

Insights into European Commission Assessment Reports on Ukraine: *A Comparative Analysis*

February–November 2023

based on

Brussels, 1.2.2023 [SWD\(2023\) 30 final](#)

Brussels, 8.11.2023 [SWD\(2023\) 699 final](#)



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Introduction

In February 2019, five years after the annexation of Crimea and the aggression in Donbas by the Russian Federation, Ukraine embedded its aspirations for EU membership and Euro-Atlantic integration into its Constitution. Then, on February 28, 2022, merely four days after Russia launched a full-scale war, Ukraine applied for EU membership. Subsequently, on June 23, 2022, it was granted the status of a candidate for accession to the EU, albeit subject to [seven recommendations](#). This marked the commencement of an unprecedented journey toward EU membership for Ukraine, even as millions of its citizens fled the war zones, seeking shelter in Europe and beyond. Despite facing significant losses in talent within its economy and public sector in a matter of weeks, Ukraine remained resilient, buoyed by support from European and international partners.

As the Ukrainian Army steadfastly defends the freedom of Ukraine and Europe, civil society organizations (CSOs) have united their efforts to bolster the nation's aspirations for EU membership and safeguard democratic principles. Through open public debates with state authorities, these CSOs have played a vital role in nurturing transparent dialogue and accountability. Approximately 300 independent experts actively participated in completing the EU candidate questionnaire in April-May 2022, demonstrating a strong commitment to the country's European integration process. Despite facing the challenges posed by martial law and shifts in political dynamics brought about by the realities of war, many of these experts have continued to engage in [legislative monitoring](#) and [advocate](#) for democratic values, underscoring their unwavering dedication to Ukraine's democratic development.

Despite facing disruptions caused by the ongoing war, including frequent air-alerts and the need to prioritize critical military-related legislation, the Ukrainian Parliament and the Cabinet of Ministers have persevered in their duties. Additionally, they have successfully implemented the seven recommendations outlined by the Commission in June 2022. Furthermore, the four additional steps suggested by the Commission on November 8, 2023, have also been promptly addressed and acted upon.

On 1 February 2023, the European Commission [assessed](#) Ukraine's progress and followed up on 8 November 2023 with the [next analysis](#), which resulted in the Commission's [recommendation](#) to open the accession negotiations with Ukraine based on the EU *acquis* implementation status as represented further.

In light of the aforementioned events, the Euroscope Comparative Analysis (ECA) aims to evaluate the summaries presented in the two Staff Working Documents (SWD) issued by the European Commission on February 1 and November 8, 2023.

Methodology

The analysis focuses on assessing Ukraine’s overall readiness to meet the obligations of EU membership. Central to the methodology is the measurement of progress using a numeric indexing system and colour scheme, as defined by the SWDs. This scale categorizes the state of play into various stages, ranging from an early stage to being well advanced, each assigned a corresponding numeric value and colour as shown below:

Nominal (numeric index)	Coefficient
backsliding	-0.5
no progress	0
limited progress	0.2
some progress	0.5
good progress	0.8
very good progress	1

State of play (colour scheme)	Scale
early stage	1
some level of preparation	2
moderately prepared	3
good level of preparation	4
well advanced	5

The assessment encompasses the entirety of EU law, known as the *acquis* of the European Union, including the Treaty, secondary legislation, and EU policies. It provides an independent evaluation of Ukraine’s alignment with the EU *acquis*, categorizing areas as fully implemented, partially implemented, or potentially compromised due to legislative or institutional disruptions.

Throughout 2023, the Euroscope project also published monthly digests offering a detailed chronological analysis of Ukraine’s alignment progress in assessed chapters of the EU *acquis*.

During the same period, the Cabinet of Ministers of Ukraine conducted internal assessments, including self-screening exercises. These assessments outlined the state authority bodies responsible for negotiations, identified the most and least aligned chapters of the EU *acquis*, and prioritized legislation for implementation, and were also taken into consideration in this analysis.

The ECA report serves as an independent and efficient reference for tracking the implementation of the EU *acquis* by Ukraine.

Summary Overview

Progress Summary Across All Chapters

Free movement of goods: Maintained a good level of progress consistently from February to November.

Freedom of movement for workers: No significant progress was noted during the reporting period.

Right of establishment and freedom to provide services: Some progress has been made, with consistent levels from February to November.

Free movement of capital: Maintained a good level of progress consistently.

Public procurement: Progress has been limited, with no significant improvement noted.

Company law: Some progress has been made.

Intellectual property law: Progress improved from February to November, reaching a good level.

Competition policy: Progress has been limited, with no significant improvement.

Financial services: Some progress has been made.

Information society and media: Maintained a good level of progress consistently from February to November.

Agriculture and rural development: Some progress has been made, with no significant change.

Food safety, veterinary and phytosanitary policy: Some progress has been made.

Fisheries: Progress improved from February to November, reaching middle progress level.

Transport policy: Progress has been limited, with no significant improvement.

Energy: Maintained some level of progress consistently from February to November.

Taxation: Some progress has been made.

Economic and monetary policy: No significant progress was noted during the reporting period.

Statistics: Progress has been limited, with no significant improvement.

Social policy: Progress has been limited.

Enterprise and industrial policy: Progress has been limited.

TransEuropean networks: Some progress has been made, with consistent levels from February to November.

Regional policy and coordination of structural instruments: Progress has been limited.

Judiciary and fundamental rights: Maintained a good level of progress consistently from February to November.

Justice, freedom and security: Some progress has been made.

Science and research: Progress has been limited.

Education and culture: Some progress has been made.

Environment: Progress improved from February to November, reaching a good level.

Consumer and health protection: Progress has been limited.

Customs union: Maintained a good level of progress consistently from February to November.

External relations: Progress has been limited.

Foreign, security and defence policy: Maintained a good level of progress.

Financial control: Progress has been limited.

Financial and budgetary provisions: Progress has been limited.

Advancements in EU Acquis Alignment: Key Chapters with a High Progress Score

Chapter 1 – Free movement of goods:

Weighted Score: 3.8

Chapter 4 – Free movement of capital:

Weighted Score: 2.8

Chapter 7 – Intellectual property law:

Weighted Score: 2

Chapter 10 – Information society and media:

Weighted Score: 3.8

Chapter 23 – Judiciary and fundamental rights:

Weighted Score: 2.8

Chapter 27 – Environment:

Weighted Score: 2

Chapter 29 – Customs union:

Weighted Score: 4.8

Chapter 31- Foreign, security and defence policy:

Weighted Score: 4.8

Progress Made in Various Chapters of the EU Acquis: Comparative Analysis Table

Chapter of the EU acquis	Feb	Nov	Progress	Weighted
Chapter 1 Free movement of goods	3	3	good	3.8
Chapter 2 Freedom of movement for workers	1	1	none	1
Chapter 3 Right of establishment and freedom to provide services	2	2	some	2.5
Chapter 4 Free movement of capital	2	2	good	2.8
Chapter 5 Public procurement	2	2	limited	2.2
Chapter 6 Company law	2	2	some	2.5
Chapter 7 Intellectual property law	1	2	good	2
Chapter 8 Competition policy	2	2	limited	2.2
Chapter 9 Financial services	2	2	some	2.5
Chapter 10 Information society and media	3	3	good	3.8
Chapter 11 Agriculture and rural development	1	1	some	1.5
Chapter 12 Food safety, veterinary and phytosanitary policy	3	3	some	3.5
Chapter 13 Fisheries	1	2	some	2
Chapter 14 Transport policy	2	2	limited	2.2
Chapter 15 Energy	4	4	some	4.5
Chapter 16 Taxation	2	2	some	2.5
Chapter 17 Economic and monetary policy	3	3	none	3
Chapter 18 Statistics	2	2	limited	2.2
Chapter 19 Social policy	1	1	limited	1.2
Chapter 20 Enterprise and industrial policy	2	2	limited	2.2
Chapter 21 Trans-European networks	2	2	some	2.5
Chapter 22 Regional policy and coordination of structural instruments	2	2	limited	2.2
Chapter 23 Judiciary and fundamental rights	2	2	good	2.8
Chapter 24 Justice, freedom and security	2	2	some	2.5
Chapter 25 Science and research	3	3	limited	2.2
Chapter 26 Education and culture	2	2	some	2.5
Chapter 27 Environment	1	2	good	2
Chapter 28 Consumer and health protection	2	2	limited	2.2
Chapter 29 Customs union	4	4	good	4.8
Chapter 30 External relations	4	4	limited	4.2
Chapter 31 Foreign, security and defence policy	4	4	good	4.8
Chapter 32 Financial control	1	1	limited	1.2
Chapter 33 Financial and budgetary provisions	1	1	limited	1.2

Chapter-by-Chapter Review: Progress in EU Acquis Alignment

Free Movement of Goods Chapter 1 of the EU acquis

1. Progress Snapshot:

February: moderately prepared (3 out of 5)
November: moderately prepared (3 out of 5)
Progress: some (+0.5)

2. Acquis Transposition:

Regulation [\(EC\) No 765/2008](#) setting out the requirements for accreditation and market surveillance relating to the marketing of products – partially implemented

Decision [No 768/2008/EC](#) on a common framework for the marketing of products – partially implemented

Regulation [\(EU\) No 1025/2012](#) on European standardisation – partially implemented

Regulation [\(EC\) No 1946/2003](#) on transboundary movements of genetically modified organisms – partially implemented

Regulation [\(EU\) No 528/2012](#) concerning the making available on the market and use of biocidal products – partially implemented

Directive [2001/95/EC](#) on general product safety – partially implemented

Directive [94/62/EC](#) on packaging and packaging waste – partially implemented

Directive [2008/98/EC](#) on waste – partially implemented

Directive [2018/852/EC](#) amending Directive 94/62/EC on packaging and packaging waste – partially implemented

3. Specific Legislative Tracks

Gradual progress in quality infrastructure and “new and global approach” EU *acquis* approximation on product groups covered by pending Agreement on Conformity and Assessment and Acceptance of Industrial Products (ACAA) and within the Deep and Comprehensive Free Trade Area (DCFTA).

Ukraine’s legislation on quality infrastructure is partially aligned with the EU *acquis*. Administrative structures already exist to deal with technical regulations, standardisation, conformity assessment, metrology, accreditation, and market surveillance.

3.1. State market surveillance (draft law [5473-d](#)):

- Aligning with Regulation (EC) No [765/2008](#) setting out the requirements for accreditation and market surveillance relating to the marketing of products and De-

cision No [768/2008/EC](#) on a common framework for the marketing of products

- Not aligning with Regulation (EU) [2019/1020](#) on market surveillance and compliance of products
- Voted in the first reading by Verkhovna Rada

3.2. Regulation of cultivation and circulation of the genetically modified organisms (GMOs) in Ukraine ([3339-IX](#), draft law [5839](#)):

- Partially aligning with Regulation (EC) No [1946/2003](#) on transboundary movements of GMOs
- Further elaboration on this law in Chapter 12
- Adopted by Verkhovna Rada

3.3. Packaging and packaging waste (draft law [10066-2](#)):

- Aligning with Directive [94/62/EC](#) on packaging and packaging waste, Directive [2008/98/EC](#) on waste and Directive [2018/852/EC](#) on packaging and packaging waste
- Partially aligning with Regulation (EC) No [1946/2003](#) on transboundary movements of GMOs
- Voted in the first reading by Verkhovna Rada

3.4. General safety of non-food products regarding the ban on the production of rodenticides in the form of food products (draft law [10180](#)):

- Aligning with Regulation (EU) No [528/2012](#) concerning the making available on the market and use of biocidal products, Regulation (EC) No. [765/2008](#) setting out requirements for accreditation and market surveillance related to product marketing, Directive [2001/95/EC](#) on general product safety and Decision No [768/2008/EU](#) on a common framework for the marketing of products
- Registered by Verkhovna Rada

4. Further legislative steps:

- Completion of quality infrastructure, particularly in market surveillance legislation, aligning with the *acquis*, is needed
- Further alignment of legislation on harmonized sectors with the *acquis* is necessary

5. Risks & Challenges:

Institutional:

- State control of GMOs needs to be established

- Re-establishing the inspection and enforcement capacity of the market surveillance authorities (halted due to the martial law) is required
- Centralised control of market surveillances activities by the Ministry of Economy alone poses corruption risks

Legal:

- A legal framework regulating GE activities, GMO registration and control, as well as penalties based on nine EU legal acts yet to be adopted
- Draft law on Market surveillance (5473-d) fails to align with the EU market surveillance Regulation (2019/1020) and needs to be elaborated

Other:

- Harmonisation with Chapters 1, 11, 12, and 28 is essential for balanced approximation

***Freedom of Movement for Workers
Chapter 2 of the EU acquis***

1. Progress Snapshot:

February: early stage (1 out of 5)
November: early stage (1 out of 5)
Progress: none (0)

2. Acquis Transposition:

During the assessed period, none of the EU *acquis* have been implemented

3. Specific Legislative Tracks

Ukraine’s legislation does not align with the EU *acquis* regarding access to the labour market, free movement of workers, recognition of qualifications, social security, and pension provision

4. Further legislative steps:

- Conclusion of agreements on social security coordination with EU Member States is necessary
- Preparation for joining the European Network of Employment Services (EU-RES network) should commence

5. Risks & Challenges:

Institutional:

- Several institutions dealing with social security: Ministry of Social Policy (the central executive authority), Pension Fund of Ukraine, Social Insurance Fund, National Social Service of Ukraine

- There is no dedicated body that deals with the promotion, monitoring, and support of equal treatment and free movement of workers

Other:

- Implementation of the European Health Insurance Card might be challenging due to the absence of a national health insurance card
- Additional social services and related increasing expenses will be required to mitigate the devastating consequences caused by the Russian military aggression

***Right of Establishment and Freedom to Provide Services
Chapter 3 of the EU acquis***

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: some (+0.5)

2. Acquis Transposition:

Directive [2002/39/EC](#) with regard to the further opening to competition of Community postal services – partially implemented

Directive [2008/6/EC](#) with regard to the full accomplishment of the internal market of Community postal services – partially implemented

3. Specific Legislative Tracks

Barriers to the provision of cross-border services by both EU natural and legal persons have not yet been addressed or initiated. However, some progress has been made in the areas of mutual recognition of professional qualifications and postal services.

