sentiments; considers it as timely and appropriate for the EU and Ukraine to initiate, as soon as possible, a dialogue on cyber issues and supports the idea of broadening the spectrum of dialogue on security and defence in order to adequately react to current and future threats, in particular in line with the EU's global security strategy;

24. Reiterates the Union's unwavering support for and commitment to Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders, and its support for the internationally coordinated sanctioning of the Russian Government and agents who are undermining the country's sovereignty and territorial integrity, until such time as all relevant conditions for the lifting of the sanctions have been met, including the full implementation of the Minsk Agreements and the restoration of the territorial integrity of Ukraine within its internationally recognised borders;
25. Continues to condemn the illegal annexation of Crimea and Sevastopol and the de facto occupation of certain areas of Donetsk and Luhansk; calls on the Russian Federation to fulfil its international obligations, to withdraw its military forces from the territory of Ukraine and to fully implement the resolutions of the UN General Assembly on the territorial integrity of Ukraine and on Crimea and Sevastopol;
26. Welcomes the resumption of the peace talks under the Normandy four format on 9 December 2019 in Paris after a deadlock of three years; urges all sides to adhere to the ceasefire agreement; stresses the importance of identifying additional disengagement areas, of demining activities and of opening checkpoints across the contact line, and calls on Russia to use its decisive influence over the armed formations backed by it to respect and fully implement the commitments undertaken as part of the Minsk Agreements, and of recent meetings of the Normandy four and the Trilateral Contact Group; reiterates, as agreed in Minsk and in the so-called Steinmeier Formula, that local elections in the occupied parts of eastern Ukraine must be conducted in accordance with Ukrainian legislation and under supervision of the OSCE; underlines that the conditions for free and fair elections in Donetsk and Luhansk have not been met in the current situation; welcomes the dismissal of the plan to include Russian-backed separatists as a party to the talks of the Trilateral Contact Group; regrets comments made by high-ranking members of the Ukrainian delegation in the Trilateral Contact Group denying Russia's military involvement in the conflict in Donbas region;
27. Strongly condemns Russia's destabilising actions and military involvement in Ukraine; expresses concern about Russia's ongoing build-up of military facilities and installations in the Crimean Peninsula, including well over 30 000 troops, new surface-to-air and surface-to-surface missile systems, nuclear-capable submarines and strategic bombers; condemns Russia's illegal actions aimed at seizing control of the Kerch Strait, as they constitute a breach of international maritime law and Russia's international commitments, in particular the construction of the Kerch Bridge and its rail link without Ukraine's consent, the laying of underwater cables and the closing up and militarisation of the Azov Sea, which severely hinders Ukraine's economic activities; calls on the Russian Federation to ensure unhindered and free passage to and from the Azov Sea in line with international law, and access to the occupied Ukrainian territories of Donbas

and annexed Crimea for international non-governmental organisations and international humanitarian organisations; calls for the release of all Ukrainian political prisoners and prisoners of war in Russia, Crimea and the parts of Donbas not controlled by the Ukrainian Government; expresses concern, however, about the liberation of Russian citizens suspected of involvement in the downing of Malaysian Airlines flight MH17;

28. Emphasises the need for a political solution to the conflict in eastern Ukraine; asks the Commission and the European External Action Service (EEAS) to enhance their efforts in peaceful conflict resolution, by supporting the efforts of all sides in the peace process, as well as increasing confidence-building measures and backing a mandate for deploying a UN peacekeeping mission throughout the occupied territory of Ukraine; requests that, once the situation permits and as part of the full implementation of the Minsk Agreements, an EU-led civilian CSDP mission be offered for deployment to the parties to the conflict, to assist in tasks such as demining, making preparations for local elections and securing free access for humanitarian aid organisations; in parallel, calls for the EU institutions to be ready to enhance the sanctions against Russia should the situation require, including if Russia fails to deliver on its obligations under the Minsk Protocol, particularly as regards the security track;
29. Urges Ukraine to meet its commitments on reforming state export controls in accordance with the EU's requirements and standards, and on the implementation of a consistent and systematic sanctions policy; calls on the EEAS and the Commission to better supervise the implementation of EU sanctions, including the better supervision of the activities of the authorities in the Member States charged with implementing the common EU rules;
30. Calls on the EEAS to develop a more active role for the EU, represented by the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), in the peaceful resolution of the ongoing war in eastern Ukraine, including within the Normandy four format; recommends considering the appointment of an EU Special Envoy for Crimea and the Donbas region;
31. Repeats its call for an international format for negotiations on the de-occupation of the Crimean peninsula with the active participation of the EU; calls on the VP/HR, the Commission and the Member States to provide all necessary support for the establishment of a Crimea International Platform that would allow the efforts aimed at the restoration of the territorial integrity of Ukraine to be coordinated, formalised and systematised; considers it important to involve the Mejlis of the Crimean Tatar people, as the only internationally recognised representative body of the Crimean Tatars, in the activities of such a Platform;
32. Recalls, in the meantime, that according to international humanitarian law, the Russian Federation, as an occupying state, bears full responsibility for meeting the needs of the population of the temporarily occupied Crimean peninsula, including its water supply; points out, furthermore, that pursuant to the Fourth Geneva Convention, to which Russia is a party, an occupying power may not compel residents of the occupied territory to serve in its armed or auxiliary forces;
33. Condemns the Russian Federation for settling Russian citizens in occupied Crimea and the territories of Donetsk and Luhansk, thus upsetting the balance between holders of

Russian passports and Ukrainians, as well as its attempts to organise local elections in the Autonomous Republic of Crimea in Ukraine on 13 September 2020; states that the election of the governor of Sevastopol was illegal and in violation of international law, as was the vote for representatives to the so-called State Council of the ‘Crimean Republic’, the so-called Legislative Assembly of the city of Symferopol and the so-called Rural Council of the Razdolno region; calls for the EU to impose sanctions on those responsible for organising and conducting the votes; deplores the actions of Russia in conscripting young men in occupied Crimea to serve in the Russian armed forces, of whom 85 % were sent to serve in the Russian Federation; calls on Russia to stop conscripting people in Crimea and to fully abide by its obligations under the Geneva Conventions;

34. Expresses its full support for all efforts to obtain justice for all 298 victims of the downing of Malaysia Airlines Flight MH17 by a Russian-supplied surface-to-air missile and their next of kin, including the internationally supported criminal proceedings against four suspects under Dutch law and the case lodged against Russia with the European Court of Human Rights; commends Ukraine for its continued collaboration within the JIT to determine the truth, identify suspects and bring the perpetrators to justice; condemns Russia’s unilateral withdrawal from the trilateral truth-finding consultations with Australia and the Netherlands; calls on Russia to cooperate fully with all ongoing efforts to ensure the accountability of any individual or entity engaged in the downing of MH17, inter alia by resuming the truth-finding dialogue with Australia and the Netherlands, ensuring its cooperation with the inter-State application lodged by the Netherlands against Russia with the European Court of Human Rights regarding the matter, and through the extradition of Volodymyr Tsemakh to the Netherlands; urges Russia to cease its promotion of disinformation with regard to Flight MH17;
35. Calls on Ukraine to assist the Moldovan central government in its endeavours to regain control over Transnistria based on the territorial integrity of Moldova;
36. Takes note of the adoption in June 2018 of the law on national security, and of the law on defence procurement and on intelligence in 2020; urges, however, that additional legislation aimed at limiting the competences of the Security Service of Ukraine (SSU) be adopted in order to transform it into a pure counter-intelligence and counter-terrorism agency and that parliamentary oversight over the whole security sector be established;

### ***Justice, freedom and security***

37. Reiterates that delivering tangible results in the fight against corruption is essential in order to maintain a high level of support for the reform process among citizens, as well as to improve the business environment and attract foreign direct investments; encourages the Ukrainian authorities to further progress on reforms, in particular in the area of the rule of law and anti-corruption, and to ensure the independence and continued work of key anti-corruption institutions; commends, in this respect, the reconstitution of the National Agency for Prevention of Corruption (NAPC) and the entry into force of the new laws on illicit enrichment and on whistle-blowers in January 2020, as well as the start of the operations of the High Anti-Corruption Court in September 2019;

