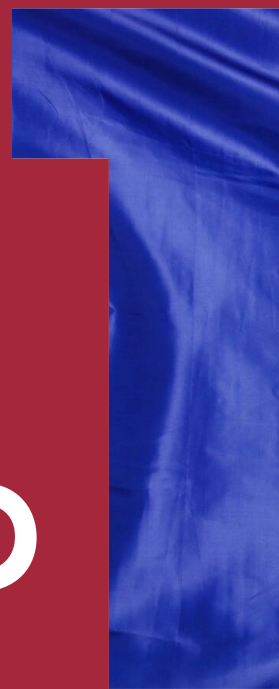


TOP



EUROINTEGRATION  
PRIORITIES:

PROGRESS REPORT  
ON CHAPTER  
DEVELOPMENT

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# Methodology

The Euroscope project encompasses over a year of intensive analysis and evaluation of the alignment of Ukraine's legislation with the EU Acquis communautaire. Our approach is grounded in a systematic review of the ongoing Eurointegration progress of the, enabling us to maintain a comprehensive understanding of developments across all facets of the acquis communautaire. This summarizing review is as continuation of the and it aims at identifying areas of utmost importance for Ukraine's integration process – **10 priorities** for a year to come and main chapters pivotal to our overarching integration agenda.

## Selection of Focus Areas

Euroscope's review of the Top 10 priorities covers **the one-year period**, which began with a significant milestone for Ukraine on 23 June 2022, when the European Council granted candidate status to Ukraine, marking a crucial step in its path towards EU membership. The progress in the integration path is conditioned upon **fulfilment of the specific requirements outlined in the Commission's opinion**. Euroscope aims to provide a systematic analysis of the progress made by Ukraine since becoming a candidate country until May 2024. This analysis offers insights into the main developments and common challenges across all chapters, suggesting a further specific course of action for Ukrainian authorities to focus on in the upcoming months. Our analysis is based on the reviewing a) [Ukraine Report 2023, European Council conclusions, 14 and 15 December 2023, European Council conclusions, 21 and 22 March 2024](#), b) [report On the implementation of the of the Association Agreement between Ukraine and the European Union, for the year 2023](#), as well as additional publications and discussions held by our experts with relevant stakeholders.

To identify priority areas our expert team further considered factors such as societal implications, correlation with reconstruction, impact on the speed of the integration and relevance to the EU counterparts. This overview also provides statistical insights into the speed of the reforms implementation and well as identifies core stakeholders engaged in the implementation process.

## Recommendations and Stakeholder Engagement

Euroscope team has developed a robust set of recommendations tailored to empower Ukrainian stakeholders to focus on specific areas and therefore boost overall success of the implementation track. Furthermore, we addressed EU stakeholders to support facilitation of Ukraine's progress towards the effective implementation of the prioritized chapters. These recommendations serve as actionable guidelines aimed at addressing systemic barriers and fostering collaborative initiatives.

# Introduction

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Ukraine is facing enormous challenges, not only as a country on the frontline against Russian aggression, which poses threats to EU and democratic countries, but also as a candidate state moving towards integration with the EU in these unprecedented times. Despite these challenges, Ukraine has not only advanced but also opened negotiations with the EU and shown solid results in implementing reforms. This progress is crucial for the overall development of Ukraine and its ability to counter the dangerous Russian narrative against Ukrainian achievements.

The key to successful integration and reconstruction lies in the effective transposition of laws and successful implementation of the reforms to build trust with the EU and relevant stakeholders. Therefore, this report focuses on the foundational pillar of the integration process, including the core part of the EU accession methodology – Fundamentals. While it is evident that we should prioritize the fundamentals cluster, which is initiated first and concluded last during negotiations, we strive to go beyond statistical significance to gain a deeper understanding of the state of play with implementation in each chapter. Our aim is to provide an independent overview, which could be instrumental to both Ukrainian and European stakeholders.

The fundamentals cluster encompasses critical chapters such as judiciary and fundamental rights (Chapter 23), justice, freedom, and security (Chapter 24), public procurement (Chapter 5), statistics (Chapter 18), and financial control (Chapter 32). By focusing on fundamentals, Ukraine can provide solid actions to address corruption, weak judicial system independence and democratic institutions. Sustained reforms and administrative capacity building are essential not only to align effectively with EU norms but also to enhance trust with our EU counterparts.

Based on these core assumptions, Euroscope prioritizes Fundamentals as a negotiation priority but also suggests five other significant chapters to be priorities based on the factors analysed.

# **Euroscope's** Top 10 Eurointegration Priorities:

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**Chapter 5 – Public procurement**

**Chapter 11 – Agriculture and rural development**

**Chapter 14 – Transport**

**Chapter 15 – Energy**

**Chapter 18 – Statistics**

**Chapter 19 - Social policy and employment**

**Chapter 23 – Judiciary and fundamental rights**

**Chapter 24 – Justice, freedom and security**

**Chapter 32 – Financial control**

**Chapter 33 – Financial and budgetary provisions**

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Strengthening the rule of law should be the top priority for the upcoming months, particularly in the context of further reconstruction of the country. To facilitate improvements in this area, Ukraine should be integrated into the EU's rule-of-law toolbox<sup>1</sup>, providing access to resources and support mechanisms aimed at strengthening justice systems, combating corruption, and safeguarding freedom of media.

Each chapter overview is based on the assessment of the speed and quality of the legislative process across ten top chapters during the assessment year. It provides a comprehensive view of legislative progress, highlighting current developments in Ukrainian laws and EU directives transposition issues. This section gives an understanding of current efforts and identifies where focus is most needed in the coming year to address legislative challenges. Subchapters offer an institutional overview of decision-making, including governmental authorities involved in drafting and implementing legislation, as well as civil society actors and educational institutions relevant to the process. Those sections give insights regarding the complexity of decision-making processes in specific chapters and serves as a map to identify key stakeholders, facilitating further negotiations and enhancing the dialog with EU partners. The «Building Necessary Capacity» section describes expert recommendations on strengthening, enhancing, or changing existing policies. It also discusses challenges in stakeholder engagement, monitoring, and reporting. This could be instrumental for the Ukrainian government to close existing gaps and the Commission to target their support more effectively in the upcoming year.

The chapters selected as top ten priorities require special attention from the Ukrainian government due to both external and internal reasons. The fundamentals pose a significant challenge not only because of their complexity but also because they directly influence trust building among EU partners. To ensure continued support for Ukraine and post-war reconstruction, Ukraine must deliver on core fundamentals and ensure the operational effectiveness of anti-corruption institutions. Fundamentals are crucial for both EU requirements and internal Ukrainian developments, promoting transparency in procurement processes, justice, and fundamental rights. These processes are interconnected with financial controls and budgetary provisions, improving audit standards, accountability, and anti-fraud coordination. Implementing these chapters will strengthen Ukraine's position in negotiations and enhance transparency in the integration process and engagement with new partners within the reconstruction framework.

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<sup>1</sup> <https://www.bruegel.org/policy-brief/ukraines-path-european-union-membership-and-its-long-term-implications>

Statistics, although less emphasized in expert reviews, is highlighted by Euroscope due to its interconnection across all chapters and its role in effective benchmarking and progress assessment. Accurate statistical measurement and reporting will facilitate both the Commission's assessment and provide clearer understanding for Ukrainian institutions.

While fundamental requirements are the focus of the Commission, social policy is equally important due to the enormous challenges Ukraine faces because of the war and the need to support veterans and vulnerable populations. Key issues include social support for these groups and employment policies crucial for returning Ukrainians and contributing to reconstruction. Ukraine has made some progress in these areas, though they may not directly align with European integration demands. Closer cooperation between the Ukrainian government and EU institutions is needed to support further implementation given the significant challenges and limited resources.

The transport section is linked to internal demands and the context of the Green Deal and reconstruction. EU connectivity funds offer multiple opportunities for Ukraine during accession, but without a proper legislative base, these opportunities cannot be fully realized, especially under the Build Back Better framework.

Energy is prioritized due to its security dimensions and threats from Russia to both Ukrainian and EU energy security. Transforming the energy system within Ukraine and improving transparency in the process are vital. The EU can engage in experience-sharing to understand potential risks to energy systems, based on Ukraine's experience with Russian attacks, and address normative aspects of safety measures not fully covered in current EU legislation.

Lastly, our priorities include the complex and often controversial chapter on agricultural policy. This chapter poses many intricate questions that need to be negotiated and clarified to remove speculation. Addressing this chapter as a priority will ensure adequate time for negotiation and consensus-building, eliminating potential issues for some EU countries.

TOP

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EUROINTEGRATION  
PRIORITIES:



## Chapter 5 – Public procurement

### THE LEGISLATIVE PROCESS: OVERVIEW

Ukraine has made significant progress in aligning its public procurement legislation with EU standards, ensuring more transparent and effective procurement processes. Key milestones include the transposition of:

Directive [2014/24/EU](#) on public procurement, Directive [2014/25/EU](#) on procurement in sectors not covered by Directive 2014/24/EU and Directive [2014/23/EU](#) on the award of concession contracts. The Directives was transposed into Ukrainian legislation through the Law of Ukraine «On Public Procurement,» dated December 25, 2015, No. 922-VIII. This law regulates procurement procedures, defines the rights and obligations of procurement participants, and establishes the principles and conditions for conducting public procurements.

Regulation (EU) [No 2018/1046](#) on financial rules applicable to the general budget of the European Union pertains to the financing of public procurements should also be considered for transposition into Ukrainian legislation, particularly related to the funding activities associated with public procurement from budgetary funds.

While these steps demonstrate good progress, further improvements are needed to fully integrate and consistently apply these standards, ensuring all aspects of public procurement meet the highest levels of transparency, efficiency, and compliance with EU regulations.

### INSTITUTIONS INVOLVED IN THE DECISION-MAKING:

- The Parliamentary Committee on Economic Development is responsible for overseeing legislative matters related to public procurement.
- Ministry of Economy of Ukraine is responsible for policy development and implementation related to public procurement, including monitoring compliance with regulations, and providing guidance to procuring entities.
- State Audit Service of Ukraine is responsible for auditing public procurement processes to ensure compliance with laws and regulations, as well as identifying potential irregularities or corruption.
- Anti-Corruption Agencies in Ukraine, such as the National Anti-Corruption Bureau and the Specialized Anti-Corruption Prosecutor's Office, play a critical role in investigating and prosecuting corruption cases related to public procurement.

- Business Associations and Civil Society Organizations often advocate for transparency, fairness, and efficiency in public procurement processes, providing input to policymakers and monitoring implementation.
- State Enterprise ProZorro electronic procurement system is instrumental in facilitating transparent and efficient public procurement practices in Ukraine.

#### **BUILDING NESESARY CAPACITIES:**

- 1. Training and Capacity-Building for Public Officials:** lack of comprehensive training and capacity-building programs for public officials involved in procurement processes is a significant challenge in implementing EU directives and regulations. Many public officials require specialized knowledge and skills to effectively apply EU standards in their daily work. The EU can support this effort by providing tailored training programs, workshops, and exchange opportunities to enhance the capacity of Ukrainian public officials in areas such as public procurement procedures, competition law, and non-financial reporting.
- 2. Availability of Technical Expertise:** lack of technical expertise in specific areas relevant to EU directives is another challenge. It is crucial for Ukraine to have a pool of highly qualified experts in EU standards.
- 3. Collaborative Projects and Partnerships:** Enhancing administrative capacities can be achieved through collaborative projects and partnerships between Ukrainian institutions and their EU counterparts in public procurement sector. Joint initiatives can focus on developing guidelines, manuals, and best practices based on EU standards. These projects can also promote peer learning and the exchange of experiences among public officials, fostering a culture of continuous improvement and alignment with European norms.
- 4. Investment in Digital Infrastructure:** Building robust digital infrastructure is essential for the efficient implementation of EU directives related to electronic procurement and data transparency. EU can support Ukraine in modernizing its digital platforms, improving connectivity, and promoting the adoption of advanced technologies to streamline administrative processes and enhance transparency in public procurement.

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### Monitoring and Reporting:

- **Regular Assessments:** to conduct periodic assessments to evaluate the degree of alignment of the existing legislation, policies, and practices with EU directives.
- **Data Collection and Analysis:** to establish systems for collecting relevant procurement data, including expenditures, contract awards, and supplier diversity and their further analysis to identify trends, gaps, and performance indicators related to EU rules alignment.
- **Performance Indicators:** to define clear, SMART (Specific, Measurable, Achievable, Relevant, Time-bound) performance indicators to measure progress towards alignment objectives. Reporting Mechanisms: to implement robust reporting mechanisms to communicate progress to public, government agencies, EU counterparts, civil society organizations. These reports should highlight achievements, define the challenges and recommendations address them.
- **Integration with Policy Cycle:** to integrate monitoring and reporting into the policy cycle to ensure that evaluation findings are considered in the policymaking.

# Chapter 11 – Agriculture and rural development

Ukraine possesses significant potential to influence the European Union (EU) budget, particularly in the realm of the Common Agricultural Policy (CAP). With 41.5 million hectares of arable land, it stands as the largest agricultural producer in Europe. Additionally, Ukraine boasts the highest percentage of arable land in Europe, comprising 70% of its territory. Moreover, the country harbors a substantial rural population, accounting for 33% of its total populace. However, despite these advantageous agricultural resources and demographics, Ukraine faces several challenges, for example in aligning with the European Green Deal objectives. Therefore, effectively navigating these challenges is imperative for Ukraine to leverage its agricultural prowess while contributing positively to the EU's broader environmental and sustainability objectives.