3.1. Postal services ([2722-IX](#), draft law [4353](#)):

- Partially aligning with Directives [2002/39/EC](#) amending Directive 97/67/EC with regard to the further opening to competition of Community postal services and Directive [2008/6/EC](#) amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services
- Enacted on 25 May 2023

4. Further legislative steps:

- Completion of approximation with the EU postal *acquis* is essential
- Continuation of efforts to align with the EU *acquis* on mutual recognition of professional qualifications is necessary, including establishing an agreement for mutual recognition of professional qualifications with the EU

- Elimination of existing restrictions hindering the provision of services is crucial for further integration

5. Risks & Challenges:

Institutional:

- The Ministry of Economy of Ukraine lacks a comprehensive approach across redundant departments to implement the vast range of EU *acquis*

Legal:

- Urban planning draft law No. [5655](#) continues to jeopardise market integrity and create corruption risks. Due to criticism from Ukrainian civil society and international partners, it has not yet been signed into law by the President of Ukraine, despite an overdue deadline.

Other:

- Private postal companies in Ukraine have demonstrated more reliable services than generally outlined by the EU *acquis*. Incorporating their advanced practical experience is crucial to ensure balance and integrity in postal services provided to end consumers

Free movement of capital **Chapter 4 of the EU acquis**

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

Directive (EU) [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing – fully implemented

Directive (EU) [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing – fully implemented

Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms – fully implemented

Regulation (EU) [2016/679](#) on the protection of natural persons with regard to the processing of personal data – partially implemented

Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union – partially implemented

Directive (EU) [2017/1132](#) relating to certain aspects of company law – partially implemented

Directive (EU) [2018/843](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing – partially implemented

3. Specific Legislative Tracks

- Ukraine has committed to impose no restrictions on capital movement and current payments, however, the National Bank of Ukraine (NBU) has introduced foreign currency (FX) restrictions under martial law to safeguard macroeconomic stability. At the same time, alignment of Ukrainian anti-money laundering legislation with the FATF standards has advanced significantly.

3.1. Politically exposed persons (PEP) ([3419-IX](#), draft law [9269-d](#)):

- Aligning with Directive (EU) [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. [108](#))
- Partially aligning with Regulation (EU) [2016/679](#) on the protection of natural persons with regard to the processing of personal data and Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union
- Adopted by Verkhovna Rada

3.2. Methodology for determining ultimate beneficial owner (UBO) by legal Entities ([Resolution 1011](#)):

- Implementing the Law of Ukraine on UBOs ([2571-IX](#) aka draft law [6320](#))
- Aligning with Directive (EU) [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms
- Partially aligning with Directive (EU) [2017/1132](#) relating to certain aspects of company law
- Approved by the Government

3.3. Money laundry prevention (draft law [10072](#)):

- Aligning with FATF [Recommendations 6 and 7](#)
- Partially aligning with Directive (EU) [2018/843](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing
- Voted in the first reading by Verkhovna Rada

4. Further legislative steps:

- Preparations to apply for the Single Euro Payments Area (SEPA): Regulation (EU) No [260/2012](#) establishing technical and business requirements for credit transfers and direct debits in euro
- Continuation of the alignment of Ukrainian legislation and institutional practices with the FATF standards: Directive (EU) [2018/843](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing)
- Further steps to establish the Register for holders and beneficial owners of bank accounts, payment accounts and safe-deposit boxes
- Virtual assets legislation to be updated to align with the FATF [standards](#) (the Law of Ukraine [2074-IX](#) adopted in 2022 will be enacted after the Tax Code changes)

5. Risks and challenges:

Institutional:

- Performance of the institutions in the sector has been stable

Legal:

- The imposition of martial law impedes the full liberalisation of capital flows: the foreign currency restrictions imposed by the NBU in particular

Other:

- Need for increased synchronisation with Chapters 9, 16, and 32
- There is a possibility of suspending the implementation processes

Public procurement **Chapter 5 of the EU acquis**

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Directive [2014/24/EU](#) on public procurement – partially implemented

3. Specific Legislative Tracks

The current legislative track focuses on finalising the implementation plans to laws concerning public procurement, concessions, and public-private partnerships (PPP).

3.1. EU public procurement practices implementation draft laws ([10130](#) and [10131](#)):

- Aligning with Directive [2014/24/EU](#) on public procurement

- Registered in Verkhovna Rada

3.2. Public procurement violations combating draft law (10090-1):

- Not targeting to align EU acquis in particular but allegedly meant to enhance the public procurement practices through transparency and accountability
- Registered in Verkhovna Rada

3.3. Public procurement funds embezzlement accountability and criminal prosecution draft laws (10149, 10150, 10151):

- Not directly aligning with any EU acquis but emphasising on increased accountability
- Registered in Verkhovna Rada

4. Further legislative steps:

- Complete public procurement laws to align with EU *acquis*, primarily focusing on reducing the list of exceptions from the law due to martial law, regulation of concessions, and PPP
- Achieve progress in harmonising the Defence Procurement Law with the EU *acquis*.

5. Risks & Challenges:

Institutional:

- Public procurement commissioners in the Anti-Monopoly Committee of Ukraine (AMCU) need to be appointed
- Insufficient interaction between authorities during the development of policies and legislation regulating public procurement remains a limiting factor
- High staff turnover in government bodies, significantly impacting the preservation of institutional memory, policy formation in public procurement, staff capacity, and contributing to persistent issues of lack of experience and understaffing

Legal Pathways:

- Frequent introduction of changes to the regulatory framework, including exceptions to the law, complicates the legislative framework

Company law Chapter 6 of the EU acquis

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: some (+0.5)

2. Acquis Transposition:

Directive (EU) [2017/1132](#) relating to certain aspects of company law – partially implemented

Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms – partially implemented

Directive (EU) [2019/1023](#) on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt – partially implemented

3. Specific Legislative Tracks

The Ukrainian legislation complies with many provisions of the EU *acquis* in the area of company law and corporate governance. Company reporting including disclosure of company and foreign branches information and statutory audit are being further elaborated.

3.1. Foreign company branches ([3257-IX](#), draft law [4482](#)):

- Partially aligning with Directive (EU) [2017/1132](#) relating to certain aspects of company law and Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms
- Adopted by Verkhovna Rada

3.2. Bankruptcy (insolvency) procedures amendments implementing Directive (EU) [2019/1023](#) (draft law [10143](#)):

- Aligning with Directive (EU) [2019/1023](#) on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt
- Also relating to Chapter 8
- Registered by Verkhovna Rada

4. Further legislative steps:

- More alignment is needed with the EU *acquis* on cross-border operations, including conversions, mergers, and divisions, digital tools and processes in company law, and long-term engagement of shareholders

5. Risks & Challenges:

Institutional:

- Lack of competent appointment: the National Securities and Stock Market

Commission ([NSSMC](#)) has been delegated the EU acquis implementation under the Chapter 6 despite its limited relation

- Implementation might be impeded by insufficient institutional cooperation with other stakeholder authorities

Intellectual property law **Chapter 7 of the EU acquis**

1. Progress Snapshot:

February: early stage (1 out of 5)

November: some level of preparation (2 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

Directive [93/83/EEC](#) on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission – fully implemented

Directive [2001/84/EC](#) on the resale right for the benefit of the author of an original work of art – fully implemented

Directive [2006/116/EC](#) on the term of protection of copyright and certain related rights – fully implemented

Directive [2004/48/EC](#) on the enforcement of intellectual property rights – partially implemented

Directive [2006/115/EC](#) on rental right and lending right – partially implemented

Directive [96/9/EC](#) on the legal protection of databases – partially implemented

3. Specific Legislative Tracks

3.1. Copyright and related rights ([2811-IX](#), draft law [5552-1](#)):

- Partially aligning with Directive [96/9/EC](#) on the legal protection of databases and the Directive [2006/115/EC](#) on rental right and lending right and on certain rights related to copyright in the field of intellectual property
- Adopted by Verkhovna Rada

3.2. Protection of intellectual property (IP) rights ([2974-IX](#), draft law [6464](#))

- Partially aligning with Directive [2004/48/EC](#) on the enforcement of intellectual property rights
- Adopted by Verkhovna Rada

4. Further legislative steps:

- Ukraine needs to further align its domestic legislation with the EU *acquis* on

compulsory licensing and the respective Protocol amending the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights

5. Risks & Challenges:

Institutional:

- Ukraine needs to establish an intellectual property court, which was formally introduced in 2017, but still did not complete the stage of the competition for the positions of judges of this court
- The whole IPR enforcement system still requires a lot of improvement. In particular, in the spheres of combating piracy and counterfeit products

Legal:

- Some provisions of the law on copyright and related rights cause concerns of the European Commission, namely the distribution of fair remuneration between performers and producers of phonograms, the reproduction right and the rights of the broadcasting organisations

Other:

- Ukraine remains one of the four main transit points for shipments into the EU of counterfeit products

Competition policy Chapter 8 of the EU acquis

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Regulation [\(EC\) No 1/2003](#) on the implementation of the rules on competition – partially implemented

Directive [\(EU\) 2019/1](#) to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market – partially implemented

Regulation [\(EC\) No 139/2004](#) on the control of concentrations between undertakings – partially implemented

Directive [2014/104/EU](#) on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the EU – partially implemented

Regulation [\(EU\) No 651/2014](#) of 17 June 2014 declaring certain categories of aid compatible with the internal market – partially implemented

Regulation (EU) [2015/1589](#) laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the EU – partially implemented

3. Specific Legislative Tracks

3.1. Anti-Monopoly Committee of Ukraine (AMCU), advancing capacities and amending the primary legislation ([3295-IX](#), draft law [5431](#)):

- Not aligning with the Regulation (EC) No [1/2003](#) on the implementation of the rules on competition, Directive (EU) [2019/1](#) to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market and Regulation (EC) No [139/2004](#) on the control of concentrations between undertakings
- Lacks the framework in the area of State aid and prevention of competition distortion, thus not aligning with the EU *acquis*
- Adopted by Verkhovna Rada

3.2. Application of the EU *acquis* frameworks in the areas of State aid and competition (draft law [10131](#)):

- Aligning with Regulation (EU) No [651/2014](#) laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the EU
- Registered by Verkhovna Rada

3.3. State support of substantial investment projects ([3311-IX](#), draft law [8138](#)):

- Not aligning with the EU *acquis* in the areas of State aid and fair competition
- Adopted by Verkhovna Rada

4. Further legislative steps:

- The legislative framework in the area of competition and State aid must be aligned with the EU *acquis*
- The law on State aid to cover under its scope services of general economic interest (SGEIs, such as transport, energy, communications, postal services etc.) should be amended
- Competition legislation, legislation on State aid and improving the work of the AMCU into line with the EU *acquis*

5. Risks & Challenges:

Institutional:

- Understaffing affects the potential for increasing the efficiency of the AMCU,

the ability to fully assess the regulatory impact on the market, further policy formation and development of legislation in accordance with the EU *acquis*

- Comprehensive and reliable inventory of State aid schemes should be completed before the establishment of the authority responsible for State aid control in Ukraine

Legal Pathways:

- Suspension of reform in the field of state aid due to the suspension of the law on State aid and exclusion of SGEIs from the scope of the law

Financial services Chapter 9 of the EU acquis

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: some (+0.5)

2. Acquis Transposition:

Directive [2009/103/EC](#) relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability – partially implemented

Regulation (EU) [2015/751](#) on interchange fees for card-based payment transactions – partially implemented

Directive (EU) [2015/2366](#) on payment services in the internal market – partially implemented

Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services – partially implemented

Directive [2001/24/EC](#) on the reorganisation and winding up of credit institutions – partially implemented

Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms – partially implemented

Directive [2008/48/EC](#) on credit agreements for consumers – partially implemented

Regulation (EU) No [575/2013](#) on prudential requirements for credit institutions and investment firms – partially implemented

Directive [2009/138/EC](#) on the taking-up and pursuit of the business of Insurance and Reinsurance – partially implemented

3. Specific Legislative Tracks

The legal framework for the financial services market in the EU includes a large array

of directives and regulations aimed at harmonising the law in the areas of insurance, securities, payment services, liquidation of financial institutions, protection of the rights of consumers of financial services, etc.

3.1. Insurance of civil liability of land transport owners (draft law [8300](#)):

- Partially aligning with Directive [2009/103/EC](#) relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability
- Voted in the first reading by Verkhovna Rada

3.2. Interchange fees for card-based payment transactions (draft laws [9170](#), [9171](#)):

- Not aligning with Regulation (EU) [2015/751](#) on interchange fees for card-based payment transactions and Directive (EU) [2015/2366](#) on payment services in the internal market
- Registered by Verkhovna Rada

3.3. Credit institutions (unions) (3254-IX, draft law [5125](#)):

- Partially aligning with Directive [2001/24/EC](#) on the reorganisation and winding up of credit institutions, Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and Directive [2008/48/EC](#) on credit agreements for consumers
- Adopted by Verkhovna Rada

3.4. International standards (CRS, EOIR) implementation ([2970-IX](#), draft law [8131](#))

- Aligning with Common Standard on Reporting and Due Diligence for Financial Account Information (CRS) and Exchange of Information on Request (EOIR) in accordance with the EU-Ukraine Association Agreement
- Adopted by Verkhovna Rada

3.5. State control of financial services ([3498-IX](#), draft law [9422](#)):

- Amending some laws on state regulation of financial services
- Aligning with Directive [2008/48/EC](#) on credit agreements for consumers, Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and Regulation (EU) No [575/2013](#) on prudential requirements for credit institutions and investment firms
- Voted in the first reading by Verkhovna Rada (adopted by VR on 22 November 2023).