38. Is concerned, however, by the outcome of the 27 October 2020 ruling of the Constitutional Court, which created a legal gap in the Ukrainian anti-corruption architecture and seriously weakened the NACP; urges the Ukrainian authorities to act as soon as possible to reinstate a fully operational, effective and comprehensive institutional architecture to fight corruption, including in the judiciary, while fully preserving the latter's independence from the executive and legislative powers; underscores that a fully empowered NACP plays a crucial role in this context and that the Constitutional Court's ruling should not be used as a pretext to weaken or sideline it; trusts that the immediate reaction by various political stakeholders, in particular members of the Verkhovna Rada, will soon result in legislation filling this legal gap that weakens anti-corruption efforts;
39. Stresses the importance of ensuring the independence of the High Anti-Corruption Court (HACC) and other anti-corruption institutions, and calls for an unbiased and impartial approach to be taken in the activities of the anti-corruption institutions in order to secure trust and public support in the fight against corruption; acknowledges the first judgments handed down and the HACC's respect of high professional standards; calls, however, for the HACC's work to be intensified in order to increase the conviction rate, including in high-level cases;
40. Is pleased with the work of the National Anti-Corruption Bureau of Ukraine (NABU), which is arguably the country's most effective anti-corruption institution; further emphasises the need to strengthen NABU's independence; therefore urges that the law on NABU be brought into line with the constitution and the recent Constitutional Court decision and that transparent, depoliticised and merit-based selection procedures be prescribed for the Heads of both NABU and of the Specialised Anti-Corruption Prosecution Office (SAPO), as well as the State Bureau of Investigations (SBI), including a credible integrity check;
41. Regrets attempts to attack and undermine anti-corruption institutions by members of the Verkhovna Rada, in particular attempts to dismiss the Director of NABU and the opaque selection process of the Director of SAPO; notes the lack of protection of NGO activists and journalists uncovering and denouncing corruption, and calls for the effective implementation of the new law on the protection of whistle-blowers, which entered into force in January 2020;
42. Welcomes the draft Anti-corruption Strategy for 2020-2024 and expects that the Verkhovna Rada will soon adopt this comprehensive strategy, maintaining all of the crucial elements of the draft; acknowledges the various forms of pressure and sabotage directed at the anti-corruption institutions as a reflection of the increasingly effective and successful fight against corruption; insists that the anti-corruption institutions NABU, SAPO and HACC must remain independent, effective and adequately resourced; commends the adoption in December 2019 of the new anti-money laundering law, which strengthened the transparency of business ownership structures in Ukraine and represents a considerable improvement of the relevant legal framework;
43. Is deeply concerned by the high degree of systematic political pressure and by the acts of intimidation perpetrated against the Chairman of the National Bank of Ukraine, unfortunately not for the first time, which led to his resignation in July 2020; urges the Ukrainian authorities to refrain from exerting political pressure on independent

economic institutions and enforcement authorities, and to ensure that their independence is preserved as a guarantee for the correct functioning of the market and a level playing field for all economic actors;

44. Regrets that the judiciary is still one of the least-trusted institutions in Ukraine and is seriously concerned by the state it has been in since the October 2019 reform which led to the dismantling and reconstitution of the High Qualification Commission of Judges (HQCJ) and resulted in the re-assessment and recruitment process for judges being put on hold, while around 2 000 judgeships are vacant; regrets the fact that in the past the HQCJ did not take into account the opinion of the Public Integrity Council in its re-assessment of judges, and urges it to do so in the future in order to fill vacancies in lower court instances with judges fulfilling ethical and integrity standards in full compliance with Opinion No 969/2019 of the Venice Commission; insists on an early re-establishment of the HQCJ based on an amendment of Law No 3711 in a manner consistent with decision No 4-p/2020 of 11 March 2020 of the Ukrainian Constitutional Court so as to establish an independent HQCJ based on a transparent selection procedure, with the involvement of international experts; considers that an empowered HQCJ should be able to effectively carry out the selection of new, and the vetting of sitting, judges in line with rules and procedures adopted by the HQCJ itself, according to its mandate; strongly insists on an integrity check of the unreformed High Council of Justice (HCJ); urges the Ukrainian authorities to continue and accelerate the reform of the judiciary in order not to undermine the work of the newly established anti-corruption institutions, to refrain from politically motivated trials and the instrumentalisation of the judiciary against political opponents, and to complete the legal framework for combating organised crime;
45. Calls on the Commission to develop existing and new tools in the area of the rule of law and good governance to monitor and assess progress by Ukraine, in particular the EU Justice Scoreboard and the Rule of Law Mechanism, in order to ensure close scrutiny of the ongoing reforms and the proper identification and correction of possible shortcomings in these reforms;
46. Welcomes the reform of the office of the Prosecutor-General initiated in September 2019 and calls for the attestation of prosecutors to be completed, thereby ensuring that new prosecutors at all levels are selected in a transparent and politically impartial process; encourages the Ukrainian authorities to strengthen the fight against organised crime and to improve the legislative framework, as well as cooperation and coordination between the responsible law enforcement agencies;
47. Strongly calls on the Ukrainian authorities to refrain from their previous bad practice of pursuing politically motivated judicial cases; underscores in this regard that divergences on political issues should be addressed in the competent political forums rather than the judicial sphere;
48. Is concerned by the fact that Ukraine is listed by the Commission as a ‘category 2’ priority country, meaning that intellectual property rights (IPR) are not sufficiently protected and enforced; highlights the need to strengthen customs controls and infrastructure to better prevent the entry and transit of counterfeit products into and within Ukraine; calls on the Commission to continue assisting Ukraine in the elaboration of new draft laws on IPR;

49. Calls on the Ukrainian Government to continue the investigation into the crimes committed by members of the Ukrainian forces against activists during the Euromaidan protests and promptly deliver justice for the victims and their families;
50. Urges Ukraine to ratify the International Criminal Court's Rome Statute and the Istanbul Convention on preventing and combating violence against women and domestic violence;
51. Welcomes the amendments to the Ukrainian Criminal Code defining rape and sexual violence through lack of consent and urges the swift development of a methodology for the investigation of crimes of sexual violence; regrets the fact that due to the lack of such a methodology, no prosecution cases for rape or sexual violence on the grounds of lack of consent were brought in 2019;

### ***Human rights and fundamental freedoms***

52. Strongly condemns the large-scale and permanent violations of human rights and fundamental freedoms such as freedom of expression, religion or belief and association, as well as the right to peaceful assembly, perpetrated by the Russian occupying forces in the temporarily occupied territory of Crimea and by the so-called separatist forces in the non-government-controlled areas of Donbas, including forced conscription, deportation, passportisation, restrictions on education rights, arbitrary detention, torture and other harsh detention conditions, as well as restrictive measures such as the unilateral closure of checkpoints and denied access to UN and humanitarian missions, which are particularly worrying during the current pandemic;
53. Recalls that civilians' lives and well-being continue to be at risk from the war in eastern Ukraine and notes that the reduction of hostilities in eastern Ukraine during the ceasefire that came into force on 27 July 2020 contributed to a 53 % drop in security incidents and a reduction in civilian casualties; welcomes the 'EU4ResilientRegions' programme, comprising EUR 30 million, aimed at enhancing the resilience of eastern and southern Ukraine in relation to the negative impacts of the ongoing conflict, including hybrid threats and other destabilising factors;
54. Is extremely concerned, however, by the worsening humanitarian situation in the eastern territories currently not controlled by the Ukrainian Government, especially in the light of the current COVID-19 emergency; urges the de facto local authorities to adopt all the measures necessary to ensure that the basic needs of the population, including access to good quality health facilities and treatment, are met, and to fully cooperate with the legitimate Ukrainian Government to that end;
55. Underlines that in eastern Ukraine more than 3.5 million people on both sides of the line of contact are still dependent on humanitarian assistance and protection, facing water cuts and electricity blackouts; notes that the current COVID-19 pandemic has exacerbated the challenges these people are facing;
56. Regrets the worsening human rights situation in Crimea since the beginning of the occupation, as Russia has drastically curtailed the freedoms of assembly, expression, association, access to information and religion since the outset of the occupation; deplores the discriminatory policies imposed by the self-proclaimed Russian authorities against, in particular, Crimea's ethnic Tatar minority, the infringement of their property

rights, the increasing intimidation of that community and of those who oppose the illegal annexation through forced conscription, persecution, searches, detentions and forced disappearances, and the aforementioned lack of freedom of expression, association, religion and movement in the peninsula; calls for the immediate and unconditional release of all illegally detained and imprisoned Ukrainian citizens in the Crimean Peninsula and in Russia, including Crimean Tatar activists; calls, moreover, on Russia to investigate the atrocities carried out against Crimean Tatars and to guarantee and safeguard the right of Crimean Tatars, Ukrainians and of all ethnic and religious communities to maintain and develop their own culture, traditions, education and identity;