## THE LEGISLATIVE PROCESS: OVERVIEW

During the assessed period of June 2022 through April 2024, Ukraine remained at an early stage of preparation in the area of agriculture and rural development. Some progress was made in harmonisation with the EU *acquis* during 2023 according to the European Commission's [report](#) of 8 November 2023.

According to the [Pulse of Association](#) internal self-assessment by the Ukrainian Government of the EU-Ukraine Association Agreement's implementation, the current rate in the area of Agriculture is 70%.

The [self-screening](#) by the Ukrainian Government of the EU *acquis* implementation published in December 2023 accounted for a total of 1370 legislative acts (1275 requiring no implementation) in the negotiating Chapter 11. Only 11 acts noted as fully implemented as of December 2023. Further implementation of 84 more acts is required. This suggests for a weighted completion rate of 12%.

Euroscope's independent assessment conducted during the period from 2023 to April 2024 has highlighted a concerning negative trend in the implementation of EU *acquis*, particularly within Chapter 11. This trend is attributed to several key factors, notably the absence of a national strategy for agriculture and rural development, limited legislative activity, and the poor quality of draft laws. The root cause of these shortcomings can be traced to a significant deficiency in relevant agricultural and rural development expertise among the leadership team of the Ministry of Agricultural Policy and Food of Ukraine (MAPFU). This critical capacity gap has contributed to a disconnect between the Ministry's policies on agricultural production and rural

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development. The MAPFU's focus on promoting the sale of agricultural land and commodities exports has overshadowed crucial priorities such as the rural economy, food security, and sustainable management of national resources, which have received insufficient attention so far. Addressing these capacity gaps and realigning priorities is essential to effectively implement EU acquis and advance Ukraine's agricultural and rural development objectives in alignment with European standards and principles.

The **Land Code of Ukraine 2768-III** of 25 October 2001 forms the fundamental basis for the agricultural sector of Ukraine and the management of the rural territories based on the three forms of land ownership: private, communal, and state. State ownership of the land is constituted by default in case other forms have not been duly claimed and registered in the Land Cadastre of Ukraine.

Amended by the **Law of Ukraine 552-IX** on 30 March 2020, the Land Code made it possible to purchase of agricultural land of up to 100 hectares and ownership of up to 10 000 hectares by any Ukrainian citizen (p. 2 of Article 130 of the amended Land Code). As of 1 January 2024, the provision for the acquisition and ownership of up to 10 000 hectares by legal entities with Ukrainian citizen beneficiaries became effective. The volume of land as a collateral by banks has not been limited by the law, providing for a maximum term of two years of direct ownership prior to an auction sale non-binding condition. The ownership of agricultural land by international residents is possible through bank statute capital participation.

The amendment to the Land Code in p. 2 of Article 130 directly implies the existence of the land market and the private ownership of agricultural land in Ukraine at least nineteen years prior to the amendments of 2020 often referred to as "Land Reform".

The new land market conditions – without farmer and rural landscapes in the focus – had been introduced due to the lack of public consultations with the stakeholders during the legislative elaborations. No necessary corrections have been made during the period of implementation of the new land market legislation, despite the numerous recommendations by the stakeholders directly engaged.

The sustainable use of the national land resources should be fundamentally revised based on the European Green Deal goals and objectives and the realities of post-war green reconstruction of the Ukrainian economy. Thus, an immediate ban on land trading during martial law should be imposed to secure the interests of the farmers and rural communities in the times of war.

### **Horizontal issues and National aid**

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The key integrated administration and control system ([IACS](#)) for monitoring agricultural, environment and climate policies and targets of the EU needs to be established in Ukraine. The introduction of IACS requires the alignment with the EU rules defined by:

- Regulation (EU) [2021/2116](#) on the financing, management and monitoring of the common agricultural policy;
- Delegated Regulation (EU) [2022/1172](#) on the integrated administration and control system in the common agricultural policy and the application and calculation of administrative penalties for conditionality;
- Implementing Regulation (EU) [2022/1173](#), laying down rules for the application of Regulation (EU) 2021/2116 relating to the integrated administration and control system in the common agricultural policy.

An integral part of IACS, the Land Parcel Identification System ([LPIS](#)) is required as an upgrade the current Land Cadastre system of Ukraine which needs to align with the EU *acquis*:

- Regulation (EU) No [1306/2013](#) on the financing, management and monitoring of the common agricultural policy;
- Regulation (EU) No [640/2014](#) with regard to the integrated administration and control system and conditions for refusal or withdrawal of payments and administrative penalties applicable to direct payments, rural development support and cross compliance.

Additionally, a farm accountancy data network ([FADN](#)) that monitors farms' income and business activities needs to be established in Ukraine to align with:

- Regulation (EC) No. [1217/2009](#) setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community;
- Regulation (EU) [2015/220](#) and Regulation (EU) No. [1198/2014](#).

So far, only the State Agrarian Registry ([SAR](#)) has been partially established in Ukraine. The Registry was initiated in 2019 by the Presidential Decree No. [837/2019](#) and enacted in 2022 by the Cabinet of Ministers Resolution No. [573](#) to collect data about agricultural producers, their activities and products with an automated [online system](#). The foundational legislation has been elaborated by Verkhovna Rada with a

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**draft law 11063 on the registry of agricultural producers** registered on 4 March 2024. The SAR has been established in connection with the Ukrainian legislation:

- Law of Ukraine [1877-IV](#) of 24 June 2004 on State support of agriculture of Ukraine;
- Law of Ukraine [4391-VI](#) of 9 February 2012 on agricultural insurance;
- Law of Ukraine [1865-IX](#) of 4 November 2021 on agricultural credits partial guarantee fund.

The urgent elaboration and adoption of the Law of Ukraine on basic principles of the State agrarian policy, along with the development and adoption of the National Strategy for agriculture and rural development for the period of 2023-2030, are imperative. These two key documents hold the potential to accelerate the implementation of the EU *acquis*, particularly within the negotiating Chapter 11. By establishing clear guidelines and strategic priorities, the Law of Ukraine on basic principles of the State agrarian policy can provide a solid legal framework for agricultural development. Simultaneously, the National Strategy for agriculture and rural development can outline a comprehensive roadmap for achieving sustainable growth, enhancing competitiveness, and addressing key challenges in the agricultural sector and rural areas. The timely adoption of these documents is crucial to aligning Ukraine's agricultural policies with European standards and facilitating the country's integration into the EU market.

### **Common market organisation**

The general principles and definitions of the Regulation (EU) No. [1308/2013](#) establishing a common organisation of the markets in agricultural products are considered "generally aligned with" by the MAPFU. However, most of the relevant exemptions from the agreements, decisions, and practices relating to the production or marketing of agricultural products yet need to be adopted.

**Association of agricultural producers draft law 8149** partially aligns 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. The draft law has to be further elaborated.

From among the products subject to market organisation in accordance with the EU *acquis*, wine, hops and partially cereals have been elaborated on by Ukraine during the assessed period.

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Recent work has focused on legal acts that regulate marketing standards for certain products, and standards for further products are being developed:

- 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 has been partially implemented.

The **Law of Ukraine on distilled beverages of small batch production [3193-IX](#)** (draft law [5762](#)) was adopted on 29 June 2023. Further amendments of the law need to be made, however, to align with the EU *acquis*.

The **Law of Ukraine [3339-IX](#) on cultivation and circulation of the genetically modified organisms (GMOs) in Ukraine** (draft law [5839](#)) was adopted on 23 August 2023, partially aligning with Regulation (EC) No [1946/2003](#) on transboundary movements of GMOs and Directive [2001/18/EC](#) on the deliberate release of GMOs into the environment.

Beyond the main Regulation.No [1308/2013](#), other acts are being approximated with:

- 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 regards 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;
- 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;



- Commission Regulation (EC) No [555/2008](#) of 27 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

The grapes and **Viticulture Products draft law [9139](#)**, voted in the first reading by Verkhovna Rada on 9 August 2023, partially aligns with the EU *acquis* but has to be further elaborated.

Additionally, for the hop sector, the following EU *acquis* are being approximated by the Ukrainian legislation:

- Commission Delegated Regulation (EU) [2024/602](#) as regards the marketing standards in the hop sector;
- Regulation (EU) No [1169/2011](#) of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers;  
- Commission Regulation (EC) No [1299/2007](#) of 6 November 2007 on the recognition of producer groups for hops;
- Commission Implementing Regulation (EU) [2023/2834](#) of 10 October 2023 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards imports in the sectors of rice, cereals, sugar and hops.

**Hops and Hop Products draft law [9234-d](#)** registered by Verkhovna Rada on 9 February 2024.

- Council Directive [66/402/EEC](#) on the marketing of cereal seed;
- Council Directive [66/401/EEC](#) on the marketing of fodder plant seeds;
- Council Directive [2002/55/EC](#) on the marketing of vegetable seed;
- Council Regulation (EC) No [2100/94](#) on Community plant variety rights;
- The **Law of Ukraine [2763-IX](#) (draft law [3680-d](#)) on protection of rights to plant varieties, seed production and nurseries** was adopted by Verkhovna Rada on 16 November 2022 aligning with the two directives.

**Fenced animal ranching draft law [9553](#)**, is currently not aligning with Bern Convention ([82/72/EEC](#): Council Decision of 3 December 1981 concerning the

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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. Has to be fully reviewed and elaborated to align with the EU *acquis*.

**Draft laws 9161, 9162, 9163** on dairy industry support were registered by Verkhovna Rada on 31 March 2023 with the aim of preventing negative trends in the dairy sector of Ukraine and ensure food security. The drafts align with the objectives of the EU's CAP of promoting fair income. However, the passive position of the MAPFU has not advanced them during over one year since registration, causing further deterioration of the dairy sector of Ukraine.

### **Rural development**

Transpositioning of the key EU *acquis* in rural development section relates to the readiness for financing of the national rural development programmes:

- Regulation (EU) [2021/2115](#) establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

Agricultural policy and the rural development policy in Ukraine still lack strong connection. The effective integration of the rural communities into functional agricultural value chains requires profound elaboration of a national strategy for agriculture and rural development which is still pending.

The effective use of the Agricultural structural funds and European Agricultural Fund for Rural Development ([EAFRD](#)) in particular requires establishment of an integrated administration and control system ([IACS](#)).

### **Quality policy**

- Regulation (EU) No. [1151/2012](#) on quality schemes for agricultural products and foodstuffs;
- 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

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The **Law of Ukraine on protection of geographical indications and quality schemes 2572-IX** adopted by Verkhovna Rada on 6 September 2022 has implemented Articles 201 to 211, Annex XXII-A to the Association Agreement and approximated with the Regulation on quality schemes. Prior, the **Law of Ukraine 752-XIV on protection of geographic indications (GIs)** of 1999 was amended to align with the EU system of GIs registration.

The **Law of Ukraine on geographical indications of spirit drinks 2800-IX** of 1 December 2022 has implemented special provisions on geographical indications for spirit drinks in the national legislation.

### **Organic farming**

- Regulation (EU) [2018/848](#) on organic production and labelling of organic products.

Generally implemented by the **Law of Ukraine on organic production 2496-VIII** was adopted by Verkhovna Rada in 2018. Its implementation was delayed but fully committed to with the necessary by-laws and registers currently completed.

### **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

**Responsible state body:** Ministry of Agrarian Policy and Food of Ukraine ([MAPE](#))

Other State bodies related to the EU *acquis* implementation under Chapter 11:

The Parliament of Ukraine: Agrarian and Land Policy Committee ([ALPC](#)); State Service of Geodesy, Cartography and Cadastre ([SGC](#)); Ministry for Communities, Territories and Infrastructure Development ([MCTID](#)); Ministry of Environmental Protection and Natural Resources ([MEPR](#)); Ministry of Economy ([ME](#)); Ministry of Energy ([MEV](#))

### **Horizontal issues and National aid**

The government has yet to appoint a body responsible for the management and control of government expenditure on agriculture, separate from the managing authority for programming. The establishment of the administrative and control system required by the EU *acquis* should be accelerated. The implementation of the integrated administration and control system (IACS) requires an EU-compliant paying agency in place of the existing Ukrainian State Fund for Farm Support.

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Non-state advisory services of various legal forms are allowed in Ukraine. Government support was provided before the war to registered advisers. Ukraine has started to establish an Agricultural Knowledge and Innovation System ([AKIS](#)).

### **BUILDING NESESARY CAPACITIES:**


1. Decarbonisation of the industrially intensive agricultural production in Ukraine should become the main priority in balancing the goals of food security and the European Green Deal objectives. Natural land conservation incentives of carbon credits and EU conservation funding should provide effective measures for implementing the future CAP strategies with Ukraine as a potential EU member.
2. Large agriholding enterprises in Ukraine of up to 600 thousand hectares provide efficiency disbalances based on economy of scale. Historic imbalance of urban and rural social and economic development has caused critical disparities. This regional imbalance of socio-economic development and disparities between urban and rural population opportunities requires an integrated and balanced strategy of economic transformation of the agricultural sector in cohesion with rural development priorities.
3. The agricultural sector of Ukraine has one of the biggest numbers of active stakeholders in the formats of national associations and dedicated industry groups, as well as academic and research institutions. Despite the direct representation of the producers, exporters, agronomists, and agricultural scientists, the voices of the stakeholders have unbalanced and often limited influence on the policy development. The MAPFU have to properly engage the stakeholders through public hearing events on the most critical issues related to agriculture and rural development policies and immediate challenges.

