

<p>EU-UKRAINE CIVIL SOCIETY PLATFORM</p>		<p>ПЛАТФОРМА ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА УКРАЇНА-ЄС</p>
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**9th meeting, Kyiv (online), 16 December 2020**

### **JOINT DECLARATION**

The EU-Ukraine Civil Society Platform (CSP) is one of the bodies set up under the Association Agreement between the European Union and Ukraine.

The CSP enables civil society organisations on both sides to monitor the implementation process from the point of view of civil society, and prepare its recommendations to the relevant authorities.

The CSP is made up of members representing the European Economic and Social Committee (EESC) and Ukrainian civil society. The 9th meeting of the CSP was co-chaired by **Rodion Kolyshko**, from the Confederation of Employers of Ukraine, and **Veselin Mitov**, from the EESC.

The CSP members discussed progress made in implementing the EU-Ukraine Association Agreement, the relevance of updating the Association Agreement and improving the communication on its implementation, as well as the consequences of the COVID-19 pandemic.

#### ***On updating the EU-Ukraine Association Agreement, members of the EU-Ukraine Civil Society Platform (CSP):***

1. draw the attention of the relevant state authorities of Ukraine to the need to enhance internal processes analysing implementation of the EU-Ukraine Association Agreement, in order to restore public confidence in implementation of the provisions of the Agreement, especially in the areas of employment, social policy and equal opportunities all of which directly affect quality of life;
2. call on the Government, the Verkhovna Rada of Ukraine and the Association's bodies to actively involve representatives of the Ukrainian side of the Civil Society Platform in the processes related to the formulation of proposals to update the provisions of the EU-Ukraine Association Agreement;
3. draw the attention of the relevant state authorities of Ukraine to the need to shift the focus from the adaptation of relevant legislation related to the implementation of the Association Agreement to its proper implementation, thus strengthening the basis for further updating and implementation of the Agreement;
4. call on the Ukrainian authorities to provide organisational and financial support for the proper functioning of the Ukrainian side of the EU-Ukraine Civil Society Platform;

#### ***On the need to improve communication in the process of implementing the agreement and involvement of civil society in relations between Ukraine and the EU, the CSP members***

5. express their concern about communication between the various agencies involved in implementing

the Association Agreement, which they consider not effective enough; as well as the need for more intensive involvement of civil society in communication channels for the implementation of the Agreement;

6. draw attention to the need to develop systematic dialogue between organised civil society and the authorities in order to ensure that the positions of civil society organisations are taken into account in the development and implementation of state policy: in particular, the continuation of quarterly meetings of the Ukrainian side of the CSP with the Deputy Prime Minister for European Integration of Ukraine;
7. emphasise the importance of introducing the practice of inviting CSP members to meetings of the clusters, subcommittees, committees, and Association Council;
8. call on the Association Committee and the Parliamentary Association Committee to support regular contact with representatives of the EU-Ukraine Civil Society Platform as envisaged in Article 470 of the Association Agreement, and to involve CSP representatives in joint activities;
9. welcome the involvement of Ukrainian CSP experts in the work of the Verkhovna Rada Committee on Ukraine's integration with the EU;
10. encourage both parties to the Association Agreement to launch trilateral consultations with the EU-Ukraine Civil Society Platform in order to jointly find solutions for ensuring the smooth operation of the CSP;
11. call on the government of Ukraine to provide parity and balanced representation of all the parties in the Advisory Group on sustainable development, and to improve the efficiency and quality of its performance, in compliance with Article 299 of the Association Agreement;

***On the consequences of the COVID-19 pandemic:***

12. express concern at the scale of the economic, social and political consequences of the COVID-19 pandemic and call on the authorities of Ukraine and the European Union to take urgent measures to address them, in particular by accelerating vaccination, given the WHO's call on developed countries to share vaccines;
13. call on the authorities of Ukraine and the European Union to pay special attention to restoring spheres of economic life, in particular tourism, transport, including aviation, and public services, in particular healthcare;
14. urge that civil society be involved in the development of policies and plans to address the negative effects of the COVID-19 pandemic and activities to implement them;

***On political dialogue and foreign policy:***

15. call for closer cooperation between Georgia, Moldova and Ukraine in implementing the Association Agreements, including regular consultations and joint action at government, parliamentary and civil society level, and the establishment of a separate EU+3 format to ensure deeper EU integration of the three countries;

16. express their full support for the territorial integrity of Ukraine and for unhindered access to and mobility in the Sea of Azov, and consider the actions of the Russian Federation to be a violation of international law. The unlawful actions of the Russian Federation inflict economic damage on Ukraine and should trigger the imposition of more serious sanctions by the European Union;
17. once again call on the Parliamentary Association Committee and the Verkhovna Rada to ratify the Rome Statute in order to bring the Criminal Code of Ukraine into line with international humanitarian law and international criminal law;

***On the protection of human rights, the rule of law, and freedom of speech***

18. encourage the continued implementation of the National Human Rights Strategy and the action plan for its implementation, in particular the transfer of uncompleted tasks to the action plan for the implementation of the National Strategy to 2023;
19. draw attention to the need to strictly comply with obligations in the harmonisation of anti-discrimination law with EU law through the introduction of additional terminology and safeguards, strengthening liability for discrimination and changes in judicial statistics, and harmonisation with EU law in the field of human rights institutions, strengthening prevention of violence against women, and domestic violence;
20. call on the Ukrainian state authorities to fully implement the judicial reform aimed, among other things, at increasing the transparency of procedures and setting up effective qualification assessment mechanisms for judges that will take into account the conclusions reached by the Public Integrity Council;