57. Regrets that there are around 1.5 million IDPs in Ukraine, making it the ninth largest country in the world in terms of the number of IDPs; notes that the primary responsibility for this is with the Russian Federation and its proxies; calls on the Ukrainian authorities to undertake additional efforts to alleviate the suffering of the people affected by the conflict and implement measures to protect the rights of IDPs; calls on Ukraine to grant IDPs full civil and political rights, and to adhere to international standards regarding the treatment of IDPs; emphasises the importance of protecting and guaranteeing Ukrainian citizenship rights in the temporarily occupied territories, including simplifying the procedures for receiving pensions, obtaining birth certificates for children and thereby obviating the risk of leaving them stateless and vulnerable;
58. Urges the OSCE SMM to implement its mandate, remotely, through regular exchanges with the victims and witnesses of persecutions, lawyers, NGOs and media representatives, among others, both for Crimea and Donbas; asks the EU's Special Representative for Human Rights to pay continuous attention to the human rights situation on the Crimean peninsula and in the non-government-controlled areas of eastern Ukraine;
59. Notes that the five-year Action Plan for implementing the National Human Rights Strategy of Ukraine expires in 2020 and calls for a thorough review of its main achievements before setting goals for a follow-up action plan; pays close attention to the support provided by the Ukrainian Government to the Crimean Tatar people, and expresses its concern over the lack of funding in the draft budget 2021, submitted to the Verkhovna Rada in September 2020, for the programme of resettlement and accommodation of Crimean Tatars and persons of other nationalities deported from the territory of Ukraine; calls on Ukraine to adopt the laws on the indigenous peoples of Ukraine, on the status of the indigenous Crimean Tatar people, and on amending its Constitution to recognise the national-territorial autonomy of the Crimean Tatar people within Ukraine, and particularly Crimea, which stems from the inalienable right of the indigenous Crimean Tatar people to self-determination; insists that the Ukrainian authorities address the problems of the only television channel in the Crimean Tatar language, ATR, and offer a stable mechanism for financial and technical support in order to enable the TV channel to continue its broadcasting into Russian-occupied Crimea; welcomes Ukraine's initiative to develop the Strategy for the Development and Popularisation of the Crimean Tatar Language for the period up to 2032;
60. Calls on the EEAS and the Commission to swiftly operationalise and implement an EU human rights sanctions mechanism, a European Magnitsky-type legislation, based on

Article 215 of the TFEU, allowing sanctions to be applied against individuals and companies involved in grave human rights violations and responsible for other crimes, including corruption, and invites Ukraine to follow this example and to introduce a Ukrainian version thereof;

61. Takes note of the law on supporting the functioning of the Ukrainian language as the state language and asks the Ukrainian authorities to implement the law fully in conformity with its international obligations and in accordance with the recommendations contained in opinion No 960/2019 of the Venice Commission, that is to respect the right of communities to develop and fully use their own language and proceed with the highest degree of consideration and balance towards national minorities, their languages and their rights to education;
62. Calls on Ukraine to grant the Commissioner for the Protection of the Official Language, or any entity established to the same end, powers to monitor compliance with the legal provisions on the use of minority languages and on indigenous people;
63. Supports freedom of belief, opinion and expression, and stresses the importance of granting equal access of all national, ethnic and linguistic minorities to information as critical ingredients of any democracy; condemns hate speech and discrimination based on ethnicity or language, and fake news and misinformation targeting national, ethnic and linguistic minorities;
64. Notes that measures are required to reinforce the minority rights infrastructure and to build confidence that minority rights will be protected both in law and in practice; points out that such measures should include the strengthening of legal protection, enhancing institutional attention to minority issues and instituting stronger and permanent consultation mechanisms; expresses concern over the lack of proper action taken by the Ukrainian authorities to tackle the discrimination and hate speech targeting minority groups, especially the Roma community, which has been the victim of incidents of discrimination, racially motivated violence and manifestations of intolerance; calls on Ukraine to strengthen the commemoration of the victims of the Holocaust and totalitarianism by joining the International Holocaust Remembrance Alliance (IHRA) and by adopting and applying the IHRA's definition of antisemitism; calls on the Commission to invite Ukraine to participate in the Europe for Citizens programme;
65. Encourages the work of European political foundations in fostering the next generation of political leaders in Ukraine;
66. Encourages strengthened dialogue and cooperation with churches and religious communities and organisations in areas such as peace-building and reconciliation, thereby strengthening trust in a just and free society, as well as education, healthcare and basic social services;
67. Notes the undergoing reform efforts in the area of the media; stresses that the reform should ensure in particular the independence, impartiality and accountability of the regulatory body, transparency of media ownership and equal opportunities for media outlets with fair competition on the market; expresses concern at plans to give to the regulatory agency new and extensive competences which run the risk of impinging on freedom of the media and the content of the online and printed media; stresses, in

relation to the draft law on countering disinformation, that the current draft could lead to broad state interference in media content and journalism activities at the expense of media freedom and will not be efficient in countering disinformation; urges that a broader consultation be organised with the media community and relevant international organisations to avoid risks to freedom of expression;

68. Notes with concern that the television media market in Ukraine, while being pluralistic, continues to be characterised by the excessive influence of oligarchs; urges Ukraine to foster free and independent media and strengthen media pluralism; underlines the importance of a sustainable public service broadcaster, an independent media regulator and civil society in building resilience against disinformation and other destabilising factors; calls on the Verkhovna Rada and the Government to uphold the state's commitments to the public broadcaster and to ensure financial and political support for its further modernisation, independence and capacity to conduct investigative journalism;
69. Reiterates the need for the EU to continue to support Ukraine in countering hybrid threats and tackling disinformation and fake news, including through the strengthening of the independent media and strategic media literacy communications, in order to strengthen Ukraine's resilience; welcomes the announcement of the launch of the EU-Ukraine cyber-dialogue;
70. Expresses concern at the worsening working environment for media representatives, particularly investigative journalists reporting on corruption and fraud; deplores any acts aimed at limiting the work of journalists, including limiting access to information, criminal investigations, pressure to reveal sources and hate speech, notably hate speech against the independent media; is concerned that members of the Verkhovna Rada have fallen victim to or even intentionally helped to spread targeted disinformation campaigns, according to a recent analysis conducted by Ukrainian investigative journalist platforms;
71. Regrets the numerous attacks on journalists and civil activists registered in the period 2017-2019; calls on the Ukrainian authorities to prosecute the perpetrators and ensure the safety of media workers and journalists, and urges them to adopt a proportionate approach when regulating the media;
72. Urges the development of democratic, independent, pluralistic and balanced media landscape in Ukraine, which would bring to an end the politically motivated persecution of media channels, including revoking of licenses, and ensure the protection of local journalists, opinion makers and dissident voices from harassment and intimidation, allow non-discriminatory access to online and offline information and meaningful civic participation, and safeguard and guarantee human and civil rights; stresses that journalists, human rights defenders and defence lawyers should be able to work independently and without undue interference and intimidation; welcomes the work of Ukrainian human rights organisations and the Crimean prosecutor who, temporarily working from mainland Ukraine, records human rights violations and abuses; insists that all human rights violations must be investigated and the perpetrators brought to justice;
73. Underlines that gender equality is a key precondition for sustainable and inclusive

development; urges the Ukrainian Government and authorities to implement measures to further improve women's representation and equal treatment at all levels of political and societal life, as well as combating gender-based violence; requests that the Commission and the EEAS mainstream gender equality in all their policies, financial support, programmes and activities in relation to Ukraine, particularly when aimed at mitigating the negative effects caused by COVID-19, as women, including women entrepreneurs, have been among those most impacted by the strict confinement;