### **Stakeholder Engagement:**

Effective engagement with core stakeholders is crucial for fostering collaboration, addressing challenges, and promoting sustainable growth across the agricultural sector. Stakeholder engagement within Ukraine's agricultural sector encompasses a diverse array of organizations, each representing distinct interests and perspectives:

Ukrainian National Agrarian Union ([UNAU](#)), Ukrainian Club of Agri Business ([UCAB](#)), Ukrainian Agri Council ([UAC](#)), Agrarian Union of Ukraine ([AUU](#)), Ukrainian agrarian

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confederation ([UAC](#)), Association of Farmers and Private Landowners of Ukraine ([AFPLU](#)). **Industry Groups** such as Association of Milk Producers ([AMP](#)), Ukrainian Poultry Union ([UPU](#)). Further **Academic and Research Institutions** as The National Academy of Agrarian Sciences of Ukraine ([NAASU](#)).

## Chapter 14 – Transport

Railways, inland waterways, and maritime transport play a pivotal role in facilitating the export of Ukrainian goods to global markets, thereby generating crucial revenue to sustain the country's state budget. However, despite their importance, the transport sector in Ukraine faces challenges in terms of policy implementation and progress. According to the COMMISSION STAFF WORKING DOCUMENT [Ukraine 2023 Report](#), published in November 2023, Ukraine demonstrates some level of preparation in the area of transport policy, albeit with limited progress observed during the reporting period. Additionally, the self-assessment conducted by the Ukrainian Government indicates that the transport sector is one of the areas with the least advancement in implementing the Ukraine-EU Association Agreement, showing only a modest 3% increase in 2023 and reaching a total of 56%. Importantly, there are no significant discrepancies between the assessments provided by the EU Commission and the Ukrainian Government, highlighting the need for concerted efforts to address challenges and improve the transport sector's performance in alignment with European standards and objectives.

### THE LEGISLATIVE PROCESS: OVERVIEW

Key directives to be transposed and main legislative developments for the **year of analysis** are:

- Directive [2008/96/EC](#) on road infrastructure safety management
- Directive [2006/126](#) on driving licences
- Directive [91/440/EEC](#) on the development of the Community's railways
- 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
- Directive [2010/65/EU](#) on reporting formalities for ships arriving in and/or departing from ports of the Member States

Norms of these directives are embodied in the following Ukrainian legislations:

- Order of the Ministry of Infrastructure [956](#) 'On Approval of the Rules for the registration of operations with harmful substances on ships, in sea and river ports and terminals';
- Order of the Ministry of Infrastructure [1030](#) 'On Approval of the Procedure

for authorising a classification society (recognised organisation) in the field of merchant shipping’;

- Order of the Ministry of Infrastructure of [462](#) ‘On Approval of the Regulation on the River Information Service.

Additionally, several other laws that partially align with the directives mentioned earlier are currently in the draft stage of development. These laws aim to incorporate key principles and requirements outlined in the EU directives into Ukrainian legislation.

#### **INSTITUTIONS INVOLVED IN THE DECISION-MAKING:**

The Ministry for Communities, Territories, and Infrastructure Development of Ukraine (Ministry of Infrastructure) and the Parliamentary Committee on Transport and Infrastructure are the responsible institutions for the execution of the EU-Ukraine Association Agreement Chapter 7 of Section 5 (“Economic and Sectoral Cooperation”). However, implementation and oversight of the policies are conducted by state agencies that need further capacity building to fulfil their obligations.


In the realm of rail and waterborne transport, the establishment of independent accident investigation bodies is essential to enhance safety measures and ensure accountability in case of incidents. Moreover, it is imperative that the State Service of Ukraine for Transport Safety, overseen by the Ministry for Communities, Territories, and Infrastructure, not only issues licenses but also safety certificates to wagon operators involved in transporting passengers or dangerous goods. While a maritime administration has been established and is currently operational, its capacities need substantial reinforcement to effectively enforce reforms and fulfill international obligations expected of a port or coastal state. Strengthening these institutions and mechanisms is crucial for enhancing safety standards, ensuring regulatory compliance, and fostering confidence in Ukraine’s transport infrastructure.

#### **BUILDING ADMINISTRATIVE CAPACITIES:**

Building administrative capacities for effective implementation poses several potential challenges, alongside areas where EU support can be instrumental:

- 1. Capacity Building for Maritime Administration:** Following the establishment of the maritime administration, there is a need for comprehensive capacity-building initiatives. This includes training personnel, developing operational procedures, and enhancing regulatory frameworks to effectively oversee

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maritime activities and enforce international standards.

- 2. Trainings on Passenger Rights:** Ensuring compliance with passenger rights, especially in modes like buses and coaches, presents a persistent challenge. Additionally, addressing the rights of people with reduced mobility requires specialized training and awareness campaigns. EU support can facilitate the development and implementation of training programs tailored to these specific needs, empowering transport operators and authorities to uphold passenger rights effectively.

By addressing these challenges and leveraging EU support in capacity building, Ukraine can strengthen its administrative capabilities and enhance the implementation of transport policies and regulations, ultimately improving the quality and safety of its transportation services.



# Chapter 15 – Energy

## Chapter analysis structure

The [Ukraine 2023 Report](#), published in November 2023, indicates that Ukraine has achieved a good level of preparation in the area of energy policy. While some progress has been made over the reporting period, there is still room for improvement. According to the results of the Ukrainian Government’s self-assessment, “Energy” is identified as one of the spheres with the least progress in implementing the Ukraine-EU Association Agreement, showing only a modest 3% increase in 2023 and reaching a total of 78%. Importantly, there are no significant discrepancies between the assessments provided by the EU Commission and the Ukrainian Government, indicating alignment in their evaluation of Ukraine’s energy policy implementation.

## THE LEGISLATIVE PROCESS: OVERVIEW

Key directives to be transposed and main legislative developments for **the year of analysis** are:

- Commission Regulation [2016/1719](#) establishing a guideline on forward capacity allocation
- Parliament and Council Regulation [1227/2011](#) on wholesale energy market integrity and transparency (REMIT)
- Parliament and Council Regulation [2018/1999](#) on the governance of the energy union and climate action

Norms of these directives are embodied in the following Ukrainian laws and resolutions:

- Law [3141-IX](#) “On Amendments to Certain Laws of Ukraine on Preventing Abuse of Wholesale Energy Markets”.
- NEURC Resolution [1295](#) ‘On Approval of the Procedure for holding public consultations by the transmission system operator for the interstate capacity allocation’;
- NEURC Resolution [1557](#) ‘On Approval of the Rules for the Ukraine-Romania interstate capacity allocation’;
- NEURC Resolution [1558](#) ‘On approval of the structure for the Ukraine-Poland interstate capacity allocation’;
- NEURC Resolution [1559](#) ‘On approval of the structure for the Ukraine-

Romania interstate capacity allocation’;

- NEURC Resolution [1682](#) ‘On approval of the structure for the Ukraine-Slovakia interstate capacity allocation’;
- NEURC Resolution [1683](#) ‘On approval of the rules for capacity allocation for the Ukraine-Poland, Ukraine-Slovakia and Ukraine-Hungary interstate crossings’;
- NEURC Resolution [1881](#) ‘On Approval of the structure for the Ukraine-Hungary interstate capacity allocation’.

#### **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

Several key institutions are involved in decision-making within the energy sector, with notable observations and challenges:

- **State-Owned Energy Companies:** Entities such as Naftogaz for gas, Energoatom, Guaranteed Buyer, and Ukrhydroenergo for electricity, face significant financial challenges. This is due to household tariffs being well below the cost recovery level, impacting their financial viability and ability to fulfill public service obligations effectively.
- **Stakeholders’ Transparency and Independence:** There are concerning trends indicating a decrease in transparency and independence among stakeholders within the energy sector, particularly notable under martial law conditions. This lack of transparency can undermine public trust and hinder effective decision-making processes.
- **Authorities’ Intervention:** There have been instances of authorities intervening in the corporate governance of Transmission System Operators (TSOs) and in the energy market. Such interventions can disrupt market dynamics, impede fair competition, and undermine the efficiency and effectiveness of energy sector operations.

Addressing these challenges requires a concerted effort to promote transparency, independence, and accountability within the energy sector. It is essential to ensure that decision-making processes are guided by principles of good governance, market integrity, and respect for the rule of law, fostering a conducive environment for sustainable energy development and equitable market participation.

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### **BUILDING NESESARY CAPACITIES:**

Building necessary capacities and fostering stakeholder engagement are crucial for effective energy policy development in Ukraine:

- Training and capacity-building efforts for public officials involved in energy processes are essential to enhance their understanding of complex energy policies and regulations, enabling them to make informed decisions and effectively implement energy strategies.
- Ensuring the availability of technical expertise in specific chapter areas of energy policy is vital for comprehensive and accurate policy development. This expertise can provide valuable insights into areas such as renewable energy, energy efficiency, and grid infrastructure, contributing to the formulation of robust energy policies.

### **Stakeholder Engagement:**

- The DiXi Group's initiative in preparing the draft National Energy and Climate Plan serves as a positive example of NGO-government collaboration. This demonstrates the potential for civil society organizations to contribute to energy policy development, offering valuable insights and perspectives from diverse stakeholders.
- However, the Energy Strategy for Ukraine until 2050 remains classified and inaccessible to civil society and other non-governmental stakeholders. Opening up access to such documents would promote transparency, accountability, and inclusive decision-making processes, ensuring that the energy strategy reflects the needs and priorities of all stakeholders.

## Chapter 18 – Statistics

Statistics serve as a fundamental tool interconnecting with all other chapters of the EU acquis, playing a pivotal role in shaping the quality of decision-making processes. Accurate statistical data provides policymakers with invaluable insights into various aspects of governance, economy, society, and the environment. Therefore, ensuring the accuracy and reliability of statistical data is essential for fostering transparency, accountability, and effective governance, ultimately supporting Ukraine's alignment with EU standards and principles across all sectors.

During the assessed period of June 2022 through April 2024, Ukraine had some level of preparation in the area of statistics. Limited progress was made in harmonisation with the EU *acquis* during 2023 according to the European Commission's [report](#) of 8 November 2023. According to the [Pulse of Association](#) internal self-assessment by the Ukrainian Government of the EU-Ukraine Association Agreement's implementation, the current rate in the area of Statistics is 96%.

The [self-screening](#) by the Ukrainian Government of the EU *acquis* implementation published in December 2023 accounted for a total of 574 legislative acts (235 requiring no implementation) in the negotiating Chapter 18. Already, 245 acts noted as fully implemented as of December 2023. Further implementation of 94 more acts is required. This suggests for a weighted completion rate of 72%.

No legal obligation of transpositioning EU acts into the Ukrainian legislation is required under the Chapter 18. Yet, the scope of implementation of the EU *acquis* on statistics is very vast, as it covers the official statistics related to all other chapters. The Euroscope's independent assessment identified implementation shortcomings in the structure and codification of the statistical forms, as well as inaccuracies of translation, which might affect the overall accuracy of data transmitted by Ukraine to Eurostat.

### THE LEGISLATIVE PROCESS: OVERVIEW

The key EU *acquis* in the sphere of statistics:

- Regulation (EC) No [223/2009](#) on European statistics.
- Regulation (EU) [2015/759](#) of the European Parliament and of the Council of 29 April 2015 amending Regulation (EC) No 223/2009 on European statistics;
- Regulation (EC) No [1922/2006](#) on establishing a European Institute for Gender Equality;

- The European Statistics Code of Practice ([CoP](#)).

The last one has been implemented with the **Law of Ukraine 2524-IX on official statistics** (draft law [5886](#)), which was adopted on 16 August 2022 by Verkhovna Rada harmonising Ukraine's state statistics with the European standards. The law also implements the Article 355 of the EU-Ukraine Association Agreement.

Other key EU *acquis* that are critical for implementation without national legislation transposition:

- Regulation (EC) No. [763/2008](#) on population and housing censuses; Regulation (EC) No [1893/2006](#) establishing the statistical classification of economic activities;
- Commission Regulation (EC) No [973/2007](#) amending certain EC Regulations on specific statistical domains implementing the statistical classification of economic activities;
- Commission Delegated Regulation (EU) [2023/137](#) of 10 October 2022 amending Regulation (EC) No 1893/2006 of the European Parliament and of the Council establishing the statistical classification of economic activities;
- Regulation (EC) No [451/2008](#) establishing a new statistical classification of products by activity (CPA);
- Commission Regulation (EU) No [1209/2014](#) amending Regulation (EC) No 451/2008 of the European Parliament and of the Council establishing a new statistical classification of products by activity (CPA);
- Regulation (EU) [2018/1091](#) on integrated farm statistics (implementation revision is required);
- Regulation (EU) [2019/1700](#) establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples;
- International Standard Classification of Occupations ([ISCO-08](#))

Further implementation of the EU *acquis* in the area of statistics based on the updated national legislation can be improved through the introduction of digital transformation tools.