3.6. On electronic money (draft law [6447](#));

- Partially aligning with Directive (EU) [2015/2366](#) on payment services in the

internal market and Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services

- Adopted by Verkhovna Rada

3.7. Investment insurance against warfare risks ([3497-IX](#), draft law [9015](#)):

- Partially aligning with Directive [2009/138/EC](#) on the taking-up and pursuit of the business of Insurance and Reinsurance
- Does not align with the EU *acquis* standards in competition and State aid legislation (Chapter 8)
- Voted in the first reading by Verkhovna Rada (adopted by VR on 22 November 2023)

4. Further legislative steps:

- Aligning regulation of banking and insurance sectors, as well as securities markets, investment and investment services with the EU *acquis* needs to continued

5. Risks & Challenges:

Institutional:

- An asset quality assessment of the banking sector needs to be prepared
- Systemic lack of human resources to ensure proper implementation of the EU *acquis* by the National Securities and Stock Market Commission hinders the harmonisation efforts
- Regulatory powers of the National Securities and Stock Market Commission need to be strengthened and aligned with International Organisation of Securities Commissions

Legal pathways:

- Annex XVII to the EU-Ukraine Association Agreement, cover the *acquis* on financial services, to be comprehensively updated
- Implementation of the EU *acquis* should be continued with the adopted legislation reviews and amendments

Information society and media Chapter 10 of the EU acquis

1. Progress Snapshot:

February: moderately prepared (3 out of 5)
November: moderately prepared (3 out of 5)
Progress: good (+0.8)

2. Acquis Transposition:

Regulation (EU) No [910/2014](#) on electronic identification and trust services for electronic transactions in the internal market – fully implemented

Directive (EU) [2018/1808](#) concerning the provision of audiovisual media services in view of changing market realities – partially implemented

Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services – partially implemented

Directive (EU) [2018/1972](#) establishing the European Electronic Communications Code (some of the provisions of the related law are currently not applicable under martial law) – partially implemented

Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union – partially implemented

Directive (EU) [2019/713](#) on combating fraud and counterfeiting of non-cash means of payment – partially implemented

Directive (EU) [2022/2555](#) on measures for a high common level of cybersecurity across the Union – partially implemented

3. Specific Legislative Tracks

3.1. Media ([2849-IX](#), draft law [2693](#)):

- Partially aligning with s the national rules with the AVMSD Directive (EU) [2018/1808](#) concerning the provision of audiovisual media services
- The law does not ensure full independence of the media regulator, however, this requires changes to the Constitution
- Adopted by Verkhovna Rada

3.2. Advertising law amendments, implementing Directive (EU) [2018/1808](#) ([3136-IX](#), draft law [9206](#)):

- Partially aligning with s the national rules with the AVMSD Directive (EU) [2018/1808](#) concerning the provision of audiovisual media services
- Does not align with telesales provisions of the European Convention on Transfrontier Television (ECTT)
- Adopted by Verkhovna Rada

3.3. Cloud services ([3343-IX](#), draft law [9293](#)):

- Aligning with Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union and Directive (EU) [2022/2555](#) on measures for a high common level of cybersecurity across the Union

- Adopted by Verkhovna Rada

3.4. Phishing combating (draft laws [9250](#) and [9250-1](#)):

- Partially aligning with Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union, Directive (EU) [2019/713](#) on combating fraud and counterfeiting of non-cash means of payment and Directive (EU) [2022/2555](#) on measures for a high common level of cybersecurity across the Union
- Registered by Verkhovna Rada

3.5. Cybersecurity of state information resources and critical information infrastructure facilities (draft law [8087](#)):

- Aligning with Directive (EU) [2016/1148](#) concerning measures for a high common level of security of network and information systems across the Union
- Enhancing Cabinet of Ministers Resolution No. [497](#) of 16 May 2023 on cybersecurity
- Does not align with the EU *acquis* standards in competition and State aid legislation (Chapter 8)
- Voted in the first reading by Verkhovna Rada

3.6. Digital content and digital services ([3321-IX](#), draft law [6576](#)):

- Partially aligning with Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services
- Adopted by Verkhovna Rada

3.7. On trusted lists (Resolution [844](#)):

- Aligning with Regulation (EU) No [910/2014](#) on electronic identification and trust services for electronic transactions in the internal market
- Approved by the Cabinet of Ministers

4. Further legislative steps:

- Aligning with the EU Directive on the security of network and information systems (NIS) is necessary
- Full alignment with the EU roaming legislation is required
- On countering the dissemination of terrorist content (needed to align with Regulation (EU) 2021/784 on addressing the dissemination of terrorist content online)

5. Risks & Challenges:

Institutional:

- There is still a need to ensure the independence of the Ukrainian official media regulator, the National Council of the Television and Radio Broadcasting of Ukraine
- The necessary financing and human resources are required for enacting the legal rules on expansion of the Regulator's competencies (both telecommunications and media regulator) and for the performance of the central executive bodies in the area of electronic communications

Other:

- The European Commission acknowledged Ukraine's rights to have stricter rules on retransmission of the audiovisual content of broadcasters to protect Ukraine's information space in the current security climate (will need to be addressed by the time of accession)
- Safety-by-design or privacy-by-design principles need to be embedded in the policy to protect children from harmful content, including self-generated content for the protection of minors

***Agriculture and rural development
Chapter 11 of the EU acquis***

1. Progress Snapshot:

February: Early stage of preparation (1/5)
 November: Early stage of preparation (1/5)
 Progress: some (+0.5)

2. Acquis Transposition:

Regulation No [1308/2013](#) on establishing a common organisation of the markets in agricultural products – partially implemented

Regulation (EU) [2021/2116](#) on the financing, management and monitoring of the common agricultural policy – partially implemented

Regulation (EU) [2021/2117](#) amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union – partially implemented

Regulation No [251/2014](#) on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products – partially implemented

Regulation (EU) [2019/33](#) as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection

procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation – partially implemented

Regulation (EU) [2018/273](#) as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and as regards the relevant checks and penalties – partially implemented

Regulation (EU) [2018/274](#) as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications – partially implemented

Regulation (EU) [2019/787](#) on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages – partially implemented

Decision (EU) [2015/451](#) concerning the accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora – partially implemented

Regulation (EC) No [338/97](#) on the protection of species of wild fauna and flora by regulating trade therein (including Implementing Regulations [\(EC\) No 865/2006](#), [\(EU\) No 792/2012](#)) – partially implemented

Regulation (EU) No [1380/2013](#) on the Common Fisheries Policy – partially implemented

Regulation (EC) No [1224/2009](#) establishing a Community control system for ensuring compliance with the rules of the common fisheries policy – partially implemented

Regulation (EC) No [1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing – partially implemented

3. Specific Legislative Tracks

Ukraine's legal framework in Chapter 11 (one of the largest: total of 1370 legal acts) has yet to be aligned with the EU *acquis*. Legal acts that regulate marketing standards for certain products and standards are being developed. An agricultural producers association draft law is pending second reading in Verkhovna Rada, it partially aligns with the EU *acquis*.

3.1. Grapes and Viticulture Products (draft law [9139](#)):

- Partially aligning with Regulation No [1308/2013](#) establishing a common organisation of the markets in agricultural products. Regulation No [251/2014](#) on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, Regulation (EU) [2019/33](#) as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation, Regulation (EU) [2018/274](#) as re-

gards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, Regulation (EU) [2021/2117](#) establishing a common organisation of the markets in agricultural products, and on quality schemes for agricultural products and foodstuffs and Regulation (EU) [2018/273](#) as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and as regards the relevant checks and penalties

- Voted in the first reading by Verkhovna Rada

3.2. Traceability of aquatic biological resources (draft law [9545](#)):

- Partially aligning with Decision (EU) [2015/451](#) concerning the accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Regulation (EC) No [338/97](#) on the protection of species of wild fauna and flora by regulating trade therein and Regulations (EC) No [865/2006](#), (EU) No [792/2012](#) (implementing 338/97); Regulation (EU) No [1380/2013](#) on the Common Fisheries Policy, Regulation (EC) No [1224/2009](#) establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and Regulation (EC) No [1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing
- Registered by Verkhovna Rada

3.3. Association of agricultural producers (draft law [8149](#)):

- Partially aligning with Regulation (EU) No [1308/2013](#) establishing a common organisation of the markets in agricultural products and Regulation (EU) [2016/232](#) supplementing Regulation (EU) No 1308/2013 with regard to certain aspects of producer cooperation
- Voted in the first reading by Verkhovna Rada

3.4. Fenced animal ranching (draft law [9553](#)):

- Not aligning with Bern Convention ([82/72/EEC](#): Council Decision of 3 December 1981 concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats and Directive [92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora
- Registered by Verkhovna Rada

3.5. Distilled beverages of small batch production ([3193-IX](#), draft law [5762](#)):

- Partially aligning with Regulation (EU) [2019/787](#) on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of

geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages

- Adopted by Verkhovna Rada

3.6. On dairy industry support (draft laws [9161](#), [9162](#), [9163](#)):

- Aligning with Directive [2006/112/EC](#) on the common system of value added tax and amending Directive (EU) [2022/542](#) as regards rates of value added tax (Chapter 16)
- Aligning with the objectives of the EU's Common Agricultural Policy (promoting fair income)
- Registered by Verkhovna Rada

4. Further legislative steps:

- Ukraine's draft national strategy for agriculture and rural development for 2023-2030 remains to be finalised

5. Risks & Challenges:

Institutional:

- The establishment of the administrative and control system (IACS) required by the EU *acquis* should be accelerated, including actions to enhance monitoring and control of organic agriculture
- The registration of farms in the State Agrarian Registry and systematic use of it for all financial support programmes should be extended
- Ukrainian State Fund for Farm Support should become an EU-compliant paying agency

Other:

- Agricultural Knowledge and Innovation System (AKIS) has to be further empowered
- Improved integration and data quality of registries, in particular the Land Parcel Identification System (LPIS) is necessary
- A farm accountancy data network (FADN) needs to be established

Food safety, veterinary and phytosanitary policy Chapter 12 of the EU acquis

1. Progress Snapshot:

February: Moderately prepared (3/5)

November: Moderately prepared (3/5)

Progress: some (+0.5)

2. Acquis Transposition:

Regulation (EC) No [178/2002](#) laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety – partially implemented

Regulation (EC) No [852/2004](#) on the hygiene of foodstuffs – partially implemented

Regulation (EC) No [853/2004](#) laying down specific hygiene rules for food of animal origin – partially implemented

Regulation (EC) No [1831/2003](#) on additives for use in animal nutrition – partially implemented

Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products – partially implemented

Regulation (EU) [2019/627](#) laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption – partially implemented

Regulation (EC) No [1334/2008](#) on flavourings and certain food ingredients with flavouring properties for use in and on foods – partially implemented

Regulation (EU) No [1169/2011](#) on the provision of food information to consumers – partially implemented

Regulation (EU) [2022/2292](#) supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of food-producing animals and certain goods intended for human consumption – partially implemented

Directive [2009/128/EC](#) establishing a framework for Community action to achieve the sustainable use of pesticides – partially implemented

Regulation (EU) [2016/2031](#) on protective measures against pests of plants – partially implemented

Regulation (EC) No [1107/2009](#) concerning the placing of plant protection products on the market – partially implemented

Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products – partially implemented

Regulation (EU) [2019/1715](#) laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation) – partially implemented

Regulation (EU) [2019/1014](#) to lay down detailed rules on minimum requirements for

border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points – partially implemented

Council Directive [97/78/EC](#) laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries – partially implemented

Directive [2001/18/EC](#) on the deliberate release of GMOs into the environment – partially implemented

Regulation (EC) No [1829/2003](#) on genetically modified food and feed – partially implemented

Regulation (EC) No [1830/2003](#) concerning the traceability and labelling of GMOs and the traceability of food and feed products produced from GMOs – partially implemented

Regulation (EC) No [641/2004](#) of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 – partially implemented

Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products – partially implemented

Directive [2009/41/EC](#) on the contained use of genetically modified micro-organisms – partially implemented

Decision [2009/770/EC](#) establishing standard reporting formats for presenting the monitoring results of the deliberate release into the environment of GMOs, as or in products, for the purpose of placing on the market, pursuant to Directive 2001/18/EC – partially implemented

Regulation (EC) No [1946/2003](#) on transboundary movements of GMOs – partially implemented

3. Specific Legislative Tracks

With 242 EU legal acts to be approximated, the sanitary (food safety and animal health) and phytosanitary (plant health) sector is the single most comprehensive area in the EU-Ukraine Association Agreement. Some progress in phytosanitary legislation has been made but a comprehensive and updated approach to implementation is lacking (some of the implementations are based on the EU acquis that are no longer in force).