74. Condemns violent attacks and hate crimes against LGBTI persons and calls on the Ukrainian law enforcement authorities to effectively investigate these attacks; urges Ukraine to establish and effectively implement comprehensive secondary legislation that ensures freedom of belief, counters the continued discrimination against LGBTI persons, feminist activists, persons with disabilities and minorities, and to enhance the protection of their rights; calls on the Ukrainian Government and all political actors to undertake efforts to create an inclusive and tolerant society;
75. Regrets the fact that Article 161 of the Criminal Code still does not provide for the punishment of incitement to hatred or violence on grounds of sexual orientation or gender identity, and that these grounds are neither referenced as aggravating forms of offences nor included in the general provisions on aggravating circumstances under Article 67(1)(3); recalls that the Government's Action Plan on Implementation of the National Human Rights Strategy provided for the inclusion of the grounds of sexual orientation and gender identity as aggravating circumstances in Article 67 of the Criminal Code; recalls ECRI's recommendations and calls on Ukraine to amend the Criminal Code accordingly;

#### ***Trade and economic cooperation, labour and social affairs, mobility of workers***

76. Highlights that Ukraine is an important geopolitical, geostrategic and trading partner for the Union; welcomes the significant increase in the EU-Ukraine trade flow, as a result of which the Union is currently Ukraine's largest trading partner; regrets, however, the relatively low amount of foreign direct investments that are coming into the country;
77. Welcomes the continuous positive results achieved in bilateral trade and economic relations in 2019, with Ukrainian imports growing by 12.3 % and exports by 9.7 %, amounting to EUR 43.3 billion in total; underlines that trade between the EU and Ukraine has risen by 49 % and that the EU remains Ukraine's main trading partner, accounting for 40 % of its trade in 2019, while Ukraine is the EU's 18th biggest trading partner, accounting for 1.1 % of the EU's total trade; notes that Ukraine's trade deficit with the EU has increased to EUR 5.1 billion;
78. Encourages both sides to intensify cooperation on a bilateral level and in international forums in addressing the challenges presented by COVID-19, in particular by making supply chains more resilient and diversified, and by working together to address protectionist trends; notes that the EU's objective of achieving open strategic autonomy could create opportunities for even closer cooperation with its neighbourhood;
79. Encourages the Commission to support Ukraine in identifying the areas that could further foster economic diversification and in prioritising them in the process of the full implementation of the DCFTA;

80. Reiterates that Ukraine's gradual integration into the EU's internal market, as provided for in the AA, constitutes one of the key aims of the association and supports, in this context, establishing conditions for enhanced economic and trade relations between Ukraine and the EU, as well as a broader process of legislative approximation conditional on the full implementation of the DCFTA and compliance with the relevant legal, economic and technical regulations and standards;
81. Notes that a number of reforms have been introduced, leading to the deregulation of the economy, greater transparency of public finances and an improvement in regulations on concessions and public-private partnership, providing new opportunities for both local and foreign investors;
82. Notes, however, that no visible effects have been achieved in the de-oligarchisation of the country, as oligarchs still have a strong impact on the Ukrainian economy and politics, in particular in media ownership and influence over the judiciary and the law enforcement system; considers that creating clear and equal-for-all rules in the economy and politics may prove to be an effective method of de facto downgrading the unofficial influence of a small group of the richest entrepreneurs on the functioning of the state, including legislation, and therefore calls on the Ukrainian authorities to speed up the process of de-oligarchisation;
83. Regrets, furthermore, the increase in state-owned enterprises and urges Ukraine to further advance the privatisation of state-owned enterprises in order to modernise and improve the functioning of its economy and avoid oligarchisation; underlines the need for renewed commitment on the part of Ukraine to fight the influence of vested interests which, if neglected, could seriously undermine the track record of reforms thus far and of Ukraine's support measures altogether;
84. Calls for Ukraine and the EU to enhance cooperation on the further liberalisation of bilateral trade, including the conclusion of the ACAA agreement, as well as cooperation on sanitary and phytosanitary measures, and customs; furthermore, calls for increased sectoral cooperation between the EU and Ukraine in education and research, innovation, the ICT sector and digitalisation, as well as green technologies, in order to share know-how and best practices; calls, moreover, for increased cooperation and the gradually differentiated sectoral integration of Ukraine into the energy union, the Transport Community and the digital single market, among other areas;
85. Calls on Ukraine's authorities to open up the country's aviation market to European companies, including low-cost companies, and supports the signing of the common aviation area agreement at the earliest possible date;
86. Welcomes the progress made in cooperation between Ukraine and the EU in the digital area and encourages a further deepening of such cooperation, aimed at granting each other internal market treatment, including in other sectors of mutual interest; stresses the importance of the steps taken towards the digital transformation and e-governance, as well as the progress in approximating Ukraine's legislation to that of the EU in electronic trust services and electronic communications; encourages the Commission to further support Ukraine's efforts concerning media and information literacy, e-governance and the digital economy to reflect the current digital age and gradual integration into the EU's digital single market, as well as to explore ways of reducing

roaming fees between the EU and Ukraine; acknowledges, in this regard, the new EUR 25 million EU programme supporting e-governance and the digital economy in Ukraine; encourages the expansion of the Single Euro Payments Area (SEPA) to Ukraine once it has met all of the technical and legal requirements;

87. Calls on the Commission and the EEAS to conduct a credible needs assessment for the Donbas region to establish a strategy for its socio-economic recovery and suggests the creation of an appropriate international framework for the reconstruction of Donbas;
88. Calls on the Ukrainian authorities to continue reforms in the public health system, especially considering the devastating impact the COVID-19 pandemic has had on the Ukrainian health system; notes that, according to UNICEF, COVID-19 has created not only a public healthcare crisis, but also a socio-economic crisis, which might increase the poverty rate in Ukraine from 27.2 % to 43.6 % or even to 50.8 %; encourages, therefore, the Ukrainian Government to implement comprehensive social protection measures to mitigate the effects of COVID-19;
89. Welcomes the fact that Ukraine has joined the EU Health Security Committee and the Early Warning and Response System to take part in the pan-European coordination of COVID-19 response actions in public health; urges the Commission, the Member States and Ukraine to step up cooperation on public health resilience and to exchange best practices and work with civil society on establishing epidemic strategies focusing on the most vulnerable groups;
90. Calls on the Ukrainian Government to ensure that any restrictive measures in response to COVID-19 have a legal basis, are strictly necessary and proportionate to the objective of protecting public health and saving lives (based on scientific advice), are subject to constant review and lifted when no longer necessary, and are applied in a non-discriminatory way; calls on the authorities to ensure that vulnerable and marginalised groups are not disproportionately disadvantaged by the response to COVID-19, and to take steps to address pre-existing inequalities;
91. Urges Ukraine to tackle the pervasive cronyism and corruption that continues to exist in its healthcare sector, and especially in the Ministry of Health, and to effectively investigate any corrupt activities, in particular attempts to procure medical equipment at disproportionately high costs in the midst of the pandemic;
92. Praises the advancements in regulatory approximation with the EU *acquis* and the adoption in November 2019 of a sanitary and phytosanitary strategy, which includes more than 200 normative acts of the Union to be implemented into Ukrainian law;
93. Notes with concern the lack of sufficient progress in the approximation of EU animal welfare standards;
94. Welcomes the adoption in March 2020 of the law on farmland turnover, which should contribute to the unlocking of Ukraine's huge potential in the agricultural sector, as well as the adoption in May 2020 of the law on the improvement of certain instruments of banking activity regulation, which reinforces the banking system and prevents PrivatBank from being returned to its former owners;
95. Welcomes the fact that Ukraine has joined the Multi-Party Interim Appeal Arbitration

Arrangement (MPIA), thus contributing to overcoming the deadlock caused by the paralysis of the Appellate Body (AB) and to ensuring that World Trade Organization (WTO) members can benefit from a two-step dispute settlement system in the WTO until the AB is operable again;