**INSTITUTIONS INVOLVED IN DECISION-MAKING:**

**Responsible state body:** State Statistics Service of Ukraine ([SSSU](#));

Other State bodies related to the EU *acquis* implementation under Chapter 18:

Ministry of Digital Transformation of Ukraine ([MDTU](#)); National Bank of Ukraine ([NBU](#)); Ministry of Finance of Ukraine ([MFU](#)), **Associations as** Automated System of Municipal Statistics ([ASMS](#)), and National Academy of Statistics, Accounting, and Audit ([NASAA](#))

Strengthening of the institutional independence and administrative capacity of the State Statistics Service of Ukraine was supported by the Cabinet of Ministers' Resolution [1039](#) of 29 September 2023 on establishing a National Statistics Council. The Council of 15 members should facilitate coordination among relevant stakeholders and improvement of the quality of the official statistics.

The Programme of development of the official statistics in Ukraine by 2028 was approved by the Cabinet of Ministers with the Resolution [989](#) of 15 September 2023. The Programme has included a detailed timetable of implementation of the EU *acquis*. However, a major digital transformation of the Statistics Service mentioned in the Programme has not been included in the timetable. The plan is also lacking an important part of revision, update, and improvement of the earlier EU *acquis* that have been implemented with flaws or based on the EU *acquis* being repealed.

The Public Council of the SSSU [lists](#) of 30 Civil Society Organizations (CSOs), but concerns have been raised regarding the credibility and expertise of many of these organizations. Most of them lack proven activities or expertise as CSOs in Ukraine, raising questions about their effectiveness and contribution to the SSSU's mission. Additionally, some CSOs share the same legal address, indicating potential signs of being dummy organizations. As a result, the Public Council's ability to provide added value or enhance the institutional capabilities of the Statistics Service is compromised. Addressing these issues is essential to ensure that the Public Council effectively represents civil society interests and contributes meaningfully to the development and improvement of statistical practices in Ukraine.

**BUILDING NECESSARY CAPACITIES:**

- 1. Increased Funding for the State Statistics Service of Ukraine (SSSU):**  
Adequate financial resources are essential to support the alignment of national legislation with EU standards. Increased funding for the SSSU will

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enable the enhancement of statistical capabilities and the implementation of necessary reforms.

- 2. External Technical Support:** External technical assistance from international partners and organizations can provide valuable expertise and guidance in aligning Ukrainian statistics with EU requirements. Collaborative efforts with external partners can facilitate knowledge transfer and capacity-building initiatives.
- 3. Enhanced Internal Capabilities:** Strengthening internal capabilities within the SSSU is crucial for effectively implementing EU standards. This includes investing in training programs and professional development opportunities to ensure that staff members have the necessary skills and expertise to navigate the complexities of statistical alignment.
- 4. Integration of Digital Transformation:** Given the importance of digital transformation in modernizing statistical processes, it is imperative to integrate digital initiatives into the National Strategy for the development of Ukrainian statistics for 2024-2029. This strategy should prioritize the efficient utilization of digital government tools, such as [Diia](#), to streamline data gathering and enhance the efficiency of statistical operations.

**Stakeholder engagement:**

The Ministry of Digital Transformation of Ukraine, the National Bank of Ukraine, and the Ministry of Finance of Ukraine are the key partner bodies of the SSSU. The SSSU is collaborating with all state institutions in charge of the individual industries from which official statistical information is gathered. A coherent and inclusive digital transformation of all state bodies is required to empower the Statistics Service to deliver the accurate and timely official data.

To improve the internal capabilities, collaboration with other stakeholders, and build trust with the Civil Society of Ukraine, SSSU needs to revise its Public Council to align with the principles of the European Statistics Code of Practice.

# Chapter 19 – Social policy and employment

Social Policy and Employment have been identified as one of the top priorities due to because of the critical importance of engaging labour forces and reintegrating temporarily protected Ukrainians living abroad. This is essential to ensure Ukraine's recovery and reconstructed after and during the war.

According to the [Ukraine 2023 Report](#) (published in November 2023) Ukraine remains at an early stage of preparation in social policy and employment. Over the reporting period, it made limited progress. Social Policy and Employment is one of the areas that gained the significant progress in implementing the EU-Ukraine Association Agreement (25% in 2023 and 79% as a total), according to the results of self-assessment conducted by the [Ukrainian Government](#)

## THE LEGISLATIVE PROCESS: OVERVIEW

Key directives to be transposed and main legislative developments for the **year of analysis** are:

- Council Directive [2001/23/EC](#) on safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses;
- Parliament and Council Directive [2019/1152](#) on transparent and predictable working conditions.
- Council Directive [92/58/EEC](#) on safety and health signs at work.

Norms of these directives are embodied in the following Ukrainian laws:

- Law on collective agreements and contracts ([2937-IX](#));
- Law on amendments to the Code of Ukraine on Administrative Offenses to strengthen liability for violation of the requirements of the Law on collective agreements and contracts ([3256-IX](#)).

These laws aimed to enhance the role of collective agreements in regulating labour relations, bolstering the protection of employees' and employers' rights, and fostering cooperation between stakeholders in social dialogue. However, the Law on social dialogue (new edition), which could fully align with EU acquis, has not yet been developed. Furthermore, both laws come into force six months after the termination or cancellation of martial law. Thus, the progress achieved during the period cannot be considered significant, particularly because labour relations in Ukraine are still



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primarily governed by the overarching Labour Code from 1971, which requires modernization and alignment with EU legislation. Therefore, priority activities for the next period should include the development and approval of new framework legislation in the field of social policy and employment.

This would allow for systematic implementation of the EU Acquis into Ukrainian legislation, specifically focusing on:

- Updating the Labour Code.
- Implementing the Law “On occupational safety and health for employees”.
- Developing a separate Strategy of Employment.
- Introducing a Social Code.

Updating the legislative framework should be accompanied by governmental activities aimed at:

- Attracting and reintegrating displaced persons into the Ukrainian labour market, as well as individuals whose participation has been disrupted by war.
- Addressing structural labour market issues and tackling informal employment.
- Increasing labour market participation.
- Negotiating Social security coordination agreements, notably with EU member-states.
- Preparing to join the EURES (European Network of Public Employment Services).

Additionally, ensuring anti-discrimination conditions in the field of employment for persons with disabilities should be a priority task.

#### **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

Ministry of Social Policy and Committee of Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans’ Rights are the responsible institutions for execution of EU-Ukraine Association Agreement within the chapter “Social Policy and Employment”. However, the employment policy in Ukraine is directed and coordinated by the Ministry of Economy of Ukraine and for the majority of the documents that were or need to be approved regarding health and safety at work is responsible Ministry of

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## Health Care.

Following steps could be suggested to enhance institutional capacity in this field:

- Establishing a dedicated Directorate on European Integration within the Ministry of Social Policy. Currently, we only have an Expert Group within the Directorate of Strategic Planning, Policy Coordination, and European Integration.
- Creating a cross-sectoral working group under the Office of the Vice-Prime Minister on European Integration to facilitate coordination and collaboration across different sectors.
- Ensuring the active participation of civil society organizations and independent experts and promoting transparency in the work of official bodies. This will foster inclusive decision-making processes and enhance public trust in government initiatives.

### **BUILDING NESESARY CAPACITIES:**

The Ministry of Social Policy, as the responsible institution for executing the EU-Ukraine Association Agreement, is currently prioritizing urgent activities that are outside the European Integration Agenda. These include:

- Developing a Strategy for demography to address the catastrophic situation with the quantitative and qualitative composition of the population due to the ongoing war.
- Implementing pension reform to address the de facto bankruptcy of the pension system.
- Developing social services for veterans and their family members, with several million beneficiaries.

Given that the situations in these areas critically affect both the capacity of the Ministry of Social Policy and the prerequisites for joining the European Union, additional support to the Government of Ukraine in implementing these reforms is necessary, even if they are not explicitly part of the EU Acquis.

### **Stakeholder Engagement:**

- Engaging civil society organizations, business associations, and other

stakeholders in the alignment process is crucial. Their input ensures diverse perspectives are considered, enhancing the legitimacy and effectiveness of the alignment efforts.

- Implementing transparency and consultation mechanisms for drafting and implementing legislation fosters openness and inclusivity. This ensures that stakeholders have opportunities to provide feedback, improving the quality and acceptance of the legislation.
- Establishing monitoring mechanisms is essential to track progress towards alignment with EU directives. These mechanisms provide valuable insights into the effectiveness of implementation efforts and areas needing improvement.
- Regular reporting on alignment progress enhances accountability and transparency. It allows stakeholders to stay informed and provides opportunities for feedback and adjustments as needed.

## Chapter 23.1. – Judiciary and fundamental rights

In 2021, even before the accession process was activated, Ukraine took legislative steps to fulfill its obligations to the EU and the International Monetary Fund. These changes aimed to reboot key bodies in the justice system, namely the High Council of Justice (HCJ) and the High Qualification Commission of Judges (HQCJ). While the full-scale invasion by the Russia slightly delayed these processes, they were not halted entirely. Subsequently, the European Commission identified the completion of the HCJ and HQCJ reforms as a condition for granting Ukraine the status of an EU candidate. According to the European Commission, this condition was met: the plenipotentiary composition of the HCJ was restored in January 2023, and a new composition of the HQCJ was elected in June of the same year. The relaunch of these bodies enabled the resumption of personnel processes, including appointment, evaluation, disciplinary responsibility, and dismissal, within the judiciary. This contributed to an increase in the institutional capacity of the justice system.

### THE LEGISLATIVE PROCESS: OVERVIEW

Since obtaining the EU candidate status, in the area of judicial reform, the Ukrainian authorities have focused on implementing two groups of recommendations of the European Commission: (1) provided in [June 2022](#) as a condition for Ukraine to become an EU candidate; (2) provided in [November 2023](#) in the Ukraine Report.

During the reporting period, key legislative changes in this area include the following:

- adoption in July 2023 of Law [No. 3277-IX](#) on improving the competitive selection of judges of the Constitutional Court of Ukraine. The Law [meets](#) the recommendations of the Venice Commission and adopted for implementation the European Commission's recommendation to grant Ukraine the status of an EU candidate;
- adoption in December 2023 of Law [No. 3511-IX](#) on optimizing the procedure for selecting judges for local courts. The Law partially takes into account the 2023 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 future judges was improved). However, the issue of involvement of the Public Integrity Council in the selection of local court judges remained unresolved.

In addition, important legislative changes in the area of ensuring the accountability

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of the judiciary include the adoption in August-September 2023 of two laws (No. [3304-IX](#), No. [3378-IX](#)), which allowed to restart the procedure for the formation of the Service of Disciplinary Inspectors, which is intended to improve the consideration of disciplinary complaints against judges, as well as to resume consideration of disciplinary complaints by the HCJ, which was suspended in 2021.

For several years now, the Verkhovna Rada of Ukraine has been considering two Eurointegration bills (No. [4330](#), [5660](#)) aimed at improving the procedure for enforcing court decisions and expanding the powers of private enforcement officers. In mid-2021, it was adopted in the first reading and is still awaiting a final vote. The European Commission even drew attention to this in a report dated 08.11.2023, urging the government to resume efforts in this area, considering the current situation.

Overall, in its November 2023 report, the European Commission noted that Ukraine has some level of preparation in implementing the EU acquis and European standards in the area of the judiciary, fight against corruption and fundamental rights, pointing out that good progress was made with the implementation of the 2021 reform of the judicial governance bodies during the reporting period.

To further enhance the judicial system, it is advisable to implement specific legislative measures including:

- Developing a new judicial reform strategy with broad stakeholder involvement, clear objectives, measurable outcomes, and defined timelines.
- Establishing a separate specialized court to adjudicate administrative cases of national importance, ensuring swift and effective resolution.
- Implementing effective measures to address corruption risks within the Supreme Court, thereby upholding the integrity of the judiciary.
- Strengthening the institutional capacity of the Public Integrity Council and ensuring its active participation in the selection and evaluation of judges.
- Improving the disciplinary accountability of judges by clarifying the elements of disciplinary offenses, expanding avenues for appealing decisions of the disciplinary body, preventing judges from evading accountability through resignation, and introducing a mechanism for prioritizing disciplinary complaints.
- Adopting a law on the constitutional procedure that aligns with recommendations from the Venice Commission, ensuring compliance with

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international standards and best practices in constitutional law.

### **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

The development and adoption of comprehensive legislative changes concerning justice system is currently somewhat hampered by the lack of an approved judicial reform strategy. The previous [Strategy](#) for the Development of the Justice System and Constitutional Justice, which was approved by the President in 2021, expired in 2023. However, a plan for its implementation was never developed. As the European Commission rightly noted, no formal assessment of the implementation of the strategy was carried out.

At present, it is not fully clear who is the key policy maker in the justice sector, as individual measures and legislative initiatives are proposed by the President, the Government (in particular, the Ministry of Justice), MPs, and even the [National Security and Defense Council](#). Such measures are perceived as individual initiatives and are not part of systemic changes.