3.1. Food safety and animal welfare (3221-IX, draft law 8290):

- Partially aligning with Regulation (EC) No [178/2002](#) laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, Regulation (EC) No [852/2004](#) on the hygiene of foodstuffs, Regulation (EC) No [853/2004](#) laying down specific hygiene rules for food of animal origin, Regulation (EC) No [1831/2003](#) on additives for use in animal nutrition, Regulation

(EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, Regulation (EU) [2019/627](#) laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption, Regulation (EC) No [1334/2008](#) on flavourings and certain food ingredients with flavouring properties for use in and on foods, Regulation (EU) No [1169/2011](#) on the provision of food information to consumers, Regulation (EU) [2022/2292](#) supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of food-producing animals and certain goods intended for human consumption

- Adopted by Verkhovna Rada

3.2. Plant protection (draft law [8340](#)):

- Partially aligning with Directive [2009/128/EC](#) establishing a framework for Community action to achieve the sustainable use of pesticides, Regulation (EU) [2016/2031](#) on protective measures against pests of plants, Regulation (EC) No [1107/2009](#) concerning the placing of plant protection products on the market, Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, The IMSOC Regulation (EU) [2019/1715](#) laying down rules for the functioning of the information management system for official controls and its system components, Regulation (EU) [2019/1014](#) to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points
- Voted in the first reading by Verkhovna Rada

3.3. On the regulation of cultivation and circulation of the GMOs in Ukraine ([3339-IX](#), draft law [5839](#)):

- Partially aligning with Directive [2001/18/EC](#) on the deliberate release of GMOs into the environment; Regulation (EC) No [1829/2003](#) on genetically modified food and feed; Regulation (EC) No [1830/2003](#) concerning the traceability and labelling of GMOs and the traceability of food and feed products produced from GMOs; Regulation (EC) No [641/2004](#) on detailed rules for the implementation of Regulation (EC) No 1829/2003; Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products; Directive [2009/41/EC](#) on the contained use of genetically modified micro-organisms; Commission Decision [2009/770/EC](#) establishing standard reporting formats for presenting the monitoring results

of the deliberate release into the environment of GMOs, as or in products, for the purpose of placing on the market, pursuant to Directive 2001/18/EC and Regulation (EC) No [1946/2003](#) on transboundary movements of GMOs

- Not aligning with Directive (EU) [2015/412](#) amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory
- Adopted by Verkhovna Rada

3.4. Veterinary Medicines and Feed Additives (Resolution [235](#)):

- Partially aligning with Regulation [2019/6](#) on veterinary medicinal products and Regulation [2019/4](#) on medicated feed
- Approved by the Cabinet of Ministers of Ukraine

3.5. Veterinary medicines (Order [1397](#)):

- Referring an outdated Implementation Strategy of 2016 (no valid references of alignment with the EU *acquis* provided)
- Must be reviewed to align with Regulation (EU) [2018/1882](#) on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases
- Approved by the Ministry of Agrarian Policy and Food of Ukraine

4. Further legislative steps:

- An update of the strategy is required for implementing the EU *acquis* with a focus on the animal health and phytosanitary measures

5. Risks & Challenges:

Institutional:

- Ukraine should reform of food safety bodies (State Service of Ukraine on Food Safety and Consumer Protection, State Agency for Animal Identification and Registration, authorised laboratories)
- Food safety databases are to be further integrated and administrative capacities need to be strengthened at all levels
- State control of GMOs needs to be established

Legal pathways:

- ∴ Official controls to enforce animal registration and identification, including controls of markets, are yet to be improved and aligned with EU legislation
- ∴ GMO legislation to be amended to align with the Directive (EU) 2015/412

Other:

- Ukraine should pilot the EU's trade control and expert system (TRACES) and subsequently extend its use to the whole country

Fisheries **Chapter 13 of the EU acquis**

1. Progress Snapshot:

February: Some level of preparation (2/5)

November: Some level of preparation (2/5)

Progress: some (+0.5)

2. Acquis Transposition:

Regulation [338/97](#) on the protection of species of wild fauna and flora by regulating trade therein – partially implemented

Regulation [1380/2013](#) on the Common Fisheries Policy – partially implemented

Regulation (EC) No [1224/2009](#) establishing a Community control system for ensuring compliance with the rules of the common fisheries policy – partially implemented

Regulation (EC) No [1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing – partially implemented

Regulation (EC) No [865/2006](#) concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein – partially implemented

Regulation (EU) No [792/2012](#) laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein – partially implemented

3. Specific Legislative Tracks

Ukraine's new Strategy for fisheries and aquaculture development until 2030 was adopted in

May 2023. A national plan for full approximation with the EU *acquis* in the fisheries sector has been prepared by the State Agency of Melioration and Fisheries while the Ministry of Agrarian Policy and Food is generally responsible for outlining policy and drafting legislation but lacking the relevant expertise and coherent approximation strategy for the Chapter 13.

3.1. Traceability of aquatic biological resources (draft law [9545](#)):

- Elaboration on this law in Chapter 11
- Registered by Verkhovna Rada

3.2. Fisheries, preservation and rational use of aquatic biological resources and

aquaculture (2989-IX, draft law 7616):

- Partially aligning with Regulation (EC) No [1224/2009](#) establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and Regulation (EC) No [1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing
- Lacking EU acquis implementation clauses and pre-assessment report by the European Integration Committee of Verkhovna Rada
- Adopted by Verkhovna Rada

4. Further legislative steps:

- Ukraine needs to harmonise its fishing fleet register with the EU fishing fleet register
- Alignment of the national legislation with the EU *acquis* and adoption of the EU common fisheries policy objectives and principles is required

5. Risks & Challenges:

Institutional:

- Inspections and controls to fight illegal, unreported and unregulated (IUU) fishing have to be established
- An independent fisheries control agency should be instituted based on EU Member States' best practices

Legal pathways:

- Limited capacities of the policy-forming Ministry of Agrarian Policy and Food might hinder the EU acquis approximation

Other:

- A fully-fledged membership in the General Fisheries Commission for the Mediterranean (GFCM) should be obtained

Transport

Chapter 14 of the EU acquis

1. Progress Snapshot:

February: Some level of preparation (2/5)

November: Some level of preparation (2/5)

Progress: limited (+0.2)

2. Acquis Transposition:

Directive [2008/96/EC](#) on road infrastructure safety management – partially implemented

Directive [2006/126](#) on driving licences – partially implemented

Directive [91/440/EEC](#) on the development of the Community's railways – partially implemented

Directive [2002/59/EC](#) establishing a Community vessel traffic monitoring and information system – partially implemented

Directive [92/29/EEC](#) on the minimum safety and health requirements for improved medical treatment on board vessels – partially implemented

Directive [2010/65/EU](#) on reporting formalities for ships arriving in and/or departing from ports of the Member States – partially implemented

3. Specific Legislative Tracks

During the assessed period, no progress has been made in adopting legislation that aligns with the EU *acquis* on maritime transport despite high unrealised commercial potential, which gets unrealised due to legislative ambiguity and institutional systemic failures. The level of alignment of the Ukrainian public services legislation on rail and road transport with the EU *acquis* is low and must be prioritised. On digital freight transport, the scope of Ukraine's legislation partially aligns with EU legislation.

3.1. Implementation of EU *acquis* on road traffic (draft law [8082](#)):

- Aligning with Directive [2006/126](#) on driving licences
- Registered by Verkhovna Rada and enlisted for the first reading

3.2. Road safety rules (draft law [8356](#)):

- Aligning with Directive [2008/96/EC](#) on road infrastructure safety management and policy orientations on road safety [2011-2020](#)
- Voted in the first reading by Verkhovna Rada

3.3. Safety on rail transport (draft law [10110](#)):

- Related to Directive [91/440/EEC](#) on the development of the Community's railways
- Lacking EU *acquis* implementation clauses
- Registered by Verkhovna Rada

3.4. Maritime safety, life support, search and rescue (draft law [9283-1](#)):

- Partially aligning with Directive [2002/59/EC](#) establishing a Community vessel traffic monitoring and information system, Directive [92/29/EEC](#) on the minimum safety and health requirements for improved medical treatment on board vessels and Directive [2010/65/EU](#) on reporting formalities for ships arriving in and/or departing from ports of the Member States
- The draft law should be elaborated to align with the International Convention on Maritime Search and Rescue (the 1979 [SAR Convention](#))

- Registered by Verkhovna Rada and elaborated by the Committees

4. Further legislative steps:

- Maritime Labour Convention ([2006 MLC](#)) must be ratified by Ukraine
- Ukraine needs to implement legislation that aligns with the EU Port Services Regulation.
- Ukraine should continue to work on fulfilling the preconditions for recognition of crew navigation certificates in the EU, in accordance with Directive [2017/2397](#) on the recognition of professional qualifications in inland navigation

5. Risks & Challenges:

Institutional:

- Regulatory body for rail transport should be established
- Ukraine must strengthen administrative capacity to enforce measures on road safety and establish inspection and investigation bodies for rail and inland waterways transport.

Legal pathways:

- The speed of legal and institutional adjustments and reforms remains very slow, being further affected by Russia's military aggression

Other:

- The implementation of the National Transport Strategy 2030, which serves as a framework for the modernisation of the transport sector, and its dedicated action plan for 2021-2024, including rail transport reform, should be resumed as soon as possible
- Ukraine airspace remains closed for civil aviation due to the military aggression by Russia

Energy **Chapter 15 of the EU acquis**

1. Progress Snapshot:

February: Good level of preparation (4/5)
November: Good level of preparation (4/5)
Progress: some (+0.5)

2. Acquis Transposition:

Regulation [1227/2011](#) on wholesale energy market integrity and transparency – fully implemented

Directive [2003/87](#) establishing a scheme for greenhouse gas emission allowance

trading within the Community – fully implemented

Directive [2009/73](#) concerning common rules for the internal market in natural gas – fully implemented

Directive 2009/119/EC imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products – fully implemented

Directive [2018/2001](#) on the promotion of the use of energy from renewable sources – partially implemented

Directive [2012/27/EU](#) on energy efficiency – partially implemented

3. Specific Legislative Tracks

European Energy policy and *acquis* cover energy supply, infrastructure, the internal energy market, consumers, renewable energy, energy efficiency, nuclear energy, nuclear safety, radiation protection and nuclear safeguards. The energy sector in Ukraine has undergone some of the most dynamic legislative changes during 2023.

3.1. Prevention of abuse in the wholesale energy markets ([3141-IX](#), draft law [5322](#)):

- Aligning with the REMIT Regulation (EU) No [1227/2011](#) on wholesale energy market integrity and transparency
- Adopted by Verkhovna Rada

3.2. Restoration and green transformation of Ukraine's energy system ([3220-IX](#), draft law [9011-d](#)):

- Aligning with Directive [2018/2001](#) on the promotion of the use of energy from renewable sources
- Aligns with the European Green Deal goals and objectives
- Adopted by Verkhovna Rada

3.3. Alternative fuel register of installations operated exclusively on biofuels (draft law [9597](#)):

- Aligning with Directive [2018/2001](#) on the promotion of the use of energy from renewable sources
- The draft law requires an assessment by the European Commission on the EU *acquis* alignment
- Registered by Verkhovna Rada

3.4. Corporate structure of the Ukrainian gas transmission system operator (GTSO) ([3293-IX](#), draft law [9311-1-d](#)):

- Aligning with Directive [2009/73](#) concerning common rules for the internal market in natural gas

- Adopted by Verkhovna Rada

3.5. Zero rate environmental tax on CO2 emissions for installations operated exclusively on biofuels (draft law [9596](#)):

- Aligning with Directive [2003/87](#) establishing a scheme for greenhouse gas emission allowance trading within the Community
- Registered by Verkhovna Rada and elaborated by a Committee

3.6. High efficiency cogeneration ([2955-IX](#), draft law [4527](#)):

- Partially aligning with Directive [2012/27/EU](#) on energy efficiency
- The draft law requires an assessment by the European Commission on the EU acquis alignment
- Adopted by Verkhovna Rada (despite the pre-assessment requirement)

3.7. On minimum stocks of crude oil and petroleum products (draft law [9024-d](#)):

- Aligning with Directive [2009/119/EC](#) imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products.
- Voted in the first reading by Verkhovna Rada in August 2023 (adopted by VR in November 2023 beyond the ECA period)

4. Further legislative steps:

- Agreements with EU neighbouring countries on cross-border capacity allocation are still pending
- Implementing a functional market-based support scheme for renewable energy sources (RES) in accordance with Directive 2018/2001 remains a key priority for Ukraine
- Ukraine should adopt an ambitious national energy and climate plan (NECP) in line with the 2030 Energy Community energy and climate targets
- Ukraine has yet to align with and implement the new electricity integration package adopted by the Energy Community in December 2022

5. Risks & Challenges:

Institutional:

- ∴ The financial position of the state-owned energy companies that implement public service obligations – Naftogaz for gas, Energoatom, Guaranteed Buyer and Ukrhydroenergo for electricity – has suffered greatly as household tariffs were far below the cost recovery level

Legal pathways:

- Ukraine would need to start adapting the existing systems of accountancy

and control of nuclear materials in order to accommodate for the safeguards provisions of the Euratom Treaty

- The country still lacks several planning documents in the areas of radioactive waste and spent nuclear fuel management as well as a law on the management of uranium legacy sites
- Alignment of Ukrainian legislation with Council Directive 2014/87/Euratom and Council Directive 2013/59/Euratom and Ukraine's institutional framework needs to be completed. Ukraine's law on the energy efficiency of buildings is largely aligned with the EU acquis. A few remaining compliance issues: inspections of engineering systems, differentiation between buildings certification and energy audits for buildings and introducing requirements on certifying buildings when sold or rented out

Other:

- Measures taken under martial law led to a decrease in transparency and independence of stakeholders in the energy sector
- Interventions by authorities and companies in the corporate governance of TSOs and in the market continue

Taxation ***Chapter 16 of the EU acquis***

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: some (+0.5)

2. Acquis Transposition:

Regulation (EU) [2022/2300](#) on the establishment of a monitoring and evaluation framework for the Fiscalis programme for cooperation in the field of taxation – partially implemented

3. Specific Legislative Tracks

The procedure for harmonising the measures for refunding value added tax to taxpayers not based in Ukraine with the EU requirements continues. Thus, on 18 May 2023, a letter from the Ministry of Finance of Ukraine to the EU Delegation to Ukraine No. 44040-08-10/13518 was sent appealing to the European Commission:

- the implementation of Council Directive [2008/9/EC](#) is not a priority for Ukraine as a candidate for EU membership, but the approval of a schedule for the gradual implementation of the Directive is extremely important
- the prerequisite for such implementation is preparatory work, which includes,

in particular, analysis of the sectors of the economy that need development, calculations of possible volumes of VAT refunds to non-residents

- implementation of the 13th Directive should be carried out by Ukraine after it becomes an EU member state.

Negotiations will continue on the implementation of Council Directive [92/83/EEC](#) on the harmonisation of excise duty structures on alcohol and alcoholic beverages.