96. Calls on Ukraine to adhere to the future rulings of the Arbitration Panel regarding the moratorium on unprocessed wood exports, while enforcing mandatory due diligence throughout the entire value chain of forestry commodities and improving governance in the forestry sector;
97. Notes with concern that Ukraine recently initiated two safeguard investigations into imports of nitrogen and complex fertilisers from the EU; acknowledges that Ukraine decided to terminate both safeguard investigations at the very last minute, while further safeguard investigations are in the pipeline; warns that similar actions could undermine mutual trust between the two sides;
98. Recalls that poultry meat is a sensitive product in the EU; acknowledges the solution found for the export of ‘other’ cuts of poultry by amending the trade preferences for poultry meat and poultry meat preparations and thereby closing the loophole in the agreement; calls on Ukraine to abstain from similar practices and to fully respect and implement all provisions of the DCFTA in good faith; calls on the Commission to conduct a thorough monitoring of the implementation of the DCFTA and to use all available measures to overcome any market-distorting practices and the potential exploitation of legal loopholes;
99. Urges that the rural-urban divide in Ukraine be addressed through effective financial and technical incentives to micro, small and medium-sized enterprises (MSMEs), small-scale farmers and family enterprises in rural and suburban areas, and through the improvement of human connectivity and infrastructure between cities and the countryside in order to foster social cohesion;
100. Welcomes the results achieved under the DCFTA Facility for SMEs in terms of improving access to finance and opening up trade opportunities; highlights that a proper information campaign could enable SMEs to benefit more from the opportunities offered by the DCFTA;
101. Calls on the Commission to provide technical support for regional employment centres in order to stimulate employment, to support and invest in young people and sustainable economic development programmes favouring social entrepreneurship, and to focus on young people from rural areas in order to strengthen the education system through labour market demand so as to protect the most vulnerable and prevent a lack of socio-economic opportunities;
102. Encourages the Commission to monitor the effects of the DCFTA on the labour and freedom of association rights connected to trade with the EU; calls on the Ukrainian Government to also focus on the social dimension of trade and sustainable development and closely monitor the economic and social effects of DCFTA implementation; calls on the Ukrainian Government to respect and enforce labour standards, and to ratify and fully implement all International Labour Organization (ILO) conventions; encourages the Ukrainian Government to continue the approximation of its labour standards to those of the EU, in particular as regards freedom of assembly and social dialogue;

welcomes the initiative for labour reform, but emphasises the need for broad consultations with trade unions and civil society, and recommends making use of expertise by the ILO on the matter;

103. Calls on the Ukrainian Government to introduce a system of incentives and sanctions to combat the notoriously high numbers of jobs in the informal employment sector;
104. Acknowledges the increased labour mobility between Ukraine and the EU, with emigration rates of between 2.2 and 2.7 million individuals, equivalent to between 13 and 16 % of total employment in Ukraine, which on the one hand contributes to reducing the supply of labour in Ukraine and labour shortages in certain professions, and on the other hand constitutes one of the factors pushing up wage growth for the workers who stay in the country and constitutes a source of inflow of remittances from migrants that has a notable impact on the Ukrainian economy, representing an inflow equivalent to more than 8 % of GDP; calls for a further analysis of the economic and social benefits and impacts of the post-2014 wave of labour emigration on both the economies and social security systems of Ukraine and the Member States; underlines that it is essential to see a governmental approach to developing a labour environment that provides decent working conditions for the employees of Ukrainian enterprises, including health and safety at work, legally declared jobs with state social security coverage, salaries paid on time and in full, the right to union membership and representation of interests, and meaningful collective bargaining leading to binding collective agreements; reiterates the need to address the brain drain in Ukraine by promoting quality and inclusive education and training programmes, and creating job opportunities with a view to providing socio-economic perspectives for young people and families in their local communities;
105. Welcomes and calls for the further development of the EU-funded programmes providing support for both the modernisation of the vocational education system in Ukraine ('EU4Skills: Better Skills for Modern Ukraine'), as well as for the business environment which plays a key role for potential returnees and for domestic entrepreneurs (anti-corruption, SME support, tax and customs reform, etc.) – both through sectoral grants and as conditions in EU macro-financial assistance programmes;
106. Calls on the Association Council to prioritise the implementation of international labour standards and EU legislation and practices in the areas of social policy, employment and labour, collective bargaining regulations, social dialogue, tackling gender inequality and labour legislation reform, so as to ensure that the social partners' interests are balanced and employees' rights are protected in compliance with the provisions of the Association Agreement (Articles 419-421 and 424) and the relevant ILO conventions (81, 87, 98, 117, 122, 129, 144, 154 and 173); reminds the Ukrainian Government that its efforts to improve the business climate, to attract direct investments and to promote economic growth must not take place at the expense of workers' rights and their working conditions; calls on the Ukrainian Government to systematically approach and institutionally support the social dialogue and to undertake efforts to make the National Tripartite Social and Economic Council an effective instrument of social dialogue;
107. Notes with concern that trade unions' ability to exercise their rights in Ukraine is limited because of imperfect and vague legislation;

## ***Energy, environment and climate change***

108. Welcomes the completion of the unbundling of Naftohaz in 2019 and the creation of a legally independent gas transmission system operator (GTSO), which is in line with the EU's third energy package; calls, however, on the Ukrainian authorities to reinforce the GTSO's technical independence from Naftohaz; welcomes the liberalisation and opening up of a competitive gas market for households; regrets, however, the latest attacks against Naftohaz's leadership, including the supervisory board of the company, which undermine its independence and the reform progress in the area achieved so far;
109. Underlines Ukraine's role as a strategic transit country for gas and the need for its national gas transmission system to be modernised, as well as the importance of its integration with the EU energy market based on the effective implementation of the updated Annex XXVII of the AA; welcomes the signature of the long-term gas transit contract facilitated by the EU; expresses concern over the construction of the Nord Stream 2 pipeline and reiterates its long-term fundamental political, economic and security risks; notes that the pipeline reinforces EU dependency on Russian gas supplies, threatens the EU internal market, is not in line with EU energy policy or its strategic interests and has possible negative consequences for war-torn Ukraine; therefore, in line with its previous positions, calls on all stakeholders, and, in particular, those in the Member States and Europe, to make use of the available legal clauses to halt the project;
110. Requests that the Commission screen Ukraine's compliance with European Union *acquis* in the energy sphere with a view to the further integration of energy markets; fully supports Ukraine's integration with the European continental power grid (ENTSO-E); urges Ukraine to improve the coordination of policies and actions of the international (e.g. the Commission, the European Bank for Reconstruction and Development, the European Investment Bank, the World Bank, the KfW, ENTSO-E and the Energy Community) and the Ukrainian institutions supporting the Ukrainian energy sector;
111. Condemns the extraction of gas by Russia from the Ukrainian shelf in the Ukrainian exclusive economic zone and states that the EU does not recognise the seizure of the gas fields by the Russian Federation in the Sea of Azov and the Black Sea and should support the legal actions of the Ukrainian authorities to stop these illegal extractions;
112. Regrets that the new wholesale electricity market that started operating in Ukraine in July 2019 is still not competitive by EU standards; urges Ukraine, therefore, to complete its reform and improve the level of compliance with EU law, first and foremost by enhancing Ukrenerho's independence and avoiding cross-subsidisation; calls on Ukraine to upgrade its existing power plants to meet strict European environmental and safety standards;
113. Welcomes the Ukrainian Government's position to respect the commitment, undertaken within the Energy Community, to comply with the applicable EU law, including environmental and safety policy, thus not allowing electricity from power plants in neighbouring countries that are being built without complying with the requirements of international conventions and the highest international environmental and safety standards to be imported;