The absence of a strategy and a plan for its implementation makes it impossible to monitor the implementation of the envisaged measures. Currently, there are program documents that provide for specific measures in the field of judicial reform and whose implementation can be monitored: [The Anti-Corruption Strategy for 2021-2025](#) (and the [State Anti-Corruption Program for 2023-2025](#) adopted for its implementation), as well as the [Ukraine Facility Plan 2024-2027](#). However, these documents are not comprehensive plans for reforming the justice sector.

In the judiciary, the HCJ and the HQCJ are directly responsible for establishing standards of professionalism, independence, and integrity. These bodies are functioning, but they are significantly overloaded with current work. In particular, the HCJ is trying to cope with several thousand pending disciplinary complaints against judges, as well as with consideration of issues of appointment and dismissal of judges, while the HQCJ, in addition to conducting qualification assessment of current judges, simultaneously conducts large-scale competitions for the selection of new judges to local and appellate courts.

### **BUILDING NESESARY CAPACITIES:**

Building necessary capacities in the judicial system entails addressing several key challenges:

1. **Heavy Workload:** The High Council of Justice (HCJ), High Qualification Commission of Judges (HQCJ), and Public Integrity Council face a heavy workload, which may impact the quality of personnel procedures within the judiciary.
2. **Risk of Failure:** There is a risk of failure in the competition to establish the Service of Disciplinary Inspectors, which could undermine efforts to maintain disciplinary accountability within the judiciary.
3. **Staff Shortage and Underfunding:** There is a significant shortage of staff, including judges and court personnel, coupled with inadequate funding for the judicial system. This poses challenges to the effective functioning of the judiciary.

To address these challenges and strengthen administrative capacities, the following measures are recommended:

- Efforts should be made to provide training and capacity-building programs for public officials involved in judicial processes, ensuring they have the necessary skills and knowledge to perform their duties effectively.
- There is a need to enhance technical expertise in specific chapter areas relevant to the judicial system. This can be achieved through knowledge-sharing initiatives and the establishment of expert networks.
- Civil society organizations, business associations, and other stakeholders should be actively engaged in the alignment process, fostering transparency, inclusivity, and accountability.
- Mechanisms for transparency and consultation should be established for drafting and implementing legislation related to the judiciary, ensuring that diverse perspectives, such as monitoring carried out by experts from civil society organizations ([Monitoring Ukraine's accession into the EU](#), [AA Navigator](#)) are considered and enhancing the legitimacy of the process.

## Chapter 23.2. – Prosecution

On January 1, 2024, amendments to the Law of Ukraine “On the Prosecutor’s Office” came into force, specifically focusing on ensuring the autonomy of the Specialized Anti-Corruption Prosecutor’s Office (SAPO). These amendments marked a significant step in further separating the SAPO from the structure of the prosecutor’s office. The process of establishing this specialized division began in 2015, and the recent amendments solidify its autonomy within the broader prosecutorial framework.

### THE LEGISLATIVE PROCESS: OVERVIEW

Recent amendments are focused on:

1. establishment of a separate legal entity for the SAPO;
2. introduction of regular audits of the SAPO;
3. improvement of the procedure for selection of SAPO prosecutors;
4. complication of the disciplinary procedure for SAPO prosecutors (creation of an analogue of the General Inspectorate within the SAPO units).

On March 21, 2024 SAPO [established](#) separate legal entity and started its work by the new rules, which leads this body to more independent from political and other illegal pressure and more effective work.

### INSTITUTIONS INVOLVED IN DECISION-MAKING:

On May 11, 2023 [Overarching Strategic Reform Plan for law enforcement agencies as part of Ukraine’s security and defence sector for 2023-2027](#) approved by the President’s Decree № 273/2023. It sets out strategic priorities for the prosecutorial and Law Enforcement Agencies reform according to the highest European standards. Approximately 3rd part of this document is dedicated to prosecutorial reform, including providing a wider scope of coordination function and criminal policy analysis by this agency.

On March 18, 2024, a meeting of the Interagency Working Group *approved*<sup>1</sup> the draft Action Plan for the implementation of above mentioned Overarching Strategic Reform Plan. The Action Plan contains a detailed list of measures (more than 130 pages) on

<sup>1</sup> Andrii Kostin: We are taking important steps to build a modern European criminal justice system  
URL: <https://www.gp.gov.ua/ua/posts/andrii-kostin-vprovadzujemo-vazlivi-kroki-dlya-rozbudovi-sucasnoyi-jevropeiskoyi-sistemi-kriminalnoyi-yusticiyi>



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its implementation and the next stage will be the Plan's adoption by the Cabinet of Ministers of Ukraine; thus, the document is not publicly available at the moment.

For now, there is a working group inside PGO on preparing the new Strategy of Prosecutors Office development for the 2024-2027 – the new policy document after the expired previous [Strategy](#) for the 2021-2023.

On execution of the recommendation in EU Enlargement Report in 2023-2024 on prosecutorial reform there are such updates:

**1) there are any changes in the functioning of prosecutorial self-governing bodies.**

- The problem with the lack of a transparent approach to the nomination and election of candidates to the prosecutorial self-government bodies still exists, leaving this issue entirely at the discretion of the participants of the All-Ukrainian Conference of Prosecutors. There is no unified practice of how this process takes place, and it is not clear and predictable for prosecutors how to become members of the Council of Prosecutors of Ukraine and the QDCP. Therefore, even if a prosecutor wishes to participate in their work, he or she faces a lack of understanding of how to nominate and be elected. As a result, prosecutors are not sufficiently aware of the role of prosecutorial self-government, do not believe that it is the work of the prosecutorial corps itself, and not an order from the “top management”, and therefore show little activity in the formation of these bodies.
- Also, the Recommendations of Council of Europe on QDCP as a prosecutorial self-governing remains unsolved – a minority of the members of the QDCP (5 out of 11) are prosecutors, which negatively affects the quality of this body's work (lack of understanding of prosecutorial specifics) and its credibility among prosecutors themselves (for them, it is more an external body than internal self-government). Therefore, in the Law it is named “body, which ensures activity of prosecution”, not a part of prosecutorial self-governing bodies. At the same time, the quota of the Ukrainian Parliament Commissioner for Human Rights (Ombudsman), which appoints 3 out of 11 members of the QDCP, seems to be too high and unjustified, and it is by reducing it by 1 person that GRECO recommendations to ensure a majority of prosecutors elected by prosecutors in the QDCP can be implemented by establishment the prosecutorial majority in QDCP.

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**2) there are no updates on selection of managerial and non-managerial prosecutors, and disciplinary responsibility of prosecutors.**

- Meanwhile the above-mentioned draft of the Action Plan consists of plans to “Introduce competitive selection for senior positions in the prosecution service, involving national and international experts as observers the activities of the QDCP, the Council of Prosecutors of Ukraine, and the Commissions for the Evaluation of the Quality of Employees, studying and systematizing the practice of these bodies, and providing recommendations for improving their work” (4.6.4). Implementation of such action is planned for the 4<sup>th</sup> quarter of 2025.

**3) there are no updates on the procedure for appointment and dismissal of the Prosecutor General and plans for improvement.**

- As mentioned above the draft of the Action Plan mentioned above consist of plans to “Introduce competitive selection for senior positions in the prosecution service, involving national and international experts as observers the activities of the QDCP, the Council of Prosecutors of Ukraine, and the Commissions for the Evaluation of the Quality of Employees, studying and systematizing the practice of these bodies, and providing recommendations for improving their work” (4.6.4). Implementation of such action is planned for the 4<sup>th</sup> quarter of 2025.
- By the broad interpretation of «senior positions» could be also understood the position of Prosecutor General.
- However, this is rather an arbitrary interpretation, as no such plans have been announced. Moreover, in early 2023, during the preparation of the State Anti-Corruption Program for 2023-20251, it was the position of the Prosecutor General’s Office that excluded a mandatory competition for the position of Prosecutor General from the draft document. Therefore, we can assume that the attitude of the Prosecutor General is negative rather than positive.
- Moreover, the introduction of a competition is difficult from the standpoint of the Constitution of Ukraine. According to the current wording of Article 131-1 of the Constitution of Ukraine, the Verkhovna Rada of Ukraine has exclusive powers to appoint the Prosecutor General. Any competitive procedures provided for by the laws will not comply with the Constitution, as they will

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limit the discretionary powers of the Parliament.

- Therefore, we are talking about either a) a consultative competition; b) a competition in which the Verkhovna Rada will be provided with several candidates for approval (appointment), for example, three, from which MPs will be able to choose the worthiest one in their opinion.

#### **BUILDING NESESARY CAPACITIES:**

1. Training and capacity-building efforts for prosecutorial self-government bodies – *Council of Prosecutors of Ukraine* and *Qualification and Disciplinary Commission of Prosecutors*. As well as such support for the *Training Center of Prosecutors of Ukraine*, which teaching new prosecutors and working on increasing of the qualification of those, who already on their positions.
2. There is also a necessity on technical expertise on prosecutorial standards of EU – first of all of ways how to ensure the proper level of independency of prosecutor in criminal procedure. Secondly, an expertise on applying contemporary approaches to criminal proceeding, i.e. victim-orienting approach or in absentia pre-trial investigation and trial standards in line with war crimes and crimes against national security proceeding, actuality of that dictated by martial law in Ukraine.

#### **Stakeholder Engagement:**

- Civil society organizations as well as business associations and other stakeholders are involved to the process. Beforementioned working group includes representative from civil society organisations, which systematically working with PGO and international organisations/projects such as EU Project «Pravo-Justice», Council of Europe, IDLO and US Embassy in Ukraine.

# Chapter 24 – Justice, freedom and security

## THE LEGISLATIVE PROCESS: OVERVIEW

### 1. *On criminalizing smuggling*

On December 9, 2023, the Verkhovna Rada adopted a law amending the Criminal and Criminal Procedure Codes of Ukraine to criminalize smuggling (Law №3513-IX).

The adopted law amends two articles of the Criminal Code of Ukraine, namely Article 201 “Smuggling of Cultural Property and Weapons” and Article 201-1 “Smuggling of Timber and Valuable Tree Species,” and adds two new articles to the Criminal Code, namely Article 201-3 “Smuggling of Goods” and Article 201-4 “Smuggling of Excisable Goods.”

Liability for smuggling of goods will be incurred in case of causing consequences in the amount of more than UAH 6.71 million, while liability for smuggling of excisable goods will be incurred in case of causing losses in the amount of UAH 1.0065 million.

The peculiarity of the amendments adopted by the draft law is that liability for moving smuggled goods across the customs border of Ukraine concealed from customs control is possible only in the presence of an intentional form of guilt, which should also exclude abuse by law enforcement agencies.

Regarding liability, it is also strengthened. For example, the amendments establish an additional penalty for smuggling of cultural property and weapons by prior conspiracy by a group of persons, or by a previously convicted person or official in the form of deprivation of the right to hold certain positions or engage in certain activities for up to three years, in addition to the previously defined imprisonment and confiscation of property.

It is also important to note that the adopted law amends the jurisdiction of law enforcement agencies, which is defined by the Criminal Procedure Code. While at the time of voting for this draft law, the pre-trial investigation under Article 201-1 “Smuggling of timber and valuable tree species” was under the jurisdiction of the State Security Service of Ukraine (SSU), after the law comes into force, the investigation of smuggling of timber and valuable tree species will be carried out by detectives of the Bureau of Economic Security of Ukraine.

The provisions of this draft law will come into force on January 1, 2024, except for Article 201-3 “Smuggling of Goods,” which will come into force on July 1, 2024.

With these changes, the state significantly strengthens control over the movement of goods across the state border.

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## **2. On Bureau of Economic Security Reform**

On April 11, 2024 Verkhovna Rada of Ukraine adopted in the 1st hearing the draft Law on amendments to the Law of Ukraine «On Bureau of Economic Security of Ukraine» on improving the work of the Bureau (Reg. [№10439](#) of January 29, 2024).

The draft law was adopted subject to the reservation provided for in Part 1 of Article 116 of the [Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine»](#). It provides that amendments may be submitted to the draft law adopted as a basis that relate to the subject matter of the draft law but were not included in the text voted by the Parliament (the possibility of MPs to add a provision that was not previously included in the text of the draft law).

Previously Parliament had tried unsuccessfully to vote on this legislative initiative on February 23, 2024. The draft law received 221 votes out of 226 votes needed to pass by a simple majority decision and was remanded for a repeat first reading.

The BES reform is necessary to implement the fiscal structural reforms envisioned by the Memoranda on economic and financial policies of March 24, 2023 and June 19, 2023, in order to improve the legal framework for the BES activities. Under the updated \$17.5 billion Extended Fund Facility (EFF) program, the respective legislative initiative to «reset (reboot) the BES» should be adopted by the end of June 2024.

The issue of reforming the BES has been on the agenda during the past six months, which was previously mentioned in analytical points on the [analysis](#) of the prerequisites and reasons for reforming the BES, as well as on the National Security and Defense Council of Ukraine's (NSDC) Decision of January 23, 2024 "[On urgent measures to ensure economic security for the period of martial law](#)", enacted by the Presidential Decree of January 23, 2024 No. 21/2024.

The European Commission's Enlargement Policy [Report](#) of November 8, 2023 states that Ukraine should introduce legislation to allow for a competitive, transparent selection of the new head and other staff of the Bureau of Economic Security, including credible integrity checks.