3.1. Value added tax (VAT) on military and dual-use goods ([3287-IX](#), draft law [9467](#)):

- Not aligning with Directive No. [2006/112/EC](#) on the common system of VAT
- The law has been determined by the current military needs of Ukraine and can be justified by applying provisions of the Articles 472 “Measures related to essential security interests” and 143 “Security exceptions” of the EU-Ukraine Association Agreement
- Adopted by Verkhovna Rada

3.2. EU’s Fiscalis taxation programme ([3177-IX](#), draft law [0203](#)):

- Aligning with Regulation (EU) No. [2021/847](#) on establishing the ‘Fiscalis’ programme for cooperation in the field of taxation
- Adopted by Verkhovna Rada

4. Further legislative steps:

- Implementing the second pillar of Directive (EU) 2022/2523 into national legislation of Ukraine
- Achieving full compliance of the corporate income tax legislation with the principles of Directive [2011/96/EU](#)
- Analysing the application of the general provisions of the EU *acquis* and alignment of the terminology used in Ukrainian legislation with the provisions of Directive (EU) [2017/1852](#)
- Achieving full compliance of the corporate income tax legislation with the principles of Directive [2003/49/EC](#)
- Harmonising certain articles of the Tax Code with Directive [2006/112/EC](#), in particular, in cases where there is a risk of double taxation or non-taxation of VAT

5. Risks & Challenges:

Institutional:

- Work should continue on the official translation of EU directives and their actualisation
- Lack of negotiations on the transition period for the implementation of the

Directive [2011/96/EU](#) and the Directive [2003/49/EC](#)

- Limited availability of expert and advisory support in the development and amendment of Ukrainian legislation
- Strengthening of expert and advisory support is required when amending Ukrainian legislation related to excise duty, as well as continuous professional development of personnel involved in the implementation process
- Consultations are needed with EU institutions on postponing key issues related to the taxation of energy products

Legal:

- Lack of negotiations on the transition period for the implementation of the Parent-Subsidiary Directive and the Interest and Royalties Directive
- Slow development of amendments to sectoral legislation in cases where tax legislation is considered secondary
- The provisions of the EU *acquis* must be updated with due regard to the amendments and timely official translation of such amendments
- Implementation of sectoral legislation is required: customs rules and certain sectoral rules, such as those in the electricity and gas supply sector, in line with the EU *acquis*)

Other:

- Further improvement of the information and telecommunication system of the State Tax Service of Ukraine is needed in the context of the implementation of EU directives related to the functioning of the electronic system for monitoring the movement of excisable goods (ESMMT)
- Combating of Euroscepticism is necessary: a systematic analysis of possible derogations and special schemes, primarily in the area of indirect taxes, which may affect Ukrainian business and which should be initiated by Ukraine and approved by the European Council, is needed
- Potential suspension of the implementation processes due to martial law

Economic and monetary policy Chapter 17 of the EU acquis

1. Progress Snapshot:

February: moderately prepared (3 out of 5)
November: moderately prepared (3 out of 5)
Progress: none (0)

2. Acquis Transposition:

Regulation [\(EU\) No 575/2013](#) on prudential requirements for credit institutions and investment firms (Capital Requirements Regulation) – partially implemented

Directive [2013/36/EU](#) on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms (Capital Requirements Directive) – partially implemented

3. Specific Legislative Tracks

- [Monetary Policy](#). The National Bank of Ukraine (NBU) has pursued policies to maintain price stability, including maintaining an adequate level of foreign currency reserves and implementing a fixed exchange rate regime under martial law
- Temporary Policy Measures. Martial law allows temporary policy measures, including monetary financing and state budget support by purchasing government securities, as well as imposing limits on deposit withdrawals and restrictions on the repatriation of non-resident funds. The NBU ceased monetary financing since the start of 2023 and committed to abstaining from it going forward
- Economic Policy. Medium-term budget planning has become difficult due to the war, affecting transparency and comprehensive budgetary information. Forecasting capacities remain weak, and there is no independent fiscal institution to evaluate forecasts or scrutinize budgetary assumptions. The government aims to return to medium-term budgetary planning from the 2024 budget

Legislative Framework:

- The [legislative](#) framework ensures the independence of the NBU and prohibits direct and indirect monetary financing of the public sector. Legislation adopted in 2021 further strengthened the Central Bank's independence, particularly operational independence, but some weaknesses remain, such as provisions allowing unilateral removal of a governing body member without judicial review
- Strategic Document. The [Economic Security Strategy of Ukraine for the period up to 2025](#) is the main strategic document on economic policy, focusing on continuous monitoring of economic stability based on defined indicators

4. Further legislative steps:

- Further reforms and draft laws are needed to strengthen economic and monetary policy frameworks, enhance transparency, improve forecasting capacities, and align statistical frameworks with [ESA 2010](#) requirements

5. Risks & Challenges:

- Risks related to the economic and financial impact of the Russian invasion, challenges in returning to standard economic and monetary policy practices, maintaining macroeconomic stability, ensuring transparency, and aligning statistical frameworks with EU requirements

- Preparations must start to return to inflation targeting, flexible exchange rate regime, and medium-term budgetary planning from 2024, as well as to limit monetary financing of the state budget

Statistics

Chapter 18 of the EU acquis

1. Progress Snapshot:

February: some level of preparation (2 out of 5)
 November: some level of preparation (2 out of 5)
 Progress: limited (+0.2)

2. Acquis Transposition:

Regulation [\(EC\) No 223/2009](#) on European statistics – partially implemented

Regulation [2015/759](#) amending Regulation (EC) No 223/2009 on European statistics – partially implemented

3. Specific Legislative Tracks

As of now, Ukraine is mostly expected to implement already adopted laws and to improve the work of the relevant institutions. The fundamental law on statistics was adopted in August 2022 while most of the implementations have occurred during 2023.

3.1. The list of indicators of the Digital Economy and Society Index (DESI) (Order [774-p](#)):

- Approved by the Cabinet of Ministers of Ukraine

3.2. Programme of the Development of Official Statistics until 2028 (Resolution [989](#)):

- Approved by the Cabinet of Ministers of Ukraine

4. Further legislative steps:

- National strategy for the development of Ukrainian statistics for 2024-2029 needs to be adopted.

5. Risks & Challenges:

Institutional:

- The EC expects Ukraine to strengthen the institutional independence and administrative capacity of the State Statistics Service of Ukraine (SSSU), which is a part of provisions of the fundamental law on state statistics ([2524-IX](#))

Other:

- Ukraine needs to increase the production and transmission of high-quality and timely data to Eurostat since only some parts of statistical information are being shared now

Social policy

Chapter 19 of the EU acquis

1. Progress Snapshot:

February: early stage of preparation (1 out of 5)

November: early stage of preparation (1 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Directive [2001/23/EC](#) on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses – fully implemented

Directive [92/58/EEC](#) on the minimum requirements for the provision of safety and/or health signs at work – fully implemented

Directive [\(EU\) 2019/1152](#) of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union – partially implemented

Directive [2002/44/EC](#) of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) – partially implemented

Directive (EU) 2019/1158 on work-life balance for parents and carers – partially implemented

Directive 2003/88/EC concerning certain aspects of the organisation of working time – partially implemented

Directive [\(EU\) 2019/1158](#) on work-life balance for parents and carers – partially implemented

Directive [2003/88/EC](#) concerning certain aspects of the organisation of working time – partially implemented

Directive [2000/78/EC](#) establishing a general framework for equal treatment in employment and occupation

Directive (EU) [2019/882](#) on the accessibility requirements for products and services – partially implemented

Directive [89/391/EEC](#) on the introduction of measures to encourage improvements in the safety and health of workers at work – partially implemented

Directive [89/654/EEC](#) concerning the minimum safety and health requirements for the workplace – partially implemented

Directive [2009/104/EC](#) concerning the minimum safety and health requirements for the use of work equipment by workers at work – partially implemented

Directive [89/656/EEC](#) on the minimum health and safety requirements for the use by

workers of personal protective equipment at the workplace – partially implemented
Directive [2004/37/EC](#) on the protection of workers from the risks related to exposure to carcinogens or mutagens at work – partially implemented

Directive [1999/92/EC](#) on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres – partially implemented

Directive [2000/78/EC](#) establishing a general framework for equal treatment in employment and occupation – partially implemented

Regulation (EU) No [651/2014](#) declaring certain categories of aid compatible with the internal market – partially implemented

[86/379/EEC](#): Council Recommendation on the employment of disabled people in the Community – partially implemented

The European Pillar of Social Rights in [20 principles](#) – partially implemented

3. Specific Legislative Tracks

Progressing in alignment with EU standards (adopted and pending laws), including minimum standards for labour law, equality, health and safety at work and non-discrimination. The EU rules also promote social inclusion and social protection, and social dialogue at EU level. At the same time, labour relations in Ukraine are still guided in general by an overarching labour code from 1971 that needs to be modernised and aligned with EU legislation.

3.1. Collective Agreements (protection of workers) ([2937-IX](#), draft law [7628](#)):

- Aligning with Directive [2001/23/EC](#) on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses, Directive (EU) [2019/1152](#) on transparent and predictable working conditions in the European Union
- Adopted by Verkhovna Rada;
- Enters into force six months after the termination or cancellation of martial law

3.2. Safety and health requirements for the workplace (draft law [10148](#)):

- Aligning with Directive [89/391/EEC](#) on the introduction of measures to encourage improvements in the safety and health of workers at work, Directive [89/654/EEC](#) concerning the minimum safety and health requirements for the workplace, Directive [2009/104/EC](#) concerning the minimum safety and health requirements for the use of work equipment by workers at work, Directive [89/656/EEC](#) on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace, Directive [2004/37/EC](#) on the protection of workers from the risks related to exposure to carcinogens or mutagens at work. Directive [1999/92/EC](#) on minimum re-

quirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres

- Registered by Verkhovna Rada

3.3. Safety and health requirements for the workplace (Order [1268](#), Order [285](#)):

- Aligning with Directive [92/58/EEC](#) on the minimum requirements for the provision of safety and/or health signs at work and Directive [2002/44/EC](#) of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration)
- Approved by Ministry of Economy of Ukraine and Ministry of Healthcare of Ukraine

3.4. Ensuring the rights of persons with disabilities to work (draft law [5344-d](#)):

- Aligning with Directive (EU) [2019/882](#) on the accessibility requirements for products and services, Directive [89/391/EEC](#) on the introduction of measures to encourage improvements in the safety and health of workers at work, Directive [2000/78/EC](#) establishing a general framework for equal treatment in employment and occupation, Regulation (EU) No [651/2014](#) declaring certain categories of aid compatible with the internal market, [86/379/EEC](#): Council Recommendation on the employment of disabled people in the Community, The European Pillar of Social Rights in [20 principles](#)
- Voted in the first reading by Verkhovna Rada
- Supported by [Resolution](#) on providing employers with compensation for actual costs to arrange workplaces for employed persons with disabilities
- Approved by the Cabinet of Ministers

3.5. Parental leave (draft law [8313](#)):

- Aligning with Directive (EU) [2019/1158](#) on work-life balance for parents and carers and Directive [2003/88/EC](#) concerning certain aspects of the organisation of working time
- Voted in the first reading by Verkhovna Rada in May 2023 (adopted by VR beyond the ECA period, in November 2023)

4. Further legislative steps:

- New framework legislation in the field of labour relations, occupational health and safety should be brought in line with applicable EU directives and ensure an enabling environment for bipartite and tripartite social dialogue, as well as strengthen the capacities of social partners
- Comprehensive deinstitutionalisation reform of childcare and launch of its

implementation should begin, taking into account the situation of displaced children

- Non-discrimination in employment legislation must be adopted
- Legislation on social inclusion, access to social housing and social service provision for IDPs should be elaborated
- A law addressing existing imbalances and female under-representation in certain economic areas needs to be initiated

5. Risks & Challenges:

Institutional:

- State Labour Service is not funded according to the needs that cause high staff turnover
- The Ukrainian Parliament Commissioner for Human Rights (ombudsperson), as the main body for combating discrimination, remains under-resourced, with limited capacity to enforce its mandate in employment and social policies

Legal Pathways:

- Labour relations are still guided in general by an overarching Labour Code of 1971 that needs to be modernised and aligned with the EU legislation
- Separate Strategy of employment is needed

Other:

- Lack of direct requirements or procedures for prevention and protection against sexual harassment and other forms of gender-based violence

Enterprise and industrial policy Chapter 20 of the EU acquis

1. Progress Snapshot:

February: Some level of preparation (2/5)
November: Some level of preparation (2/5)
Progress: limited (+0.2)

2. Acquis Transposition:

Directive 2011/7/EU on combating late payment in commercial transactions – partially implemented

3. Specific Legislative Tracks

3.1 The updated Partnership Roadmap for 2023–2024 in the area of raw materials [was endorsed](#) on 19 May 2023

4. Further legislative steps:

- Ukraine should develop mid-term priorities for SMEs development and take measures for improving the business environment and investment climate
- Further alignment with Directive 2011/7/EU on combating late payment in commercial transactions is needed

5. Risks & Challenges:

Institutional:

- Lack of adequate administrative capacity at the national, regional and local level

Other:

- Ad hoc, reactive and short-term operating due to the absence of a current stand-alone SME strategy during COVID and war

Trans-European networks Chapter 21 of the EU acquis

1. Progress Snapshot:

February: Some level of preparation (2/5)

November: Some level of preparation (2/5)

Progress: some (+0.5)

2. Acquis Transposition:

Regulation No [1315/2013](#) on Union guidelines for the development of the trans-European transport network (TEN-T Regulation) – partially implemented

Regulation No [2022/869](#) on guidelines for trans-European energy infrastructure (TEN-E Regulation) – partially implemented

Regulation No [347/2013](#) on guidelines for trans-European energy infrastructure – partially implemented

3. Specific Legislative Tracks

In 2022, the EU and Ukraine signed a High-Level Understanding on the indicative TEN-T maps, making important adaptations to the indicative TEN-T network in Ukraine, namely the inclusion of the inland waterways of the Dnipro River and Southern Buh and adjustments to the rail and road network. Ukraine included the Trans-European energy network (TEN-E) guidelines in its legislative framework, and is working to strengthen its electricity and gas grids and build new interconnectors such as a 400 kV Mukacheve, Ukraine – V.Kapusany, Slovakia line.