114. Regrets the fact that in the renewables power generation sector, Ukraine is not yet meeting its obligations towards the investors, and that the delays in the payments to producers of electricity from renewable energy sources threaten the further development of clean energy sources in Ukraine;
115. Urges the Ukrainian authorities to urgently complete the modernisation of nuclear power plants and investigate the delays in these processes, in particular the upgrade of the Zaporizhia nuclear power plant;
116. Stresses the importance of increasing infrastructure cooperation in the region, the further diversification of Ukraine's energy supplies, energy efficiency, renewable energy sources and the connectivity of Ukraine's energy sector, while ensuring environmental sustainability; notes that the support and promotion of intra-regional trade among Eastern Partnership countries will also create new economic opportunities, including for SMEs;
117. Commends the adoption by the Ukrainian Government in February 2019 of the strategy for the state environmental policy up to 2030 and the national waste management plan, Environmental Impact Assessment and Strategic Environmental Assessment laws, and the laws adopted in the field of climate policy; urges Ukraine to further enhance its engagement in the fight against climate change, in its implementation of climate change policies, in climate change mainstreaming in all areas of policy-making, as well as in increasing its efforts on national commitments related to the 2015 Paris Agreement;
118. Urges Ukraine to effectively fight illegal logging in accordance with sustainable forestry management and environmental protection standards, and to take action to put an end to the environmental damage caused by the illegal and unsustainable exploitation of natural resources, such as illegal logging in the primeval Carpathian forests, which is also the main reason for the floods in the region; calls for the EU to contribute to preventing illegal logging in connection with the unlawful Svydovets ski resort project, as well as the illegal and environmentally harmful method of amber extraction; encourages Ukraine to invest in ecologically and environmentally safe and sustainable tourist infrastructure, and calls on the Ukrainian authorities to prevent future projects from harming the environment by improving scrutiny, transparency and the implementation of environmental impact assessments and due diligence; urges Ukraine to provide open and convenient access to environmental information, to expand protected areas and to speed up the implementation of the national emissions reduction plan for major pollutants from large combustion plants; encourages Ukraine to adopt legislation for the development of sustainable transport; urges Ukraine to clean up and dispose of highly hazardous agricultural chemicals in a safe and environmentally conscious way, in particular the obsolete pesticides in Kherson Oblast and other regions of Ukraine;
119. Is deeply concerned about the environmental impact of the conflict in eastern Ukraine, including the dangers posed by the flooding of inter-connected mines; calls for an in-depth evaluation of the conflict's environmental impact to be followed-up with a reaction plan designed to prevent an ecological collapse; proposes a 'Donbas demining' programme involving the Ukrainian authorities and the international community;
120. Is also deeply concerned about the approximately 1 200 radioactive sources – used for

medical, industrial, or scientific purposes – located in and around the Donetsk region, which pose serious health, safety and ecological risks; calls on the OSCE, the Trilateral Contact Group and the Normandy four format countries to counter the proliferation of radioactive activities and the smuggling of radioactive substances in line with the nuclear non-proliferation regime; urges all of the parties to engage with the relevant stakeholders in order to safely transport high-activity disused radioactive sources out of the Donbas region;

121. Welcomes Ukraine's ambition to contribute to the European Green Deal's goals and calls on the Commission to adequately support Ukraine's efforts, inter alia by establishing a relevant structured dialogue, a roadmap and an exchange of information; calls on the Commission to ensure that the DCFTA does not contradict the environmental objectives and initiatives set out therein;
122. Welcomes the EU's EUR 10 million 'Climate package for a sustainable economy' programme which will offer support to Ukraine in developing a holistic approach to restructure its key economic sectors towards a low-carbon economy;

### *People-to-people contacts*

123. Acknowledges the importance of cross-border mobility in strengthening people-to-people contacts and welcomes the continued successful implementation of the visa-free regime for the citizens of Ukraine, which has allowed Ukrainian citizens to make more than 40 million trips to EU countries since June 2017; underlines the importance of continuing to fulfil the visa liberalisation benchmarks and of accelerating the related reform efforts; expresses the view that the visa-free regime has resulted in increased travel from Ukraine to the EU, and therefore in a better understanding between the respective societies, which is the best basis for continued rapprochement; underlines that this approach must be further carried on and, over time, expanded;
124. Recalls the importance of Ukraine's integration into EU frameworks, such as Erasmus+, Horizon Europe, and Creative Europe, and the need to intensify the relevant cooperation in the framework of current and future programmes; holds the view that the participation of Ukrainian students, as well as university and school teachers, in the Erasmus+ programmes should be visibly enlarged;
125. Notes that the increased number of visits by Ukrainian citizens to Schengen countries has represented a challenge for EU-Ukrainian border crossing points, which are congested and that neither their infrastructure nor their capacity is adequate to provide decent and humane conditions for people crossing the border; notes that one of the most acute problems on the EU-Ukraine border, especially on the Hungarian-Ukrainian and Polish-Ukrainian sections, has been the long waiting times to cross the border; appeals to the Commission to launch a dialogue with the aim of ensuring that border crossing procedures are prompt and free of corruption through, inter alia, investments, the training of personnel and an effective mechanism for border crossing complaints; encourages the EU to support the establishment of new border crossing points and the expansion of existing ones on the EU-Ukraine border through the strict monitoring of funding to eliminate past abuses;
126. Supports enhanced EU-Ukraine cooperation, in particular on border management, national asylum and identity management systems based on biometric means,

countering money laundering and the financing of terrorism, combating organised crime and serious international crimes, and deepening cooperation between Ukraine and the European Border and Coast Guard Agency (FRONTEX);

127. Notes that further progress has been made concerning the alignment of Ukrainian customs and border procedures to those of the Union, as well as the ongoing institutional reforms of the Tax and Customs Administrations; welcomes the law on the Single Legal Entity (SLE) for the State Customs Service (SCS), as well as the laws on Authorised Economic Operators (AEO), and on the introduction of the National Electronic Transit System (NCTS), that were adopted in Autumn 2019; also welcomes the adoption in July 2019 of a ‘Strategy for integrated border management up to 2025’ and the subsequent 2020-2022 action plan; regrets, however, the stalling of the EU-funded project for the modernisation of six checkpoints on the border with the Union and deplores the very long waiting times that are still experienced at those borders; urges the Ukrainian authorities, moreover, to adopt all the outstanding measures and regulations needed to make the AEO and NCTS systems fully operational and to ensure that the new management of the SCS is swiftly appointed from among competent candidates through a transparent and unbiased public selection procedure; urges the Ukrainian authorities to criminalise the smuggling of all goods as a crucial element of the integrated border management;
128. Calls for the EU and the Ukrainian and Moldovan authorities to speed up the process of blocking illegal trade and shutting down contraband channels in Transnistria as a safe haven for smugglers which has been exploited by criminals and oligarchs, serves to strengthen Russian influence and has been one of the major factors protracting the conflict;

### *Institutional provisions*

129. Welcomes the outcome of the EU-Ukraine summit of 6 October 2020, the first bilateral summit held physically in Brussels since the outbreak of the COVID-19 pandemic, and the clear declarations of both sides of their continued commitment to strengthening the political association and economic integration of Ukraine with the European Union;
130. Is pleased with the outcome of the ongoing meetings and activities in the context of the European Parliament’s Jean Monnet Dialogues for Peace and Democracy with the Verkhovna Rada of Ukraine, and fully supports their continuation; is convinced that deepening the parliamentary culture of dialogue will ensure a strong, independent, transparent and effective Verkhovna Rada of Ukraine, essential for the country’s democratic and European future and which is in line with the aspirations of Ukrainian citizens;
131. Encourages, in this context, the Verkhovna Rada to actively continue its institutional reform which aims at, inter alia, increasing legislative capacity and quality, the political oversight of the executive, as well as transparency and accountability to citizens, with a view to streamlining and prioritising the adoption of draft laws related to the implementation of the AA, as well as to establishing institutional safeguards to block legislation which contravenes the commitments made under the AA, for example through a stronger role for the Committee for European Integration, whose opinions should be binding; underlines the importance of the European Parliament’s continued

engagement with the Verkhovna Rada in order to provide support to such reform process; stresses the importance of continuing inter-parliamentary cooperation and people-to-people contacts in the best possible manner in the context of the COVID-19 pandemic;

132. Stresses the importance of continued support to the European Union Advisory Mission (EUAM) Ukraine and its role in the reform of the civilian security sector; welcomes the opening of its field office in Mariupol, and hopes for tangible results, in keeping with the Mission's mandate; requests that the Commission step up its efforts in strengthening the capacities of the Ukrainian authorities involved in AA/DCFTA implementation; requests that the Commission design the tools necessary for supporting Ukraine's continuous alignment with the EU *acquis*, in line with the relevant decisions of the 22nd Ukraine-EU Summit;
133. Reiterates its call for the establishment of an Eastern Partnership University in Ukraine; calls for the Union's institutions to reinforce and expand training programmes for Ukrainian legal professionals wishing to specialise in EU law and to strengthen the capacity of Ukraine to participate in Horizon Europe, among other ways of boosting people-to-people contacts, and academic and educational cooperation between the EU and Ukraine;
134. Welcomes the EU's support for institutional capacity building and the training courses for the Ukrainian civil servants organised by the College of Europe, Natolin;
135. Calls for all EU institutions, the Member States and the Ukrainian authorities to build campaigns to better inform citizens about the opportunities stemming from the Eastern Partnership initiative and AA/DCFTA implementation, raising awareness about the benefits of closer association and linking them to the positive developments on labour markets in Ukraine and the other associated countries; encourages the Ukrainian authorities to better communicate the benefits of the AA/DCFTA and of EU assistance to the citizens of Ukraine and to put in more efforts to ensure that the opportunities offered by AA/DCFTA and EU assistance and programmes reach local level, including in the remote parts of the country, in particular rural areas, so as to enable inhabitants to push for positive changes in their communities;
136. Commends Ukrainian civil society, young people and NGOs for their activities in all areas of public and political life, and, in particular, for their support to the implementation of the AA/DCFTA, for addressing the challenges of the COVID-19 pandemic, for combating disinformation campaigns, for providing assistance and relief to IDPs and other vulnerable groups and bolstering societal resilience and media literacy among the Ukrainian people; encourages the Ukrainian central and local governments to continue fostering close cooperation with civil society, including by providing increased financial support for its activities; calls on the Commission to prioritise support to these NGOs and civil society organisations; welcomes, in this regard, the 'Civil Society Facility' programme comprising EUR 20 million, which will support the strengthening of civil society organisations' capacity to participate in decision making and public life; urges the Ukrainian authorities, in the light of several draft laws on the functioning and work of civil society organisations and other associations, not to adopt any laws which are not in line with Ukraine's domestic and international human rights obligations, and to guarantee the functioning of civil society