Since then, the BES reform has appeared more frequently in public policy documents and has been the subject of discussions with Ukraine's international partners in the context of structural reforms. The aforementioned NSDC Decision of January 23, 2024, as well as the Reform Matrix prepared by the Government of Ukraine in cooperation with the World Bank are focused on the reform of the BES and the Security Service of Ukraine as on the main issues relating to reform of the law and order agencies.

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Prior the consideration of the Government's draft law №10439, the G7 ambassadors [sent](#) a letter to the Speaker of the Verkhovna Rada Ruslan Stefanchuk insisting that the BES reform should include a reboot of its leadership through a transparent competition and integrity vetting of other employees of the body. The letter emphasized that the adoption of any draft law without these elements will negatively affect the country's fiscal stability and fulfilment of the terms of the IMF program and European integration.

The reason for such a letter was the criticism of the Government's draft law №10439 by civil society, [business associations](#), and experts in this area, since this version of the BES reform provided for only partial change in the procedure for electing the director of the Bureau and did not provide for the vetting of BES employees at all. At the same time, the draft laws on the reform of the BES that were initiated earlier by the MPs («On priority measures to reform the BES» [№10088](#) and [№10088-1](#)) contain relevant provisions.

Before the voting on the Parliament's floor, the Minister of Justice D. Maliuska [promised](#) that the Government would take into account all recommendations of international partners during finalization of the draft law for the second reading and noted that the re-certification of BES employees is possible only after the end of the war. The Minister asked the Parliament to adopt the draft law in the first reading. Thus, despite all the criticism, including from international partners, the Government's draft law is currently the primary one in the area of reforming the BES.

At the same time, both versions (the MPs' and the Government's) seem to be one-sided, as they address only a few aspects of the BES reform: changing the leadership, changing the procedure for appointing the leadership, certifying employees, and introducing an audit. However, the issues of comprehensive reform, such as improving the organizational and legal status, clarifying the grounds and procedures for disciplinary action, strengthening employee security guarantees, clarifying provisions for public oversight over the BES, etc. are not addressed. Undoubtedly, the change of leadership, audit of the Bureau's activities, and verification of the quality of competitions already held must be a priority. Yet, given the short timeframe for reform adoption and the need to achieve a real effect, we must be speaking now about a comprehensive reform of the BES, rather than just addressing personnel issues, which may not have a long-term effect on the results of this agency's work.

Thus, the reform of the BES requires not only priority steps to address personnel issues, but also further comprehensive reform. Unfortunately, the Government, MPs, and civil society have no common vision, so the reform of the BES that should have been implemented long ago is being delayed, which does not contribute to the

achievement of economic security in the country in difficult times of war<sup>1</sup>.

### **3. On civilians possessed weapons regulations**

On February 23, 2022, the Verkhovna Rada of Ukraine adopted as a basis the draft Law «On the Right to Civilian Firearms» ([No. 5708](#) of 25.06.2021).

The purpose of the draft law is to strengthen compliance with the rule of law in determining the legal regime of arms ownership, to establish 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.

The draft law proposes to:

- define the concept of ownership of civilian firearms;
- to define the conditions and procedure for obtaining documents of ownership of civilian firearms by citizens of Ukraine and legal entities
- to classify civilian firearms;
- to develop a procedure for issuing a medical report (conclusion) on the absence of medical contraindications that prevent the receipt of a document for civilian firearms, which provides for the creation of a special information and reference system with a qualified electronic signature of the person who formed the conclusion;
- develop a procedure for creating and maintaining the Unified State Register of Civilian Firearms;
- define the powers of the subjects of the unified state register of civilian firearms;
- define the general principles of civilian circulation (turnover) of firearms and ammunition;
- define the general principles of exercising the right and fulfilling the obligations of civilian firearms owners;
- to establish the procedure for obtaining the right to civilian firearms and ammunition;

<sup>1</sup> The Verkhovna Rada rejected the government's version of reform of the Bureau of Economic Security // CPRL, 28.02.2024 URL: <https://pravo.org.ua/en/analytical-materials/weekly-analytics-for-21-27-february/>

- to determine the procedure for civil liability insurance of civilian firearms owners;
- to provide for restrictions on the right to civilian firearms and ammunition;
- provide for the use of civilian firearms for self-defense;
- define the concept of gun-free zones;
- to prescribe the basics of economic activity in the sphere of circulation (turnover) of civilian firearms and ammunition;
- to define the general principles of ownership and use of civilian firearms and ammunition by foreigners and stateless persons on the territory of Ukraine;
- to regulate the temporary importation of civilian firearms and ammunition into the territory of Ukraine, and the temporary exportation of civilian firearms and ammunition from the territory of Ukraine;
- provide for state control in the sphere of civilian firearms circulation;
- to amend the current legislation in connection with the adoption of this law.

This draft law, while liberalizing the circulation of civilian firearms in Ukraine, simultaneously increases responsibility for their illegal use.

At the same time, due to the full-scale invasion of Ukraine by Russian troops on February 24, 2022, work on this draft law was suspended.

**Only on December 21, 2023, was a comparative table prepared for the 2nd reading, which was sent to all MPs.** The draft law is currently being discussed in the Law Enforcement Committee, after which it will be submitted to the Parliament for a final vote. No timeframe or plans have been announced for this, although everyone recognizes that the legislative initiative is extremely relevant and necessary for Ukraine today.

Numerous public opinion polls among Ukrainians show that since the beginning of the Russian invasion of Ukraine in 2014, support for gun legalization has grown significantly and that most of society is ready for it.

While ten years ago, according to the Rating Group, only 13% of Ukrainians supported the right to bear arms, a survey in the Diia app in 2022 [showed](#) an increase to 59%. The latter sample is more than representative: a record 1.7 million people took part in the survey.



According to the Ministry of Internal Affairs (MIA), at the beginning of 2021, there were more than 1.3 million legal firearms in Ukraine. There were many times more illegal ones. In 2021, the Swiss company Small Arms Survey [reported](#) 4-5 million unregistered weapons in Ukraine.

Since the start of the great war, the number of weapons on the black market has increased, and the situation with their seizure has become worse. In 2023, the National Police [seized](#) about 5,000 firearms. It will take hundreds of years to fully “demilitarize” citizens at this rate.

In January, 2024 the Ministry of Internal Affairs [notes](#) that the controversial rules on the right to own and circulate short-barrelled firearms are an obstacle to the adoption of the draft law today. At the same time, they believe that this provision should come into force only 5 years after the end of martial law. This position of law enforcement is based on the security situation in the country.

Nevertheless, procedurally, this is the largest attempt to legalize weapons, or rather to grant civilians the right to carry firearms. There was an active interest before the full-scale invasion, and even more so now. And after our victory, Ukrainians will not be the same as before, and the attitude towards weapons, especially among men, will be much more neutral, and certain fears that everyone will shoot each other will be significantly reduced<sup>2</sup>.

#### INSTITUTIONS INVOLVED IN DECISION-MAKING:

On May 11, 2023 [Overarching Strategic Reform Plan for law enforcement agencies as part of Ukraine’s security and defence sector for 2023-2027](#) approved by the President’s Decree № 273/2023. It sets out strategic priorities for the prosecutorial and Law Enforcement Agencies reform according to the highest European standards.

On March 18, 2024 a meeting of the Interagency **Working Group** *approved*<sup>3</sup> the draft Action Plan for the implementation of above mentioned Overarching Strategic Reform Plan. The Action Plan contains a detailed list of measures (more than 130 pages) on its implementation and the next stage will be the Plan’s adoption by the Cabinet of Ministers of Ukraine; thus, the document is not publicly available at the moment.

<sup>2</sup> Draft Law on the Right to Civilian Firearms: Discussion Points and Pros / CPLR, 01.02.2024 URL: <https://pravo.org.ua/blogs/zakonoprojekt-pro-pravo-na-tsyvilnu-vognepalnu-zbroyu-diskusijni-momenty-ta-plyusy/>

<sup>3</sup> Andrii Kostin: We are taking important steps to build a modern European criminal justice system URL: <https://www.gp.gov.ua/ua/posts/andrii-kostin-vprovadzujemo-vazlivi-kroki-dlya-rozbudovi-sucasnoyi-jevropeiskoyi-sistemi-kriminalnoyi-yusticiyi>

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The document contains plans for:


1. reforming the Bureau of Economic Security. Namely, strengthening guarantees of the BES independence by defining the Bureau as a central executive body with a special status. Consolidation of the powers of law enforcement agencies (except for the National Anti-Corruption Bureau) to combat offenses that infringe on the state's economy in the BES. Introduce mechanisms for periodic re-certification of employees engaged in operational and investigative activities (hereinafter referred to as criminal intelligence) and pre-trial investigation of criminal offenses under the jurisdiction of the BES, and assess the professional competencies of persons holding special BES ranks who are hired in 2021-2023 and who carry out pre-trial investigation of criminal offenses. Developing and submitting to the Verkhovna Rada of Ukraine a draft law that will ensure a transparent and merit-based competition for the position of the BES Director (with the participation of international experts) and BES employees, including a reliable integrity check (p. 1.1.4 of the draft of Implementation Plan);
2. systematic legislative regulation of the right of citizens to firearms and issues of civilian firearms circulation, creation of a national firearms coordination center (NFFP), ensuring the full operation of the civilian firearms register (p. 1.4.3 of the draft of Implementation Plan);
3. adoption of the Law of Ukraine «On Law Enforcement Agencies» – to unify the principles of law enforcement agencies and legal regulation of the procedure for appointment and dismissal of their management, the procedure for recruitment and dismissal of employees of these agencies, a unified disciplinary procedure involving disciplinary commissions, the procedure for civil and parliamentary control over their activities, etc. At the same time, they should be distinguished from bodies that perform a mixed function – military, counterintelligence, etc.

## **BUILDING NESESARY CAPACITIES:**

### **Stakeholder Engagement:**

- There is a need to consolidate the efforts of various stakeholders. Currently, the problem is rather the lack of a unified state policy on the above issues.

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For example, business associations have their own vision of reforming the Bureau of Economic Security. At the same time, the Government or MPs have their own vision. In fact, different views on the reform are competing, and everyone is trying to attract loyal partners. As a result, there is no result, because there is no single platform where these issues would be discussed and resolved.

**Monitoring and Reporting:**

The Office of the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine periodically monitors these processes. Although some updates are published by the Ministry of Internal Affairs, this section comprises diverse components. This diversity undermines the efficacy of a single government agency to comprehensively monitor the implementation status.

## Chapter 32 – Financial control

Ensuring robust financial management of both national income and expenditure, as well as effectively managing EU funds, constitutes a cornerstone for the successful implementation of reforms spanning all chapters of the EU acquis.

During the assessed period of June 2022 through April 2024, Ukraine was at early stage of preparation in the area of financial control. Limited progress was made in harmonisation with the EU *acquis* during 2023 according to the European Commission's [report](#) of 8 November 2023.

According to the [Pulse of Association](#) internal self-assessment by the Ukrainian Government of the EU-Ukraine Association Agreement's implementation, the current rate in the area of Financial control is 90%.

The [self-screening](#) by the Ukrainian Government of the EU *acquis* implementation published in December 2023 accounted for 71 acts requiring no implementation. Consequently, the overview of the current progress in the implementation of the negotiating chapter was not made. However, two reports by the European Commission in February and in November 2023 provided detailed recommendations regarding public internal financial control reform, managerial accountability, and institutional strengthening. The Order [133-r](#) of 9 February 2024 by the Cabinet of Ministers of Ukraine stipulates partial implementation of the Commission's recommendations.

### THE LEGISLATIVE PROCESS: OVERVIEW

Directive (EU) [2017/1371](#) on the fight against fraud to the Union's financial interests by means of criminal law – requires no direct transposition under Chapter 32 but relates to national transposition under Chapter 24 - Justice, freedom, and security of the EU *acquis*. Yet, its implementation is based on the effective reform of the Financial Control system of Ukraine, including clear definition of interaction with all respective law enforcement agencies of Ukraine and the peer bodies of the EU.

Amendments to the Law of Ukraine on the Accounting Chamber of Ukraine (ACU) were made with the Law [3621-IX](#) on the social security of the military and police personnel (draft law [10313](#)) adopted on 21 March 2024. The practice of introducing amendments other than suggested in the name of the law hampers the legislative approximation and impedes the transparency of the legislative process. The amendments of the law assessed were limited to the introduction of the “conformity audit” into the current law.

Four draft laws meant to implement the institutional reform of the ACU and introduce the INTOSAI standards have been registered by Verkhovna Rada during September 2023:

- on the Accounting Chamber of Ukraine (ACU) – draft law [10044](#) and alternative draft laws [10044-1](#) and [10044-2](#);
- on the implementation of international standards of state external audit and amending the Budget Code of Ukraine – draft law [10045](#).

The draft laws 10044 and 10045 have been elaborated as a consolidated and consistent legislative package separating the ACU reform and the Budget Code amendments due to the specifics of dedicated amendment requirements of the Budget Code. The alternative draft laws 10044-1 and 10044-2 do not fully align with the INTOSAI principles and may impede the ACU reform as a result of redundant legislative elaborations.

Ukrainian legislation on internal financial control is required to ensure EU financial confidence in Ukraine and combat fraud according to the best international practices.