3.1 Projects of national interest in the energy sector (draft law [9138](#)):

- Partially aligning with Regulation No [347/2013](#) on guidelines for trans-Euro-

pean energy infrastructure

- Registered by Verkhovna Rada

3.2. Connecting Europe Facility ratification ([3469-IX](#), draft law [0232](#)):

- Integrating Ukraine into EU Single Market with Connecting Europe Facility ([CEF](#)) based on Agreement signed in June 2023
- Registered by Verkhovna Rada (approved by VR on 21 November, 2023, beyond the ECA period)

4. Further legislative steps:

Ukraine's alignment with Regulation (EU) 347/2013 and designation of a national authority are still pending.

5. Risks & Challenges:

Institutional:

- Ukraine should urgently scale up administrative capacities and project preparation in order to ensure that transport and energy infrastructure projects can be implemented in line with EU standards

Legal pathways:

- Ukraine has yet to fully align with and implement the EU TEN-T acquis, in particular on technical standards needed to ensure the safety and interoperability of networks

Other:

- The development of new infrastructure and networks was substantially slowed down by the Russian war of aggression against Ukraine
- Decarbonisation and digitalisation of the transport sector remain challenging tasks, especially in the current circumstances

Regional policy and coordination of structural instruments Chapter 22 of the EU acquis

1. Progress Snapshot:

February: Some level of preparation (2/5)

November: Some level of preparation (2/5)

Progress: limited (+0.2)

2. Acquis Transposition:

Regulation No [1059/2003](#) on the establishment of a common classification of territorial units for statistics (NUTS) – partially implemented

Regulation No [1082/2006](#) on a European grouping of territorial cooperation (EGTC) – partially implemented

Regulation No [1302/2013](#) as regards the clarification, simplification and improvement of the establishment and functioning of such groupings – partially implemented

3. Specific Legislative Tracks

3.1 Improving the Participation of Local Self-Government in Inter-territorial and Cross-Border Cooperation (draft law [10161](#)):

- Partially aligning with Recommendation [CM/Rec\(2007\)7](#) of the Committee of Ministers to member states on good administration
- Voted in the first reading by Verkhovna Rada

3.2 Participation of local self-government in inter-territorial and cross-border cooperation (draft law [9450](#)):

- Partially aligning with Regulation No 1082/2006 and Regulation No 1302/2013
- Voted in the first reading by Verkhovna Rada

4. Further legislative steps:

- Law of Ukraine [2389-IX](#) on the principles of the state regional policy and the policy of restoration of regions and territories will need to be progressively aligned with EU regional policy, including Regulation No [1059/2003](#) on NUTS (Nomenclature of Territorial Units for Statistics) territorial classification
- Draft law [9450](#) on participation of local self-government in inter-territorial and cross-border cooperation requires further alignment with the EU *acquis*

5. Risks & Challenges:

Institutional:

- The Ministry for Restoration of Ukraine was established by merging the Ministry of Communities and Territories Development with the Ministry of Infrastructure, which resulted in high staff turnover. Ukraine should build capacity in the new Ministry
- Ukraine should strengthen the capacity and inclusive engagement of regional and local administrations
- At regional level, the key role in developing regional programmes lies with regional (oblast) administrations, a number of which were turned into military administrations. This risks excluding local stakeholders from decision-making

Other:

- Russia's invasion exacerbated the territorial disparities, which existed before 2022

Judiciary and fundamental right ***Chapter 23 of the EU acquis***

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

The Framework Convention for the Protection of National Minorities

The European Charter for Regional or Minority Languages

Opinions of the European Commission for Democracy Through Law (Venice Commission)

3. Specific Legislative Tracks

In 2023, despite the war, Ukraine managed to complete a comprehensive reform of the key judicial governance bodies – the HCJ and the HQCJ – significantly updating the composition of these bodies and the procedure for their formation. This allowed the restoration of the personnel procedures in the judiciary, the effectiveness of which, due to the wide discretion, largely depends on the actors who conduct them. It is still too early to assess the success of this reform and, therefore, the need for urgent legislative changes to build a sustainable foundation for independent, effective and fair justice.

3.1. High Council of Justice (HCJ) and the High Qualification Commission of Judges (HQCJ) re-launch ([1629-IX](#), [1635-IX](#)):

- ∴ January 2023 – the HCJ was restored
- ∴ June 2023 – the HQCJ was formed
- ∴ Meeting the recommendations of the Venice Commission
- ∴ Adopted by Verkhovna Rada

3.2. Competitive selection of judges of the Constitutional Court of Ukraine ([3277-IX](#), the European Commission's [recommendation](#) to grant Ukraine the status of an EU candidate):

- Meeting the recommendations of the Venice Commission
- In October 2023, the authorised composition of the Advisory Group of Experts responsible for the competition was formed; competitive procedures for the selection of judges were launched
- Adopted by Verkhovna Rada

3.3. Unblocking the HCJ's disciplinary function and restarting the competition

for the Service of Disciplinary Inspectors ([3304-IX](#), [3378-IX](#)):

- Disciplinary complaints reviews by the HCJ resumed in November 2023;
- Competition for Service of Disciplinary Inspectors was launched in December 2023
- Adopted by Verkhovna Rada

3.4. Optimization of the judge selection procedure ([3511-IX](#)):

- Meeting the recommendations of the European Commission (the number of exams was reduced, the stage of interviewing the winners of the competition was introduced, and the issue of training the winners of the competition was improved)
- Intrusion of the Public Integrity Council in the selection of local court judges remains unresolved
- Adopted by Verkhovna Rada

3.5. National Minorities ([3504-IX](#)):

- Aligning with the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages and Opinions of European Commission for Democracy Through Law (Venice Commission)
- Adopted by Verkhovna Rada

4. Further legislative steps:

In order to bring Ukrainian justice in line with EU best practices, certain legislative measures are required aiming at:

- Strengthening the institutional capacity of the Public Integrity Council and ensuring its effective participation in the selection and evaluation of judges
- Establishing a separate specialised court to hear administrative cases of national importance
- Taking effective measures to address corruption risks in the Supreme Court
- Adopting a law on the constitutional procedure, in line with the Venice Commission recommendations
- Adopting legislation to transpose and to implement the provisions of the Istanbul Convention [ratified](#) in 2022
- Acceding to the Rome Statute of the International Criminal Court and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and to the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of the Council of Europe (Convention 108+)

- Deinstitutionalisation and elaboration of procedures and criteria to provide guidance for determining the best interests of a child, including children in need of care and protection
- Strengthening integrated social services to prevent family separation
- Supporting alternative placements with families and reintegration of children from institutions into families, including investing more resources into a minimum package of social services
- Introducing the WHO's International Classification of Functioning, Disability and Health for the registration of persons with disabilities

5. Risks & Challenges:

Institutional:

- Development of a comprehensive strategy of judicial reform in the context of Ukraine's European integration and a clear plan for the implementation of the proposed measures with the involvement of the widest range of stakeholders
- A heavy workload for the HCJ, HQCJ, and Public Integrity Council, which may negatively affect the quality of personnel procedures in the judiciary
- (Risk) failure of the competition to form the Service of Disciplinary Inspectors
- Cooperation between the State Bureau of Investigation, prosecuting authorities and prison authorities remains weak, and the ill treatment investigation mechanism during the pre-trial and prison sentence stage suffers from a lack of efficiency
- Limited operational and human resources capacities and limited operational independence of the State Bureau of Investigation
- Lacks the appropriate resources of Ukrainian Parliament Commissioner for Human Rights as the authority in charge of checking compliance with data protection legislation

Legal Pathways:

- Legislation on gender equality is generally declarative in nature and provides only limited guidance to the application of these laws

Other:

- significant staff shortage (both judges and court staff) and significant underfunding of the judicial system
- The situation for persons with disabilities remains very challenging as regards equal participation and opportunities. There is a distinct lack of accessible transportation, healthcare, social services and public buildings

- The Roma minority remains one of the most marginalised communities in Ukraine and continues to face significant challenges

Justice, freedom and security

Chapter 24 of the EU acquis

1. Progress Snapshot:

February: moderately prepared (3/5);
 November: some level of preparation (2/5);
 Progress: some (+0.5)

2. Acquis Transposition:

No specific *acquis* for the analysed timeframe of the ECA period.

3. Specific Legislative Tracks

3.1. Decree of President of Ukraine № [273/2023](#) on Comprehensive Strategic Plan for the Reform of Law Enforcement Bodies as a Part of the Security and Defense Sector of Ukraine for 2023-2027:

- Introducing framework for implementing law enforcement reform, including a strong anti-corruption component
- Introducing a consistent criminal policy and crime surveys and amend the criminal procedural legislation
- Introducing the national Serious and Organised Crime Threat Assessment (SOCTA) and strengthen the institutional capacities to for its implementation
- Develop the institutional capacity of war and military justice bodies, ensuring the right of the war crimes victims
- Action Plan aimed at the implementing the Strategic Plan

3.2 Reform the Bureau of Economic Security of Ukraine (draft laws [10088](#) and [10088-1](#)):

- Introducing a new competition with transparent rules for the position of the Director of Economic Security Bureau of Ukraine (ESB), as announced by the Cabinet of Ministers
- Introducing evaluation of current employees of the Bureau in accordance with the Procedure approved by the ESB Director
- Registered by Verkhovna Rada

3.3. Economic Security Bureau of Ukraine (draft law [10440](#)):

- Introducing broader competences for the ESB to control criminal offenses within its jurisdiction and the obligation to involve representatives of the

Business Ombudsman Council when executing a decision on temporary access to belongings and documents, as well as during searches

- Registered by Verkhovna Rada beyond ECA period

3.4. Right to Civilian Firearms (draft law [5708](#)):

- Strengthening compliance with the rule of law in determining the legal regime of arms ownership by establishing the basic rights and obligations of citizens and legal entities regarding the production, acquisition, possession, disposal and use of weapons and ammunition, and to regulate other social relations directly related to this
- Pending second reading by Verkhovna Rada (beyond ECA period)

4. Further legislative steps:

- To adopt *Action Plan* to the Comprehensive Strategic Plan for the Reform of Law Enforcement Bodies as a Part of the Security and Defense Sector of Ukraine for 2023-2027
- To develop and adopt the national SOCTA and strengthen the institutional capacities for its implementation
- To strengthen judicial oversight over the protection of human rights and freedoms by investigating judges and courts as well as develop law enforcement and prosecutorial bodies to provide procedural guidance in such cases
- To implement a comprehensive approach involving regulatory, personnel, and operational measures to address illegal pressure on businesses

Other steps:

- to adopt and implement a context-adjusted migration policy strategy and revised integrated border management strategy, and ensure that corresponding action plans have indicators that allow for the proper assessment of implementation
- to adopt and launch implementing legislation to criminalise the large-scale smuggling of goods, including effective prison sentences for damage to the state budget above a certain threshold
- to adopt and launch implementation of a credible action plan for the implementation of the 2023-2025 asset recovery strategy
- to improve the legal framework and institutional capacities for financial investigations, asset recovery and management

5. Risks & Challenges:

- The Strategic Plan's deadlines, starting in 2023, are unattainable, including for both law enforcement reform measures and legislative initiatives;

- Uncertainty regarding the further reform of the Security Service of Ukraine during wartime;
- Ambiguity regarding the strengthening of the institutional capacity of the war justice system to prosecute international crimes;
- Lack of explicit provisions regarding the priority of spending on the war justice system and the military justice systems' needs for ensuring discipline in the Armed Forces of Ukraine through disciplinary and criminal liability measures;
- The Strategic Plan does not address reforming anti-corruption bodies – NABU and SAPO, despite plans to unify law enforcement agencies' activities and develop prosecution bodies. NABU is law enforcement, an SAPO is prosecution agency. The mistakes could occur without proper considering of their roles.

Science and research

Chapter 25 of the EU acquis

1. Progress Snapshot:

February: Moderately prepared (3/5)

November: Moderately prepared (3/5)

Progress: limited (+0.2)

2. Acquis Transposition:

The acquis in the field of science and research does not require transposition of EU rules into the national legal order. Implementation capacity relates to the existence of the necessary conditions for effective participation in the EU's Framework Programmes.

3. Specific Legislative Tracks

3.1 Technology Transfer (draft law [4623](#)):

- An Anti-Monopoly Committee of Ukraine assessment required
- Registered by Verkhovna Rada

4. Further legislative steps:

- Ukraine should establish an Horizon Europe office in Ukraine, appoint national contact points and set up a relevant governance structures;
- It should also adopt the strategy for scientific and technological development and develop regional smart specialisation strategies as well as national technology transfer roadmap.

5. Risks & Challenges:

Institutional:

- Russia's war of aggression against Ukraine is aggravating the long-term trend of under-investment in R&I.
- Public investment in science and innovation has been cut to a minimum.
- As of 2020, Ukraine's research spending shrunk to less than half of its 2003 level. In 2021, Ukraine's research spending as a share of GDP stood at 0.29% of GDP, which is less than half of its 2003 level

Other:

- 35% of research infrastructure had been damaged or destroyed by March 2023
- 25% of the scientific workforce had left the country

Education and culture ***Chapter 26 of the EU acquis***

1. Progress Snapshot:

February: Some level of preparation (2/5)

November: Some level of preparation (2/5)

Progress: Some (+0.5)

2. Acquis Transposition:

Besides a Directive on education of the children of migrant workers and the judgments of the European Court of Justice on cases related to non-discrimination between nationals of an EU Member State and other EU nationals, the acquis mainly consists of Council Recommendations in a number of areas related to school, vocational, higher and adult education, youth volunteering and mobility, numerous Council Conclusions and Resolutions.

3. Specific Legislative Tracks

3.1. Adult education (draft law [7039](#)):

- Aligning with Recommendation 2006/962 – Key competences for lifelong learning
- Adaptation is pending (is prepared for the second reading)
- Voted in the first reading by Verkhovna Rada

3.2. Improvement of the Educational Process in Higher Education (draft law [10177](#)):

- Not aligning with international agreements
- Registered by Verkhovna Rada (voted in the first reading by VR on 21 November 2023, beyond the ECA period)

3.3 On the inclusion of cultural heritage sites of national importance in the State Register of Immovable Monuments of Ukraine (Decree [1227](#)):

- Amended to include rules on converting cultural heritage assets' registers to digital format
- Approved by the Cabinet of Ministers of Ukraine

4. Further legislative steps:

- Ukraine should develop a plan for a relevant statistical data collection, analysis and sharing mechanism for education and training;
- In the area of the (vocational education and training (VET), Ukraine should adopt legislation to modernise and regulate professional education;
- In the sphere of higher education, Ukraine should start implementing a plan to optimise the network of education institutions.