without undue interference;

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137. Instructs its President to forward this resolution to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, to the President, Government and Parliament of Ukraine, and to the President, Government and Parliament of the Russian Federation.

27.10.2020

## OPINION OF THE COMMITTEE ON INTERNATIONAL TRADE

for the Committee on Foreign Affairs

on the implementation of the EU Association Agreement with Ukraine  
(2019/2202(INI))

Rapporteur for opinion: Enikő Győri

### SUGGESTIONS

The Committee on International Trade calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Highlights that Ukraine is an important geopolitical, geostrategic and trading partner for the European Union; believes that the Deep and Comprehensive Free Trade Area (DCFTA), in application since 2016, has contributed to the positive evolution of trade and to economic modernisation, has boosted foreign direct investments and has created new jobs on both sides; welcomes the continuous positive results achieved in bilateral trade and economic relations in 2019, with Ukrainian imports growing by 12.3 % and exports by 9.7 %, amounting to EUR 43.3 billion in total; underlines that trade between the EU and Ukraine has risen by 49 % and that the EU remains Ukraine's main trading partner, accounting for 40 % of its trade in 2019, while Ukraine is the EU's 18th biggest trading partner, accounting for 1.1 % of the EU's total trade; notes that Ukraine's trade deficit with the EU has increased to EUR 5.1 billion;
2. Welcomes the approval and disbursement in two parts of the fourth consecutive Macro-Financial Assistance (MFA) programme of EUR 1 billion in support to Ukraine; notes that in total the EU has provided Ukraine with EUR 3.8 billion in MFA loans since 2014, representing the largest MFA amount that the EU has disbursed to any single partner country; highlights the EU's prompt reaction in providing EUR 190 million to meet the most immediate health needs and the importance and timeliness of the additional EUR 1.2 billion in MFA support to Ukraine in the context of the COVID-19 pandemic; notes that this is a crucial demonstration of the EU's solidarity at a time of unprecedented crisis; recalls that the MFA has been an important tool in implementing Ukraine's ambitious reform agenda and accelerating economic growth, notably through the 'more for more' incentives; recalls the importance of the conditionalities based on real democratic reforms and good governance; encourages Ukraine to continue making progress in regulatory approximation to the EU acquis;
3. Encourages both sides to intensify cooperation on a bilateral level and in international

fora in addressing challenges presented by COVID-19, in particular by making supply chains more resilient and diversified and by working together to address protectionist trends; notes that the EU's objective of achieving open strategic autonomy could create opportunities for even closer cooperation with its neighbourhood;

4. Encourages Ukraine to continue its path towards agricultural, environmental and social reforms; emphasises that alignment with the DCFTA rules will enable parties to strengthen cooperation and facilitate trade; urges Ukraine to fully respect the environmental objectives set out in the DCFTA, as well as its international commitments to sustainable trade and development, in particular the Paris Agreement; encourages the Commission to monitor the effects of the DCFTA on labour and freedom of association rights connected to trade with the EU; calls on Ukraine to focus on the social dimension of trade by addressing the shortcomings of the labour inspection system and discrimination in the labour market and employment policies;
5. Calls on the Commission to upgrade neglected areas of the association agreements (AAs)/DCFTAs with regard to important policy areas such as gender mainstreaming and dealing with health crises, while ensuring that they do not run counter to the imperative for environmental and climate action or European Green Deal initiatives;
6. Calls for the EU to continue supporting AA/DCFTA countries' accession to the Single Euro Payments Area (SEPA), which will first and foremost benefit citizens and provide new opportunities for SME development;
7. Welcomes the results achieved under the DCFTA Facility for SMEs in terms of improving access to finance and opening up trade opportunities; highlights that a proper information campaign could enable SMEs to benefit more from the opportunities offered by the DCFTA; calls on the Commission to monitor the impact of the DCFTA on SMEs; notes that the support and promotion of intra-regional trade among Eastern Partnership countries will also create new economic opportunities, including for SMEs;
8. Calls on the Commission to support investments in sectors with potential for development, growth and competitiveness in the EU and which could further foster economic diversification, such as sustainable energy and climate, the digital single market and cyber security, and transport; welcomes the positive steps taken by Ukraine in the digital transformation, and calls on the Commission and Member States to further explore increased sectoral cooperation and investment in the digital economy, education and research, digital skills, innovation and the fight against disinformation, to enhance the ICT sector, as well as green technologies, and to share know-how and best practices; acknowledges in this regard the new EUR 25 million EU programme supporting e-governance and the digital economy in Ukraine;
9. Welcomes the fact that Ukraine has joined the Multi-Party Interim Appeal Arbitration Arrangement (MPIA), thus contributing to overcoming the deadlock caused by the paralysis of the Appellate Body (AB) and to ensuring that World Trade Organization (WTO) members can benefit from a two-step dispute settlement system in the WTO until the AB is operable again;
10. Calls on the Commission to provide technical support for regional employment centres in order to stimulate employment, to support and invest in young people and sustainable economic development programmes favouring social entrepreneurship, and to focus on

young people from rural areas in order to strengthen the education system through labour market demand so as to protect the most vulnerable and prevent a lack of socio-economic opportunities;

11. Recalls that poultry meat is a sensitive product in the EU; acknowledges the solution found for the export of ‘other’ cuts of poultry by amending the trade preferences for poultry meat and poultry meat preparations and thereby closing the loophole in the agreement; calls on Ukraine to abstain from similar practices and to fully respect and implement all provisions of the DCFTA in good faith; calls on the Commission to conduct a thorough monitoring of the implementation of the DCFTA and to use all available measures to overcome any market-distorting practices and the potential exploitation of legal loopholes;
12. Welcomes the numerous reforms and regulations adopted by Ukraine in line with the DCFTA, such as the EU-Ukraine Sanitary and Phytosanitary (SPS) Strategy, as well as Ukraine’s alignment of technical regulations and procedures with those of the EU; notes with concern the lack of sufficient progress in the approximation of EU animal welfare standards; calls on Ukraine to urgently align its animal welfare legislation and sanitary and phytosanitary standards with the Union acquis, and to enforce them in accordance with the SPS Strategy; stresses that the extension of the transition period for broilers, laying hens and pigs until 2026 should be reviewed;
13. Recalls the role of the DCFTA as part of a reform process based on good governance and tackling corruption and organised crime; underlines that the further strengthening of the rule of law, structural reform and the fight against corruption are of key importance in creating a more attractive business and investment environment in Ukraine; stresses the importance of faithful cooperation with civil society organisations by incorporating their views into decision-making and the implementation of reforms;
14. Considers that regulatory approximation with the EU acquis is the most important dimension of the DCFTA because actual access to the EU market and reform very much depend on the appropriate implementation and enforcement of the relevant legislation; is aware of the important challenge this represents for governance, institutions and public administration in Ukraine and encourages the Commission to provide adequate technical and financial support; commends the activities of the Support Group for Ukraine and calls on the group to provide more reporting to the European Parliament on the kind of assistance provided, notably with regard to acquis transposition and implementation;
15. Is concerned that Ukraine is listed by the Commission as a ‘category 2’ priority country, meaning that intellectual property rights (IPR) are not sufficiently protected and enforced; highlights the need to strengthen customs controls and infrastructure to better prevent the entry and transit of counterfeit products into and within Ukraine; calls on the Commission to continue assisting Ukraine in the elaboration of new draft laws on IPR;
16. Notes with concern that Ukraine recently initiated two safeguard investigations into imports of nitrogen and complex fertilisers from the EU; acknowledges that Ukraine decided to terminate both safeguard investigations at the very last minute, while further safeguard investigations are in the pipeline; warns that similar actions could undermine

the mutual trust between the two sides;