Public internal financial control (PIFC) and external audit functions and institutional obligations of combating and prosecution should be defined through coherent legislation.

#### **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

**Responsible state bodies:** Ministry of Finance of Ukraine ([MFU](#)), State Audit Service ([SAS](#)), Accounting Chamber of Ukraine ([ACU](#)); Verkhovna Rada: Budget Committee ([BC](#)); Ministry of Digital Transformation of Ukraine ([MDTU](#)); Economic Security Bureau of Ukraine ([ESBU](#)); Automated System of Municipal Statistics ([ASMS](#)); National Academy of Statistics, Accounting, and Audit ([NASAA](#))

The State Audit Service (SAS) performs internal audit and financial inspection tasks in the absence of a clear legal framework, which undermines the public trust in the Service. Overlaps between the mandates of the SAS and ACU create institutional ambiguity.

The strengthening of the institutional capacities therefore should immediately include:

- The constitutional independence, improved ISSAI-based audit, and the extension of internal auditors network of the Accounting Chamber of Ukraine (ACU);
- Enforcing managerial accountability and ensure tighter connectivity with

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PIFC by the Central Harmonisation Unit (CHU) in the Ministry of Finance of Ukraine;

- The anti-fraud coordination service (AFCOS) needs to be established for effective cooperation with the European Anti-Fraud Office (OLAF).

**BUILDING NESESARY CAPACITIES:**

The European Court of Auditors and OLAF cooperation for functional expertise and institutional capacity building is required not only at the level of peer organisations in Ukraine but also with the academic institutions. Training of a new generation of auditors (and lecturers) is critical to the effective implementation of the state audit functions according to the European standards.

**Stakeholder engagement:**

1. More active engagement of the local self-governing bodies in the training and implementation of local budget audits is required to secure adequate realisation of the Interreg projects in Ukraine.
2. Improved cooperation between state internal financial control bodies and audit institutions with the law enforcement agencies is needed in order to combat corruption and financial fraud.

## Chapter 33 – Financial and budgetary provisions

The commitment to the rules governing the funding of the EU budget are critical for the overall assessment of a candidate state and directly relates to the implementation under other Chapters of the EU *acquis*.

During the assessed period of June 2022 through April 2024, Ukraine was at early stage of preparation in the area of financial control. Limited progress was made in harmonisation with the EU *acquis* during 2023 according to the European Commission's [report](#) of 8 November 2023.

According to the [Pulse of Association](#) internal self-assessment by the Ukrainian Government of the EU-Ukraine Association Agreement's implementation, the current rate in the area of Financial control is 90%.

The [self-screening](#) by the Ukrainian Government of the EU *acquis* implementation published in December 2023 accounted for 314 acts (311 requiring no implementation). As of December 2023, 3 legislative acts remained without implementation, while there were no acts that required transposition into the national legislation.

The Order [133-r](#) of 9 February 2024 by the Cabinet of Ministers of Ukraine provides for the implementation of the Commission's general recommendation of "strengthening of administrative capacity and coordination mechanism among key stakeholders" but fails to recognise the urgency of the reform of the Economic Security Bureau of Ukraine (ESBU).

### THE LEGISLATIVE PROCESS: OVERVIEW

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

The absence of an official translation of the Directive 2011/85/EU allegedly is the only requirement by the Ukrainian government for the start of the implementation under the Chapter 33.

The general legal framework of the Chapter 33 is directly connected with the administrative capacity-building and/or reforms under the Chapters 16 - Taxation, Chapter 29 - Customs union, and Chapter 24 - Justice, freedom and security.

The alignment with the European system of VAT has been not addressed while [systemic cases](#) of VAT bills mismanagement by the State Tax Services during 2022-2023 have been addressed but not legally resolved.

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## **INSTITUTIONS INVOLVED IN DECISION-MAKING:**

**Responsible state bodies:** Ministry of Finance of Ukraine ([MFU](#)), State Tax Service ([STS](#)), Customs Service of Ukraine ([CSU](#) - English version of the website requires translation assistance); Verkhovna Rada: Budget Committee ([BC](#)), Finance, Tax, and Customs Committee ([ETCC](#)); Economic Security Bureau of Ukraine ([ESBU](#)); Ministry of Digital Transformation of Ukraine ([MDTU](#)); Ministry of Economy of Ukraine ([MEU](#))

## **BUILDING NESESARY CAPACITIES:**

- The reform of the Economic Security Bureau of Ukraine (ESBU) stands as a pivotal element in the implementation efforts under Chapter 33 of the EU acquis. This reform initiative requires comprehensive attention and strategic planning, as it holds significant implications for Ukraine's economic security landscape. To effectively navigate this process, it is imperative to engage in high-level political consultations with EU representatives. These consultations serve as a platform for aligning priorities, exchanging expertise, and fostering collaboration towards achieving common objectives. By leveraging the insights and support of EU stakeholders, Ukraine can strengthen its institutional capacities within the ESBU and enhance its ability to address economic security challenges in alignment with European standards and practices



CONCLUSIONS  
AND POLICY  
RECOMMENDATIONS

The report highlights 10 critical priorities for Ukraine's integration, even though the EU and Ukrainian stakeholders have different methodologies to assess their importance. While Fundamentals cluster is acknowledged as a priority by the EU Commission, chapters like Social Policy have most of attention from Ukrainian stakeholders. Although the importance of including several chapters like Statistics might not be immediately obvious, our experts believe they are vital for cross-chapter benchmarking and assessments by both the European Commission and the Ukrainian government. Efficient reporting mechanisms will accelerate progress across all chapters.

Overall, Euroscope priorities for the next year align across three key sectors: fundamentals, internal policy, and security. Strengthening fundamentals will enhance institutional transparency, anti-corruption efforts, judicial function, and fundamental rights. This will also aid in reconstruction and military support during the war. Social policy and improving employment legislation are crucial for supporting vulnerable populations and return of Ukrainians from abroad. Security, including economic and energy aspects, is vital for Ukraine's resilience and economic prosperity.

Across the 10 chapters, we have identified common challenges such as lacking institutional capacity within ministries and a shortage of professionals to expedite legislative and implementation processes. Additionally, it became noticeable that not all stakeholders are equally involved in the decision-making. Therefore, further engagement of Ukraine's robust civil society and experts on the earlier stages of the policy development is essential.

## GOVERNMENT

- 1. Define Clear Priorities:** Mapping clear priorities, which consider internal needs and key demands of European institutions, is essential for the European integration process. While some chapters, like statistics, may not seem immediately essential, their efficient implementation will enhance reporting and benchmarking, expediting the overall integration process.
- 2. Enhance Consultations:** Conducting thorough consultations with civil society and relevant stakeholders before developing policies. Although this process is ongoing, it is often marginal and lacks comprehensive analysis of expert and civil society opinions. There is a room for improvement of consultations with stakeholder on both Ukrainian and European sides.

- 3. Develop Strategic Arguments:** Formulating a robust set of arguments and clarifications for challenging chapters, such as agricultural policy, to facilitate negotiations with countries that may impede Ukraine's integration to the EU. These chapters should be given priority when negotiating to allow adequate time for discussions and improvement of dialogue with the Council.
- 4. Increase Institutional Capacities:** Providing relevant training to stakeholders at both governmental and regional levels. This is crucial for implementing legislative acts and laying the foundation for an effective reconstruction process.
- 5. Enhance Reporting and Monitoring:** Improving transparency by reporting on the implementation of relevant chapters to both domestic and European audiences. Enhanced transparency will reduce unnecessary criticism and misunderstandings from businesses, civil society, and the public. Better benchmarking and assessment will give the European Commission and Ukraine a clearer understanding of progress, facilitating overall integration.
- 6. Improve Institutional Coordination:** Clearly define the roles and responsibilities of all decision-makers involved in implementing specific chapters. Current involvement of multiple ministries and agencies without a clear framework leads to confusion and inefficiencies. Establishing specialized EU integration divisions within ministries and defining leadership roles will enhance coordination and improve outcomes.

## RECOMMENDATIONS TO THE EUROPEAN COMMISSION

- 1. Establish Clear Conditions:** Define clear implementing conditions for Ukraine in each chapter and develop a robust assessment methodology. Expand consultations with civil society and stakeholders while conducting them early to incorporate their feedback on chapter progress.
- 2. Prioritize Support Distribution:** Direct support to the most critical areas, ensuring the prioritization of funds and expert resources across different institutions and projects. Strengthen core ministries and parliamentary committees to perform their duties effectively and transpose legislation with high quality. Establish training facilities and provide expert assistance for document preparation. Exercise flexibility and tailor-made approach when reshuf-

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fling priorities due to the changing demands on the ground.

- 3. Focus on Regional Training:** Pay special attention to training stakeholders at the regional level, as they are directly responsible for implementing legislation and the reconstruction process. There is still significant potential to provide necessary training and scale up the preparation of public servants in various institutions.
- 4. Consider Social Policy Context:** Recognize that some areas, such as social policy (specific legislations), may not be defined as primary conditions for integration however are crucial due to the additional challenges caused by the full-scale invasion. Tailor the integration process to account for the ongoing war and emerging issues affecting vulnerable populations.
- 5. Implement Reversibility Principle:** Conduct clear assessments of Ukraine's progress, applying the principle of reversibility in case of backsliding. Developing a clear assessment framework that enhances Ukrainian statistical reporting will contribute positively to assessments.
- 6. Address Security Provisions:** Initiate relevant consultations on important security provisions, especially in the energy sector. A mutual dialogue is essential not only for transposing legislation but also for enhancing the European legislative framework.
- 7. Establish Reward Systems:** Implement a clear reward system and gradual integration process for successful completion of the chapters, providing tangible outcomes and specific progress such as access to the single market, . This will encourage Ukraine more to maintain an effective pace in implementing reforms and provide clear incentives to other candidate countries.

ANNEXES

# Chapter 5 – Public procurement

**Current Priority of Chapter Implementation in Ukraine**

**Top**

**Overall progress rate of Implementation throughout the year of analysis**

**Rapid**

**Number of EU directives and regulations transposed into national legislation.**

4

**Percentage of alignment achieved with each chapter of the acquis.**

General Provisions – 80%.

Procurement Procedures – 75%.

Selection Criteria – 70%.

Concession Agreements – 85%.

Special Sectors – 75%.

Use of Electronic Means – 90%.

**Key Directives for Chapter Implementation - Top 3 Priorities. Directive Number + Short name (LINK)**

Implemented

[Directive 2014/24/EU](#) on public procurement.

**Status**

[Directive 2014/25/EU](#) on procurement in sectors not covered by Directive 2014/24/EU.

[Directive 2014/23/EU](#) on the award of concession contracts.

**Ukrainian legislations adopted. Law number + Short name (LINK)**

[The Law of Ukraine «On Public Procurement» dated December 25, 2015, No. 922-VIII.](#)

**Legislation needed - TOP Priorities. Law if registered (number+short name+link), or reform name in general that have to be urgently adopted**

Key legislative priorities necessary in the field of public procurement in Ukraine:

- Amendments to the Public Procurement Law. Specific changes to the existing Law of Ukraine «[On Public Procurement](#)» (No. 922-VIII) to meet evolving EU requirements

**Key institutions responsible.  
Committee in Rada, responsible  
Ministry, other important  
stakeholders**

**Main civil society organizations  
responsible in Ukraine. Name +  
website link**

or to enhance transparency and efficiency in procurement processes. Transparency in Procurement and Anti-Corruption Measures.

- Harmonization with EU Directives.
- Digitalization and E-Procurement.
- Enhancing Competition and SME Participation.

Key institutions responsible for public procurement in Ukraine include:

- The Committee on Economic Development of the Verkhovna Rada
- Ministry of Economy of Ukraine.
- State Audit Service of Ukraine.
- Anti-Corruption Agencies.
- Business Associations and Civil Society Organizations. State Enterprise ProZorro.

[Transparency International Ukraine](#)

[Anti-Corruption Action Center](#)

[Center for Economic Strategy](#)

[Institute of Analysis and Advocacy](#)

[DEJURE Foundation](#)

# Chapter 23 – Judiciary and fundamental rights

## Current Priority of Chapter Implementation in Ukraine

Top

## Overall progress rate of Implementation throughout the year of analysis

Slow

### Number of EU directives and regulations transposed into national legislation

Since the specifics of the chapter approximation are based on international standards, in most cases there are no *aquis communautaire* acts.