5. Risks & Challenges:

Institutional:

- The implementation of the Strategy for the Development of Higher Education in Ukraine for 2021-2031 has been slow due to the disruption and lack of resources caused by the war.
- The New Ukrainian School is being rolled out with some delays in terms of teacher training and the printing of new textbooks.

Other:

- The Russian war of aggression poses major challenges, including large-scale destruction of education facilities
- No or limited access to education in the affected areas due to the destruction.

Environment and Climate Change Chapter 27 of the EU acquis

1. Progress Snapshot:

February: early stage of preparation (1 out of 5)

November: some level of preparation (2 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

Directive No. [2008/98/EC](#) on waste – partially implemented

Directive [94/62/EC](#) on packaging and packaging waste – in progress

Directive [2010/75/EU](#) on industrial emissions – in progress

Regulation (EC) [No 166/2006](#) concerning the establishment of a European Pollutant Release and Transfer Register – in progress

Regulation (EU) [2016/2031](#) on protective measures against pests of plants – in progress

Regulation (EC) No [1107/2009](#) concerning the placing of plant protection products on the market – in progress

Directive [2009/128/EC](#) establishing a framework for Community action to achieve the sustainable use of pesticides

Regulation (EU) [2017/625](#) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products – in progress

Council Directive [1999/105/EC](#) on the marketing of forest reproductive material – in progress

Directive ([EU](#)) [2018/851](#) amending Directive 2008/98/EC on waste – in progress

Council Regulation ([EU](#)) No [333/2011](#) establishing criteria determining when certain types of scrap metal cease to be waste – in progress

Regulation ([EU](#)) No [715/2013](#) establishing criteria determining when copper scrap ceases to be waste – in progress

Commission notice [C/2018/1447](#) on technical guidance on the classification of waste – in progress

Commission Decision [2014/955/EU](#) on the list of waste – in progress

Directive [1999/31/EC](#) on the landfill of waste – partially implemented

3. Specific Legislative Tracks

The EU promotes strong climate action, sustainable development and protection of the environment. EU rules contain provisions addressing climate change, water and air quality, waste management, nature protection, industrial pollution, chemicals, noise and civil protection.

3.1. Packaging and packaging waste (draft law [10066-2](#)):

- Partially aligning with Directive [94/62/EC](#) on packaging and packaging waste, Directive [2008/98](#), Directive [2018/85](#)
- Registered by Verkhovna Rada

3.2. Constitutional rights of citizens to an environment that is safe for life and health (draft law No [6004-d](#)):

- Partially aligning with Directive [2010/75/EU](#) on industrial emissions
- Voted in the first reading by Verkhovna Rada

3.3. Violations in the Registration of Emissions (draft law [9194](#)):

- Aligning with Regulation (EC) No [166/2006](#) concerning the establishment of

a European Pollutant Release and Transfer Register and the [Aarhus Convention](#) (ratified by Ukraine in 1999)

- Registered by Verkhovna Rada

3.4. State Regulation of Plant Protection (draft law [8340](#)):

- Partially aligning with Directive [2009/128/EC](#) establishing a framework for Community action to achieve the sustainable use of pesticides, Regulation (EU) [2016/2031](#), Regulation (EC) No [1107/2009](#), Regulation (EU) [2017/625](#), The IMSOC Regulation (EU) [2019/1715](#), Regulation (EU) [2019/1014](#)
- The draft law primarily relates to Chapter 12
- Voted in the first reading by Verkhovna Rada

3.5. Forest Reproductive Capacities (draft law [9116](#)):

- Partially aligning with Directive [1999/105/EC](#) on the marketing of forest reproductive material
- Registered by Verkhovna Rada

3.6. Scrap Metal (draft Law No [9484](#)):

- Aligning with Directive No. [2008/98/EC](#) on waste, Directive (EU) [2018/851](#) amending Directive 2008/98/EC on waste, Regulation (EU) No [333/2011](#) establishing criteria determining when certain types of scrap metal cease to be waste, Regulation (EU) No [715/2013](#) establishing criteria determining when copper scrap ceases to be waste, Commission notice on technical guidance on the classification of waste [C/2018/1447](#) and Commission Decision [2014/955/EU](#) on the list of waste
- Registered by Verkhovna Rada

4. Further legislative steps:

- To implement the National climate law (EU 2030 framework for climate and energy policies) and a National Energy and Climate Plan
- To adopt the bylaws aimed at full implementation of waste reform
- To implement the EU legislation on air and water quality, wildlife, biodiversity, industrial pollution and risk management, circular economy, EU Eco-Management and Audit Scheme, ecolabels, environmental standards, green public procurement, chemicals, biocide, national disaster risk assessment methodology

5. Risks & Challenges:

Institutional:

- Lack of institutional capacity for cross-sectoral environmental and climate action, especially in terms of inspection, monitoring and control of licences,

felling and the sale of forest products, and managing Natura 2000 sites

- Closer cooperation is needed between the State Emergency Service of Ukraine and the authorities in charge of industrial pollution, risk management, industrial accidents, and onshore major accident hazards covered under the Seveso III Directive

Other:

- Ensuring the European Green Deal is integrated across all policy areas, including during the rebuilding phase
- Transposition and implementation of 200 EU legal acts and strict environmental standards in times of war
- Aligning climate change goals in strategic documents with those of the EU
- Full implementation of [CBAM Regulation](#)
- Lack of institutional and financial capacity to implement reforms effectively

Consumer and health protection Chapter 28 of the EU acquis

1. Progress Snapshot:

February: some level of preparation (2 out of 5)

November: some level of preparation (2 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Regulation (EU) [2017/2394](#) on cooperation between national authorities responsible for the enforcement of consumer protection laws – partially implemented

Directive [98/6/EC](#) on consumer protection in the indication of the prices of products offered to consumers – partially implemented

Directive [2005/29/EC](#) concerning unfair business-to-consumer commercial practices in the internal market – partially implemented

Directive (EU) [2019/771](#) on certain aspects concerning contracts for the sale of goods – partially implemented

Directive [93/13/EEC](#) on unfair terms in consumer contracts – partially implemented

Directive [2011/83/EU](#) on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC – partially implemented

Directive [2013/11/EU](#) on alternative dispute resolution for consumer disputes – partially implemented

Directive (EU) [2020/1828](#) on representative actions for the protection of the collective

interests of consumers – partially implemented

Directive [2000/31/EC](#) on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market – partially implemented

Directive (EU) [2016/2102](#) on the accessibility of the websites and mobile applications of public sector bodies – partially implemented

Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services – partially implemented

Directive [2011/24/EU](#) on the application of patients' rights in cross-border healthcare – partially implemented

Regulation (EU) [2021/522](#) establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-2027 – partially implemented

Regulation (EU) [2022/2371](#) on serious cross-border threats to health – partially implemented

Regulation (EU) [2016/429](#) on transmissible animal diseases – partially implemented

Regulation (EU) [2016/679](#) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data – partially implemented

Directive [2000/54/EC](#) on the protection of workers from risks related to exposure to biological agents at work – partially implemented

Directive [2010/32/EU](#) implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU – partially implemented

Directive [89/391/EEC](#) on the introduction of measures to encourage improvements in the safety and health of workers at work – partially implemented

Decision (EU) [2018/945](#) on the communicable diseases and related special health issues to be covered by epidemiological surveillance as well as relevant case definitions – partially implemented

3. Specific Legislative Tracks

Progressing in alignment with EU standards (adopted and pending laws)

3.1. Protection of consumer rights ([3153-IX](#), draft law [6134](#)):

- Partially aligning with Regulation (EU) [2017/2394](#) on cooperation between national authorities responsible for the enforcement of consumer protection laws, Directive [98/6/EC](#) on consumer protection in the indication of the prices of products offered to consumers, Directive [2005/29/EC](#) concerning unfair business-to-consumer commercial practices in the internal market, Directive (EU) [2019/771](#) on certain aspects concerning contracts for the sale of goods, Directive [93/13/EEC](#) on unfair terms in consumer contracts, Direc-

tive [2011/83/EU](#) on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC, Directive [2013/11/EU](#) on alternative dispute resolution for consumer disputes, Directive (EU) [2020/1828](#) on representative actions for the protection of the collective interests of consumers, Directive [2000/31/EC](#) on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market, Directive (EU) [2016/2102](#) on the accessibility of the websites and mobile applications of public sector bodies, Directive (EU) [2019/770](#) on certain aspects concerning contracts for the supply of digital content and digital services

- Adopted by Verkhovna Rada
- Enters into force not earlier than the day of termination or cancellation of martial law

3.2. Telemedicine (telehealth) draft law ([9384](#)):

- Aligning with Directive [2000/31/EC](#) on certain legal aspects of information society services, in particular electronic commerce, Directive (EU) [2015/1535](#) laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, Regulation (EU) [2016/679](#) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Directive [2011/24/EU](#) on the application of patients' rights in cross-border healthcare and Regulation (EU) [2021/522](#) establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-2027
- Aligning with the EU4Health Programme ratified by Ukraine in January 2023
- Adopted by Verkhovna Rada
- Disregarded in the Commission's reports (goes beyond the Association Agreement and general scope of assessment)

3.3. On overcoming Tuberculosis (TB) in Ukraine ([3269-IX](#), draft law No. [9147](#)):

- Not aligning with the [Global strategy](#) and targets for tuberculosis prevention, care and control after 2015
- Partially aligning with Regulation (EU) [2022/2371](#) on serious cross-border threats to health, Regulation (EU) [2016/429](#) on transmissible animal diseases, Regulation (EU) [2016/679](#) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Regulation (EU) [2021/522](#) establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-2027, Directive [2000/54/EC](#) on the protection of workers from risks related to exposure to biological agents at work, Directive [2010/32/EU](#) implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU, Directive [89/391/EEC](#)

on the introduction of measures to encourage improvements in the safety and health of workers at work and Decision (EU) [2018/945](#) on the communicable diseases and related special health issues to be covered by epidemiological surveillance as well as relevant case definitions

- Adopted by Verkhovna Rada

4. Further legislative steps:

- Further alignment of the national legislation with the EU consumer protection *acquis* is needed
- An alternative dispute resolution system in place needs to be set
- A health information system strategy must be adopted
- The national health security action plan to address threats of biological, chemical, environmental and unknown origin needs to be elaborated and adopted
- Approval and implementation of the 2023-2025 national action plan on antimicrobial resistance is urgently required

5. Risks & Challenges:

Institutional:

- Lack or limited quality of disaggregated health-related data is one of the key systemic issues that affects the planning and policymaking processes as well as the implementation of health programmes raise concern
- Fragmentation and overlaps in health data should be corrected
- Appropriate resources of Ukrainian Parliament Commissioner for Human Rights as the authority in charge of checking compliance with data protection legislation should be provided

Legal Pathways:

- Ukrainian legislation is not aligned with the EU *acquis* on representative actions and on timeshares, and does not address the latest changes to EU consumer legislation introduced by the EU Directive [2019/2161](#)
- Tuberculosis prevention law is not mentioned in the Commissions' reports despite the shared [concern](#) of the European medical community

Other:

- Monitoring rules are not aligned with global noncommunicable disease targets
- The national cancer registry is harmonised with international registries, but there is no dedicated cancer screening programme for the early detection of cancer apart from six free cancer examinations in the national programme of medical guarantees (mammography, esophagogastroduodenoscopy, colonos-

copy, bronchoscopy, cystoscopy and hysteroscopy)

- There is no monitoring in place for the early detection of cervical and breast cancer
- Corruption in medical service provision and medical education and out-of-pocket payments in the public healthcare system remain a cause for concern

Customs union

Chapter 29 of the EU acquis

1. Progress Snapshot:

February: good level of preparation (4 out of 5)

November: good level of preparation (4 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

Regulation (EU) [2021/444](#) establishing the Customs programme for cooperation in the field of customs – fully implemented

Directive (EU) [2016/1164](#) laying down rules against tax avoidance practices that directly affect the functioning of the internal market – partially implemented

Regulation (EU) No [952/2013](#) laying down the Union Customs Code – partially implemented

Regulation (EU) [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 – partially implemented

Regulation (EU) [2015/2446](#) supplementing Regulation (EU) No 952/2013 – partially implemented

3. Specific Legislative Tracks

All EU countries follow the same customs rules and procedures. Adequate implementation of customs legislation should be supported by enforcement capacity and access to the common customs IT systems. Ukraine is already connected to the EU customs information and transit system (NCTS). However, large-scale smuggling remains to affect the state budget revenues and provide for illicit tobacco trade as the Bureau of Economic Security of Ukraine (BESU) has failed to fulfil its mission of combating smuggling and corruption at the State Customs Service. The new Customs Code was not elaborated during 2023 as had been anticipated in the Commission's report of 1 February 2023 ([SWD\(2023\) 30 final](#)).