17. Notes that the EU launched a formal dispute settlement procedure under the EU-Ukraine Association Agreement on Ukraine's export ban on unprocessed wood and is concerned by the slow progress towards its resolution; calls on Ukraine to lift the trade restrictions on wood, as they are incompatible with the requirements of the EU-Ukraine AA;
18. Recalls the importance of peace for the economic and social development of Ukraine; notes that the EU's economic sanctions against Russia, in response to the illegal annexation of Crimea and the deliberate destabilisation of Ukraine, have been extended until 31 January 2021 for failure to fully implement the Minsk Agreements; calls on the Commission and the European External Action Service to increase efforts to mediate in this conflict in order to help the Ukrainian economy and the region to fully unlock the economic potential of cooperation in the region;
19. Calls on the Commission to thoroughly monitor and assess the implementation of the DCFTA, with a special focus on acquis transposition and implementation and on any cases of infringement of the agreement; encourages the Commission to support Ukraine in identifying the areas that could further foster economic diversification and in prioritising them in the process of the full implementation of the DCFTA; calls on the Commission to report back to Parliament on those issues, including on the technical and financial support provided by the EU, and to use all the lessons learned in the revision of the DCFTA scheduled for 2021.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	27.10.2020
<b>Result of final vote</b>	+: 34 -: 6 0: 3
<b>Members present for the final vote</b>	Barry Andrews, Anna-Michelle Asimakopoulou, Tiziana Beghin, Geert Bourgeois, Saskia Bricmont, Udo Bullmann, Jordi Cañas, Daniel Caspary, Miroslav Číž, Arnaud Danjean, Paolo De Castro, Emmanouil Fragkos, Raphaël Glucksmann, Markéta Gregorová, Enikő Győri, Roman Haider, Christophe Hansen, Heidi Hautala, Danuta Maria Hübner, Herve Juvin, Maximilian Krah, Danilo Oscar Lancini, Bernd Lange, Margarida Marques, Gabriel Mato, Sara Matthieu, Emmanuel Maurel, Carles Puigdemont i Casamajó, Samira Rafaela, Inma Rodríguez-Piñero, Massimiliano Salini, Helmut Scholz, Liesje Schreinemacher, Sven Simon, Dominik Tarczyński, Mihai Tudose, Kathleen Van Brempt, Marie-Pierre Vedrenne, Jörgen Warborn, Iuliu Winkler, Jan Zahradil
<b>Substitutes present for the final vote</b>	Svenja Hahn, Jean-Lin Lacapelle

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

34	+
EPP	Anna-Michelle Asimakopoulou, Daniel Caspary, Arnaud Danjean, Enikő Győri, Christophe Hansen, Danuta Maria Hübner, Gabriel Mato, Massimiliano Salini, Sven Simon, Jörgen Warborn, Iuliu Winkler
S&D	Udo Bullmann, Paolo De Castro, Raphaël Glucksmann, Bernd Lange, Margarida Marques, Inma Rodríguez-Piñero, Mihai Tudose, Kathleen Van Brempt, Miroslav Číž
RENEW	Barry Andrews, Jordi Cañas, Svenja Hahn, Samira Rafaela, Liesje Schreinemacher, Marie-Pierre Vedrenne
GREENS	Saskia Bricmont, Markéta Gregorová, Heidi Hautala, Sara Matthieu
ECR	Geert Bourgeois, Dominik Tarczyński, Jan Zahradil
NI	Carles Puigdemont i Casamajó

6	-
ID	Herve Juvin, Maximilian Krah, Jean-Lin Lacapelle
GUE	Emmanuel Maurel, Helmut Scholz
NI	Tiziana Beghin

3	0
ID	Roman Haider, Danilo Oscar Lancini
ECR	Emmanouil Fragkos

**Key to symbols:**

+ : in favour

- : against

0 : abstention



## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	9.11.2020
<b>Result of final vote</b>	+: 53 -: 7 0: 8
<b>Members present for the final vote</b>	Alviina Alametsä, Maria Arena, Petras Auštrevičius, Traian Băsescu, Lars Patrick Berg, Anna Bonfrisco, Reinhard Bütikofer, Fabio Massimo Castaldo, Susanna Ceccardi, Włodzimierz Cimoszewicz, Katalin Cseh, Tanja Fajon, Anna Fotyga, Michael Gahler, Sunčana Glavak, Raphaël Glucksmann, Klemen Grošelj, Bernard Guetta, Márton Gyöngyösi, Sandra Kalniete, Dietmar Köster, Andrius Kubilius, Ilhan Kyuchyuk, David Lega, Miriam Lexmann, Nathalie Loiseau, Antonio López-Istúriz White, Claudiu Manda, Thierry Mariani, David McAllister, Vangelis Meimarakis, Sven Mikser, Francisco José Millán Mon, Gheorghe-Vlad Nistor, Urmas Paet, Demetris Papadakis, Kostas Papadakis, Tonino Picula, Manu Pineda, Kati Piri, Giuliano Pisapia, Jérôme Rivière, María Soraya Rodríguez Ramos, Nacho Sánchez Amor, Isabel Santos, Jacek Saryusz-Wolski, Andreas Schieder, Radosław Sikorski, Jordi Solé, Sergei Stanishev, Tineke Strik, Hermann Tertsch, Hilde Vautmans, Harald Vilimsky, Idoia Villanueva Ruiz, Viola Von Cramon-Taubadel, Witold Jan Waszczykowski, Charlie Weimers, Isabel Wiseler-Lima, Salima Yenbou, Željana Zovko
<b>Substitutes present for the final vote</b>	Vladimír Bilčík, Andrea Bocskor, Andrzej Halicki, Katrin Langensiepen, Michal Šimečka, Mick Wallace

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

53	+
PPE	Traian Băsescu, Michael Gahler, Sunčana Glavak, Sandra Kalniete, Andrius Kubilius, David Lega, Miriam Lexmann, Antonio López-Istúriz White, David McAllister, Lukas Mandl, Vangelis Meimarakis, Francisco José Millán Mon, Gheorghe-Vlad Nistor, Radosław Sikorski, Isabel Wiseler-Lima, Željana Zovko, Vladimír Bilčík, Andrzej Halicki
S&D	Maria Arena, Włodzimierz Cimoszewicz, Tanja Fajon, Raphaël Glucksmann, Claudiu Manda, Sven Mikser, Demetris Papadakis, Tonino Picula, Kati Piri, Giuliano Pisapia, Nacho Sánchez Amor, Isabel Santos, Andreas Schieder
RENEW	Petras Auštrevičius, Katalin Cseh, Klemen Grošelj, Bernard Guetta, Ilhan Kyuchyuk, Nathalie Loiseau, Urmas Paet, María Soraya Rodríguez Ramos, Hilde Vautmans, Michal Šimečka
VERTS	Alviina Alametsä, Reinhard Bütikofer, Jordi Solé, Tineke Strik, Viola Von Cramon-Taubadel, Salima Yenbou, Katrin Langensiepen
ECR	Anna Fotyga, Jacek Saryusz-Wolski, Hermann Tertsch, Witold Jan Waszczykowski,
NI	Márton Gyöngyösi

7	-
S&D	Dietmar Köster
ID	Thierry Mariani, Jérôme Rivière, Harald Vilimsky
GUE	Manu Pineda, Mick Wallace
NI	Kostas Papadakis

8	0
PPE	Andrea Bocskor
S&D	Sergei Stanishev
ID	Lars Patrick Berg, Anna Bonfrisco, Susanna Ceccardi
ECR	Charlie Weimers
GUE	Idoia Villanueva Ruiz
NI	Fabio Massimo Castaldo

Key to symbols:

+ : in favour

- : against

0 : abstention