### Percentage of alignment achieved with each chapter of the *aquis*

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### Key Directives for Chapter Implementation - Top 3 Priorities

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### Ukrainian legislations adopted

No. [3277-IX](#) on improving the competitive selection of judges of the Constitutional Court of Ukraine;

No. [3511-IX](#) on optimizing the procedure for selecting judges to local courts;

### Legislation needed - TOP Priorities

- new judicial reform strategy;
- create a separate specialized court to hear administrative cases of national importance;
- measures to address corruption risks in courts, especially the Supreme Court;

### Key institutions responsible

President of Ukraine;  
Verkhovna Rada Committee on Legal Policy;  
Ministry of Justice of Ukraine;  
High Council of Justice;  
High Qualification Commission of Judges of Ukraine

### Main civil society organizations responsible in Ukraine

Centre of Policy and Legal Reform:  
<https://pravo.org.ua>

Dejure Foundation: <https://dejure.foundation>



# Chapter 24 – Justice, freedom and security

**Current Priority of Chapter Implementation in Ukraine**

**Top**

**Overall progress rate of Implementation throughout the year of analysis**

**Slow**

**Number of EU directives and regulations transposed into national legislation**

-

**Percentage of alignment achieved with each chapter of the acquis**

-

**Key Directives for Chapter Implementation - Top 3 Priorities**

-

**Ukrainian legislations adopted**

- Amendments to the Law of Ukraine «On the Prosecutor’s Office» on «ensuring autonomy of Specialized Anti-Corruption Prosecutor’s Office» ([Law №3509-IX](#) from 08.12.2023);

- Amendments to the Criminal and Criminal Procedure Codes of Ukraine «On Amendments to the Criminal Code of Ukraine and the Code of Criminal Procedure of Ukraine regarding the criminalization of smuggling of goods» ([Law №3513-IX](#) from 09.12.2023);

- Amendments to the Law of Ukraine «On Bureau of Economic Security of Ukraine» ([Draft Law №10439](#) from 29.01.2024, adopted on 1st hearing – 11.04.2024).

**Legislation needed - TOP Priorities**

- Amendments to Law of Ukraine «On Prosecution» in part of competitive order of selection of Prosecutor General, his/her dismissal and competition for managerial positions. As well as reshaping the prosecutorial self-government bodies to increase the level of prosecutorial independency;

	<ul style="list-style-type: none"><li>• Amendments to Law of Ukraine «On Bureau of Economic Security of Ukraine» includes new order of selection of the Head of Bureau, atestation of investigators, improvement of disciplinary proceedings, establishment the independent outside-providing annual audit of Bureau activity etc.</li><li>• Adoption the Law of Ukraine «On the Right to Civilian Firearms».</li><li>• Adoption the Law of Ukraine «On Law Enforcement Agencies».</li></ul>
<b>Key institutions responsible</b>	Verkhovna Rada Committee on Law Enforcement; Cabinet of Ministers of Ukraine; Ministry of Justice of Ukraine; Office of Prosecutor General; Ministry of Internal Affairs; Bureau of Economic Security.
<b>Main civil society organizations responsible in Ukraine</b>	Centre of Policy and Legal Reform: <a href="https://pravo.org.ua">https://pravo.org.ua</a>

## Chapter 32 – Financial control

### Current Priority of Chapter Implementation in Ukraine

Top

### Overall progress rate of Implementation throughout the year of analysis

Slow

### Number of EU directives and regulations transposed into national legislation

0

(None required. Implementation only).

### Percentage of alignment achieved with each chapter of the acquis

[Pulse of Association](#) – 90%

The [self-screening](#) by the Ukrainian Government - not conducted.

### Key Directives for Chapter Implementation - Top 3 Priorities

In progress

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

### Ukrainian legislations adopted

[3621-IX](#) - amending the Law of Ukraine on the Accounting Chamber of Ukraine with the introduction of “conformity audit”

### Legislation needed - TOP Priorities

Law on the Accounting Chamber of Ukraine (draft law [10044](#))

Law on INTOSAI application in state budgeting (draft law [10045](#))

### Key institutions responsible

Ministry of Finance of Ukraine ([MFU](#))

State Audit Service ([SAS](#))

Accounting Chamber of Ukraine ([ACU](#))

### Main civil society organizations responsible in Ukraine

Automated System of Municipal Statistics ([ASMS](#))

Academic and Research Institutions:

- National Academy of Statistics, Accounting, and Audit ([NASAA](#))

# Chapter 33 – Financial and budgetary provisions

## Current Priority of Chapter Implementation in Ukraine

**Top**

Influences the overall implementation under other Chapters of the EU *acquis*

## Overall progress rate of Implementation throughout the year of analysis

**Slow**

Early stage of preparation

Limited progress

## Number of EU directives and regulations transposed into national legislation

0

(None required. Implementation only).

## Percentage of alignment achieved with each chapter of the *acquis*

[Pulse of Association](#) - 90%

The [self-screening](#) by the Ukrainian Government - 0%

## Key Directives for Chapter Implementation - Top 3 Priorities

Not started

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

In progress

In progress

## Ukrainian legislations adopted

### Legislation needed - TOP Priorities

Implementation of the current EU *acquis*

### Key institutions responsible

Ministry of Finance of Ukraine ([MFU](#))

State Tax Service ([STS](#))

Customs Service of Ukraine ([CSU](#))

## Main civil society organizations responsible in Ukraine

As in Chapter 24

## Chapter 14 – Transport

**Current Priority of Chapter Implementation in Ukraine**

**Low**

**Overall progress rate of Implementation throughout the year of analysis**

**Slow**

**Number of EU directives and regulations transposed into national legislation**

0 (6 partially implemented)

**Percentage of alignment achieved with each chapter of the acquis**

3% in 2023 according to the Ukrainian Governmental assessment

**Key Directives for Chapter Implementation - Top 3 Priorities**

Ratification of the Maritime Labour Convention (2006 MLC).

EU Port Services Regulation.

Directive 2017/2397 on the recognition of professional qualifications in inland navigation

**Ukrainian legislations adopted**

- [8356](#) on road safety rules

**Legislation needed - TOP Priorities**

- [8082](#) on road traffic
- [10110](#) on rail transport
- [9283-1](#) on maritime safety, life support, search and rescue

**Key institutions responsible**

The Ministry for Communities, Territories and Infrastructure Development of Ukraine (Ministry of Infrastructure), Committee of the Verkhovna Rada of Ukraine on Transport and Infrastructure

**Main civil society organizations responsible in Ukraine**

Association of Road Transport And Infrastructure of Ukraine, NGO “Vision Zero”, NGO “Public Transport of Ukraine”.

# Chapter 15 – Energy

## Current Priority of Chapter Implementation in Ukraine

Top

## Overall progress rate of Implementation throughout the year of analysis

Moderate

## Number of EU directives and regulations transposed into national legislation

4

## Percentage of alignment achieved with each chapter of the acquis

3% in 2023 according to the Ukrainian Governmental assessment

## Key Directives for Chapter Implementation - Top 3 Priorities

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

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

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

## Ukrainian legislations adopted

Law [3141-IX](#) “On Amendments to Certain Laws of Ukraine on Preventing Abuse of Wholesale Energy Markets”

Law [3220-IX](#) on restoration and green transformation of Ukraine’s energy system

Law [3293-IX](#) on corporate structure of the Ukrainian gas transmission system operator (GTSO)

Law [3484-IX](#) on minimum stocks of crude oil and petroleum products

## Legislation needed - TOP Priorities

Draft law [9597](#) on alternative fuel register of installations operated exclusively on biofuels

Draft law [9596](#) on zero rate environmental tax on CO2 emissions for installations operated exclusively on biofuels

[Draft](#) National Energy and Climate Plan (NECP)

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**Key institutions responsible**

The Ministry of Energy, the National Commission for State Regulation of Energy and Public Utilities, the State Agency for Energy Efficiency and Energy Saving of Ukraine. The list of major state-owned enterprises operating in the energy sector of Ukraine includes Naftogaz (engaged in the production, transportation and treatment of oil and natural gas) and its subsidiaries, Energoatom (operates nuclear power plants), Ukrhydroenergo (operates hydroelectric power plants) and Ukrenergo (electricity transmission system operator).

**Main civil society organizations responsible in Ukraine**

DiXi Group, NGO “European-Ukrainian Energy Agency”, NGO “Ecoaction”, NGO “Ecoclub”, NGO “New Energy”, NGO “School of Energy Efficiency”, Public Association “Energy Union”, NGO “Women’s Energy Club”, NGO “Renewable Energy Agency”.

# Chapter 11 – Agriculture and rural development

## Current Priority of Chapter Implementation in Ukraine

**Top**

- Largest agricultural producer in Europe - 41.5 million hectares of arable land;
- Highest percentage of arable land in Europe - 70%;
- Big proportion of rural population - 33%.

## Overall progress rate of Implementation throughout the year of analysis

**Slow**

Number of EU directives and regulations transposed into national legislation

13

Percentage of alignment achieved with each chapter of the acquis

[Pulse of Association](#) – 70%

Key Directives for Chapter Implementation - Top 3 Priorities

The [self-screening](#) by the Ukrainian Government – 12%.

Regulation (EU) No. [1308/2013](#) establishing a common organisation of the markets in agricultural products

In progress

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

In progress

Regulation (EU) [2018/848](#) on organic production and labelling of organic products

Implemented

Ukrainian legislations adopted

[3339-IX](#) on GMOs

[3193-IX](#) on distilled beverages of small batch production

[2496-VIII](#) on organic production



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<b>Legislation needed - TOP Priorities</b>	National strategy for agriculture and rural development Law on basic principles of the State agrarian policy Law on the registry of agricultural producers (draft law <a href="#">11063</a> )
<b>Key institutions responsible</b>	Ministry of Agrarian Policy and Food of Ukraine ( <a href="#">MAPE</a> ) Verkhovna Rada: Agrarian and Land Policy Committee ( <a href="#">ALPC</a> ) National Academy of Agrarian Sciences of Ukraine ( <a href="#">NAASU</a> )
<b>Main civil society organizations responsible in Ukraine</b>	Ukrainian National Agrarian Union ( <a href="#">UNAU</a> ) Association of Farmers and Private Landowners of Ukraine ( <a href="#">AFPLU</a> )

# Chapter 19 - Social policy and employment

**Current Priority of Chapter Implementation in Ukraine**

**Top**

**Overall progress rate of Implementation throughout the year of analysis**

**Slow**

**Number of EU directives and regulations transposed into national legislation**

3

**Percentage of alignment achieved with each chapter of the acquis**

23% in 2023 according to the Ukrainian Governmental assessment

**Key Directives for Chapter Implementation - Top 3 Priorities**

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

Directive [2014/24/EU](#) of the European Parliament and of the Council on public procurement

Directive (EU) [2019/882](#) of the European Parliament and of the Council on the accessibility requirements for products and services

**Ukrainian legislations adopted**

Draft Law [5344-d](#) on Amendments to Certain Laws of Ukraine on Ensuring the Rights of Persons with Disabilities to Work (approved in the first reading)

**Legislation needed - TOP Priorities**

Anti-discrimination provisions, to ensure the right to work for persons with disabilities

**Key institutions responsible**

Committee of Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans' Rights, Ministry of Social Policy, Ministry of Economy

**Main civil society organizations responsible in Ukraine**

[Federation of Employers of Ukraine](#), [Federation of Professional Unions of Ukraine](#), [League of Strong](#), ANTS

## ANALYTICAL COMPONENT

- [Methodology](#) to analyze Ukrainian legislation on compliance with EU aquis;
- 9 [Euroscope Digests](#) aimed at monitoring and assessment of the EU-Ukraine AA implementation and EU *aquis* alignment progress (1500+ people reached per one send out)
- [A Comparative Analysis of February-November 2023 Commission's Reports](#)
- [12 Media Monitoring](#) issues on key European integration developments in Ukraine
- [32 articles](#) in media on European integration policy developments in Ukraine and EU
- 27 [Weekly analytical notes](#) on the EU *aquis* alignment in the Economic and Financial sector of Ukraine
- [Stakeholder mapping](#) (NGOs and public authorities) covering all 33 chapters of the EU aquis;
- Analysed about 700 draft laws and bi-laws in Euroscope Digests and weekly analytical notes

## NETWORKING, COMMUNICATION AND ADVOCACY COMPONENT

19 events on Ukraine's EU approximation and urgent political matters:

- 12 events in Kyiv
- 6 events in Brussels
- 1 event in Netherlands

Euroscope events attended in person key Ukrainian and EU policy leads (Minister of Social Policy and Deputy Ministers of Energy, MPs) and senior EU officials from EU Delegation to Ukraine, European Parliament, European Commission, EEAS, and international organizations (Energy Community Secretariat, GIZ), scientific community and leading experts from Ukrainian, Netherlands and Brussels think tanks.

## EDUCATIONAL COMPONENT

[European Studies course](#) on Prometheus with prominent speakers such as Andrius Kubilius, EP MP, Rasa Juknevičienė, Vice-Chair of the Group of the European People's Party, Dmytro Shymkiv, Ukrainian senior executive for innovation and former CEO of Microsoft, Olga Trofimtseva, ex-acting Minister of Agriculture of Ukraine, etc) The total audience of these lectures is 124 people

- 3000 participants took the course with almost 50% participants obtaining the certificates of completion

6 meetings of the leading Ukrainian and European experts with promising young professionals

Total audience – 150 participants (offline/online)

18 successful students out of 150 applicants were selected for a study visit to EU institutions in Brussels:

- 12 meetings and events in the European Parliament, the Foreign Affairs Committee of the European Parliament, the European Commission, the Senate of Belgium, GLOBSEC, ALDA, Ukrainian Prism and others.

Online course 'Ukraine towards the EU' launched on the 23rd of August 2023

- 3000 active participants
- 1530 certified graduates

Online course «Negotiations School for EU Accession» launched on the 7th of May 2024

- In upcoming 3 months of active phase of the course we assume to have not less than 1000 active participants and about 400 certified graduates

A simulated debate on mastering negotiating skills for young people.

- 16 speakers (4 teams of 4 participants)
- 2 mentors on the topics of the debate
- 45 participants of public jury

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