3.1. European Customs Code and Free Trade Agreement implementation ([3261-IX](#), draft law [5353-d](#)):

- Partially aligning with EU acquis is not clear due to with Regulation (EU) No [952/2013](#) laying down the Union Customs Code, Regulation (EU) [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation

(EU) No 952/2013 and Regulation (EU) [2015/2446](#) supplementing Regulation (EU) No 952/2013

- Lacking EU *acquis* alignment pre-assessment report by the European Integration Committee of Verkhovna Rada
- Adopted by Verkhovna Rada

3.2. EU Customs programme ratification ([3176-IX](#), draft law [0198](#)):

- Aligning with Regulation (EU) No. [2021/444](#) on establishing the Customs programme for cooperation in the field of customs
- Adopted by Verkhovna Rada

3.3. Common Transit Convention implementation ([3229-IX](#), draft law [9014](#)):

- Partially aligning with Regulation (EU) No [952/2013](#) laying down the Union Customs Code and Regulation (EU) [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013
- Adopted by Verkhovna Rada

3.4. Implementation of EU and NATO Customs Standards ([3345-IX](#), draft law [9402](#)):

- Aligning with Regulation (EU) No [952/2013](#) laying down the Union Customs Code, Regulation (EU) [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 and Regulation (EU) [2015/2446](#) supplementing Regulation (EU) No 952/2013
- Adopted by Verkhovna Rada

3.5. Handling of goods and cargo vehicles under temporary admission or smuggled into Ukraine ([3475-IX](#), draft law [9307](#)):

- Aligning with Regulation (EU) No [952/2013](#) laying down the Union Customs and Convention relating to temporary admission ([Istanbul Convention](#), joint by Ukraine in [2004](#))
- Voted in the first reading by Verkhovna Rada (adopted on 21 November 2023, beyond the ECA period)

3.6. Handling of goods and commercial cargo vehicles (draft law [9511](#)):

- Aligning with Regulation (EU) No [952/2013](#) laying down the Union Customs Code and Regulation (EU) [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013
- Registered by Verkhovna Rada

3.7. Customs duties on military and dual-use goods ([3288-IX](#), draft law [9468](#)):

- Not aligning with Regulation (EC) No. [1186/2009](#) on the Community system of reliefs from customs duties (exception, providing for the current military needs of Ukraine based on the provisions: Articles 472 “Measures related to essential security interests”, 143 “Security exceptions” of the EU-Ukraine Association Agreement)
- Adopted by Verkhovna Rada

3.8. Criminalisation of smuggling of excise goods and customs declaration fraud ([3513-IX](#), draft law [5420](#)):

- Meeting the recommendations stipulated in the European Commission’s report on 8 November, 2023
- Adopted on 9 December 2023, beyond the ECA period

4. Further legislative steps:

- Progress with the development of a new Customs Code needs to be made
- Further alignment of the Customs Code with the Union Customs Code is needed, particularly in the areas of customs procedures, simplification of customs formalities, pre-departure information and the enforcement of intellectual property rights
- A plan for the implementation of EU-related IT systems needs to be developed ensuring the timely implementation of the new computerised transit system (NCTS) Phase 5
- The use of the common transit procedure as well as the authorised economic operator (AEO) framework must be extended
- Risk management for post-clearance control and customs audit, as well as risk-based customs valuation need to be addressed

5. Risks & Challenges:

Other:

- Martial law hinders achieving complete liberalisation of the Customs Union
- There is a risk of potential suspension of the implementation processes due to martial law and institutional capacity limitations

External relations Chapter 30 of the EU acquis

1. Progress Snapshot:

February: good level of preparation (4 out of 5)

November: good level of preparation (4 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Decision (EU) No. [1313/2013/EU](#) on a Union Civil Protection Mechanism – fully implemented

Regulation (EU) No. [2021/690](#) on establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) – fully implemented

Regulation (EU) No. [2021/444](#) on establishing the Customs programme for cooperation in the field of customs – fully implemented

Regulation (EU) No. [2021/847](#) on establishing the ‘Fiscalis’ programme for cooperation in the field of taxation – fully implemented

Regulation (EU) No. [2021/694](#) establishing the Digital Europe Programme – fully implemented

Regulation (EU) No. [952/2013](#) laying down the Union Customs Code – fully implemented

Regulation (EU) No. [2015/2447](#) laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 – fully implemented

Regulation (EU) No. [2015/2446](#) supplementing Regulation (EU) No 952/2013 – fully implemented

3. Specific Legislative Tracks

Progressing in alignment with EU standards (adopted and pending laws) in the area of external relations

3.1. Civil Protection Mechanism ([3434-IX](#), [draft law 0226](#)):

- Aligning with Decision (EU) No. [1313/2013/EU](#) on a Union Civil Protection Mechanism
- Adopted by Verkhovna Rada

3.2. Single Market Programme 2021-2027 ([3175-IX](#)):

- Aligning with Regulation (EU) No. [2021/690](#) on establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme)
- Adopted by Verkhovna Rada

3.3. EU Customs programme ([3176-IX](#)):

- Aligning with Regulation (EU) No. [2021/444](#) on establishing the Customs pro-

gramme for cooperation in the field of customs

- Adopted by Verkhovna Rada

3.4. EU's Fiscalis taxation programme ([3177-IX](#), draft law [0203](#)):

- Aligning with Regulation (EU) No. [2021/847](#) on establishing the 'Fiscalis' programme for cooperation in the field of taxation
- Adopted by Verkhovna Rada

3.5. Programme Digital Europe 2021-2017 ([2926-IX](#), draft law [0187](#)):

- Aligning with Regulation (EU) No. [2021/694](#) establishing the Digital Europe Programme
- Adopted by Verkhovna Rada

3.6. European Customs Code and Free Trade Agreement implementation ([3261-IX](#), draft law [5353-d](#)):

- Aligning with Regulations No. [952/2013](#), No. [2015/2447](#), No. [2015/2446](#)
- Adopted by Verkhovna Rada

4. Further legislative steps:

According to the EU-Ukraine Association Agreement and established Deep and Comprehensive Free Trade Area, Ukraine needs to coordinate closely with the EU on international trade negotiations, in particular to ensure that, when it joins the EU, its commitments are compatible with those of the EU. Also, there is the need to ensure further compliance of Ukraine's trade policy with the rules of the World Trade Organization (WTO).

Regulation (EU) No [649/2012](#) of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals needs to be implemented in Ukraine's national legislation.

5. Risks & Challenges:

Institutional:

- Further compliance of Ukraine's trade policy with the rules of the World Trade Organization (WTO) and the Association Agreement are needed
- Full alignment of Ukraine's obligations in new bilateral trade agreements with the obligations of the European Union is necessary

Legal Pathways:

- Further aligning Ukraine's legislation on trade policy with the EU-Ukraine Association Agreement (in particular, regarding agreements with other countries) is required

Foreign, security and defence policy

Chapter 31 of the EU acquis

1. Progress Snapshot:

February: good level of preparation (4 out of 5)

November: good level of preparation (4 out of 5)

Progress: good (+0.8)

2. Acquis Transposition:

Directive (EU) No. [2016/68](#) on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime – fully implemented

Directive (EU) No. No. [2004/82/EC](#) on the obligation of carriers to communicate passenger data – fully implemented

Directive (EU) No. [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing – fully implemented

3. Specific Legislative Tracks

Progressing in continued unprecedented political dialogue with the EU at all levels and significantly enhanced security and military cooperation with the EU and its Member States; alignment with EU standards (adopted and pending laws) in the area of foreign, security and defence policy; with Statements by the High Representative on behalf of the EU and Council Decisions.

3.1. Terrorism prevention ([2997-IX](#), draft law [8146](#)):

- Aligning with Directives No. [2016/681](#) on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime and No. [2004/82/EC](#) on the obligation of carriers to communicate passenger data
- Adopted by Verkhovna Rada

3.2. Customs duties on military and dual-use goods ([3288-IX](#), draft law [9468](#)):

- Not aligning with Regulation (EC) No. [1186/2009](#) on the Community system of reliefs from customs duties
- The law has been determined by the current military needs of Ukraine and can be justified by applying provisions of the Articles 472 “Measures related to essential security interests” and 143 “Security exceptions” of the EU-Ukraine Association Agreement
- Adopted by Verkhovna Rada

3.3. Value added tax (VAT) on military and dual-use goods ([3287-IX](#), draft law [9467](#)):

- Not aligning with Directive No. [2006/112/EC](#) on the common system of VAT
- The law has been determined by the current military needs of Ukraine and can be justified by applying provisions of the Articles 472 “Measures related to essential security interests” and 143 “Security exceptions” of the EU-Ukraine Association Agreement
- Adopted by Verkhovna Rada

3.4. Synchronisation with EU and NATO procedures (draft law [9402](#)):

- Aligning with EU regulations No. [952/2013](#), No. [2015/2447](#), No. [2015/2446](#) (related to Chapter 29 on Customs Union)
- Adopted by Verkhovna Rada

3.5. Money laundering or terrorist financing prevention (aka PEP Law, elaborated on in Chapter 4 on Free movement of capital) ([3419-IX](#), draft law [9269-d](#)):

- Aligning with Directive (EU) No. [2015/849](#) on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing
- Adopted by Verkhovna Rada

4. Further legislative steps:

The Ukrainian domestic legal framework for criminal accountability for core international crimes needs to be adapted to international standards. There is an urgent need for Ukraine to accede to the Rome Statute of the International Criminal Court. Ukraine has already accepted the jurisdiction of the Court twice, including through legislative acts adopted in 2022 in the context of evident war crimes committed as part of Russia’s war of aggression.

Law of Ukraine on Critical Infrastructure ([1882-IX](#)) needs to be amended to align with the Directive [2022/2557](#) on the resilience of critical entities

5. Risks & Challenges:

Institutional:

- Aligning with the official EU Council’s positions and actions in the area of Common Foreign and Security Policy, sanction policy, and with the statements by the High Representative on behalf of the EU is needed

Legal Pathways:

- Ratification of the Rome Statute of the International Criminal Court on the basis of draft resolution’s [8016](#) appeal for the elaboration of a respective draft law and in accordance with the Council conclusions on the International Criminal Court No. [11082/23](#) needs to be conducted

Financial Control

Chapter 32 of the EU Acquis

1. Progress Snapshot:

February: early stage of preparation (1 out of 5)

November: early stage of preparation (1 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Directive (EU) [2017/1371](#) of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law

3. Specific Legislative Track:

Negotiating Chapter 32 of Financial control is misperceived by the Ukrainian Government as not requiring any implementation of the EU *acquis* in the national legislation. In fact, the full alignment with the EU *acquis* requires fundamental reform of the Accounting Chamber of Ukraine (ACU) and its explicit independence embedded in the Constitution. Ukraine also must apply European financial control standards including the concept of public internal financial control (PIFC). Control, audit and combating roles and responsibilities need to be clearly defined through major legislative update efforts.

3.1. Accounting Chamber of Ukraine reform (draft law [10044](#)):

- Aligning with the EU-Ukraine Association Agreement
- Fully implementing ACU's independence only after amendments to the Constitution of Ukraine (not provided for by this draft law)
- Introducing audit standards of the International Organization of Supreme Audit Institutions (INTOSAI)
- Expanding the audit scope of the ACU to all public funds including local budgets, state and communal enterprises, international aid, and refinancing of banks by the National Bank of Ukraine
- Registered by Verkhovna Rada

3.2. International standards of external audit implementation (draft law [10045](#)):

- Introducing international audit best practices according to the standards of the International Organization of Supreme Audit Institutions (INTOSAI) and in connection with the ACU reform
- Registered by Verkhovna Rada

4. Further legislative steps:

- Ukrainian legislation on internal financial control is required to ensure EU

financial confidence in Ukraine and combat fraud according to the best international practices

- Internal audit (public internal financial control) and external audit functions as well as allocation of responsibilities of combating and prosecution should be clarified through coherent legislation

5. Risks & Challenges:

Institutional:

- Central Harmonisation Unit (CHU) in the Ministry of Finance of Ukraine needs to enforce managerial accountability and ensure tighter connectivity with PIFC
- The Accounting Chamber of Ukraine (ACU) needs to be empowered through constitutional independence, improved ISSAI-based audit, and extended network of internal auditors
- The current impact of the ACU's audit work is minimal and not widely communicated
- The State Audit Service (SAS) performs internal audit and financial inspection tasks in the absence of a clear legal framework
- Overlaps between the mandates of the ACU and SAS need to be addressed
- Cooperation between state internal financial control bodies and audit institutions with law enforcement agencies in order to combat corruption and financial fraud needs to strengthen
- The influence of the Presidential Office over all financial control, audit and prosecution bodies has increased beyond the Constitutional framework

Financial and budgetary provisions Chapter 33 of the EU acquis

1. Progress Snapshot:

February: early stage of preparation (1 out of 5)

November: early stage of preparation (1 out of 5)

Progress: limited (+0.2)

2. Acquis Transposition:

Directive [2011/85/E](#) on requirements for budgetary frameworks of the Member States – partially implemented

3. Specific Legislative Tracks

The funding of the EU budget consists of:

- national income contributions of each Member State
- customs duties
- non-recycled plastic resource ([€0.80 per kg](#))
- VAT-based resource

Therefore, it is critical to securely trace and fully utilise the sources of funding while minimising any risk of tax fraud or smuggling.

Ukraine should implement Directive [2011/85/EU](#) on requirements for budgetary frameworks of the Member States based on the mechanisms commonly applied.

4. Further legislative steps:

- An official translation of the relevant EU legislation, in particular, Directive [2011/85/EU](#) is required
- Completion of the implementation of Directive [2011/85/EU](#) is necessary within the framework of introduction of the European System of Accounts (ESA) and the transition from cash basis accounting to indicators determined according to the ESA 2010 standards (accrual basis accounting)
- Submission of the gross national income (GNI) data to Eurostat is required

5. Risks & Challenges:

Institutional:

- The Bureau of Economic Security of Ukraine (BESU) was established to control the and exclude the tax (income and VAT) and customs (duties) fraud as the major source for the EU budget contributions but failed to fulfil its mission
- The State Audit Service of Ukraine (SASU) reports on cases of fraud to the European Anti-Fraud Office, potentially risking the collaboration with any compromised case
- The State Customs Service (SCSU) and the State Tax Service of Ukraine (STSU) are directly responsible for the collection of duties and taxes (both services have undermined their reputation and several attempts of reforms)
- External technical assistance in facilitating full implementation planning and drafting corresponding legislation and by-laws is needed
- EU *acquis* implementation trainings for the stakeholders involved in budget allocation and control processes are required

Other:

- There is a risk of potential suspension of the implementation processes due to a high level of interaction with the Chapters 4, 9, 11, 16, 17, and 29

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