***On energy, climate and environmental policies:***

21. draw attention to the social problems that have arisen in the process of implementing reforms in the energy sector, in particular during the opening of the gas and electricity markets – prices have risen significantly, while salaries and pensions have remained much lower. As a result, vital energy resources have become inaccessible to most households. In this regard, the CSP members believe that mass protests and citizens' negative reactions are evidence of insufficient work on the part of parliament, government and the national regulator as regards informing the population, ensuring competition between suppliers in order to achieve real market prices, combating monopolies in the sector, lack of adequate price and tariff policy growth, and ensuring decent incomes for the population and sufficient social protection of vulnerable categories of consumers;
22. call on the Parties to the Agreement to better monitor the effectiveness of energy reforms in Ukraine, and suggest that parts of Directive 2019/944 might be taken into account with respect to consumer support in the legislation of the Energy Community, including Ukraine;
23. call for an effective and efficient mechanism to be developed for implementing the updated Annex XXVII in the field of energy and its monitoring by all stakeholders; and for the adoption and implementation of legislation to which the Ukrainian government and parliament have paid little attention, but which falls under the obligations of the Association Agreement – in particular, the law on oil reserves and the law on energy efficiency;

24. point out that in order to fulfil its commitments under the Paris Agreement, Ukraine needs to complete the process of developing its nationally-determined contribution. The CSP draws the attention of the Ukrainian government to the need to develop an integrated National Energy and Climate Plan in compliance with the recommendations of the Energy Community;
25. call for Annexes XXX and XXXI to the Association Agreement to be revised and supplemented. The list of EU legislative acts in Annex XXX needs to be replaced by their updated versions and/or corresponding new pieces of legislation instead of those that have been repealed. Annex XXX should be also supplemented with three additional areas – "Noise pollution", "Chemicals" and "Animal welfare" – which should include relevant directives such as the Environmental Liability Directive, the Waste Electrical and Electronic Equipment Directive, the Directive on the reduction of the impact of certain plastic products on the environment, the Directive on keeping animals in zoos, the Regulation concerning the registration, evaluation, authorisation, and restriction of chemicals (REACH), etc. Further climate policy should be based on the basic principles and goals of the Paris Agreement and include issues such as the expected nationally-determined contribution, implementation of the Low Carbon Development Strategy, climate change adaptation, and integration of climate policy into other policies;
26. express their concern about the slow progress in implementing the AA's transport provisions (only 15% in 2018), taking into account that the transport sector does not fully meet the requirements for the effective realisation of Ukraine's European integration course and integration of the national transport network into the Trans-European Transport Network (TEN-T);

***On Ukraine's integration into the EU Digital Single Market (DSM):***

27. welcome the intention of the Ukrainian government to deepen cooperation in the area of the Information Society and integration into the EU DSM and to make progress in the Ukraine-EU dialogue on the digital economy, specifically on introducing the internal market regime in the telecommunications sector;
28. call for the continuation of bilateral consultations and law-making activities on the Ukrainian side and, in particular, for the development of the necessary resources and coordination mechanisms at government level for the fulfilment of the tasks;
29. express their support for further engagement of civil society and the expert community in the processes of digital market development and DSM integration. This approach has demonstrated its effectiveness at the development stage of both the Digital Agenda for Ukraine and the EU DSM Integration Strategy;
30. call for the establishment of a truly independent e-communications regulator through amendments to relevant legislation;
31. draw attention to the need to launch a permanent dialogue on pressing issues relating to the Ukrainian and EU digital agenda, notably looking at the recent development of the European Digital Services Act (DSA) and Digital Markets Act (DMA);
32. recommend that the government of Ukraine take effective measures to support advanced ICT

research and innovations and access for Ukrainian researchers and enterprises to national and European digital infrastructure;

***On regional development and macro-regional and cross-border cooperation:***

33. recommend providing, at national level, financial tools to partly reimburse the contributions made by project winners under the European Neighbourhood Instrument Cross-border Cooperation Programmes and the Danube Transnational Programme (DTP);
34. draw attention to the need to keep the State Regional Development Fund (SRDF) at 1.5% of GDP in 2020, and recommend putting an end to political lobbying and participation of MPs in the SRDF Selection Committee; with regard to sectoral support from the EU, propose that the parties should start negotiations on the continuation of programmes based on the 50/50 principle, under which the EU would provide financial aid for regional development projects equal to the amount allocated by Ukraine to the SRDF, on condition that project selection procedures are transparent, and that projects are innovative and in line with the Smart Specialisation priorities for using the scientific potential;
35. welcome the increase in activity on the development of the EU's Smart Specialisation in Ukraine and the increase in the number of pilot oblasts receiving methodological support from the European Commission, and draw attention to the need to form a National Team for Smart Specialisation at government level, to approve the Smart Specialisation methodology in Ukraine, and to reflect Smart Specialisation in government strategies and programmes for the development of the economy, SMEs, innovations, etc.;
36. call on the parties to the Association Agreement to launch consultations looking for resources to support projects as part of the implementation of Smart Specialisation in Ukraine;

***On employment, social policy, equal opportunities and social dialogue:***

37. reiterate that implementation of freedom of association in Ukraine does not fully comply with the country's obligations under ILO conventions 87 and 98. The implementation of freedom of association for trade unions worsened significantly after reforms of the state registration of legal entities; call for a system to be introduced that allows easier registration of trade unions;
38. repeat their concerns that imperfect and vague legislation is making it impossible for Ukrainian trade unions to exercise their rights fully. Furthermore, trade union activists are often persecuted and intimidated;
39. insist that labour inspection must have a supervisory role in full compliance with the law;
40. call for strong institutional support to be introduced for autonomous social dialogue and collective bargaining and giving guarantees for their implementation and legal protection from external interference;
41. emphasise that reform of labour legislation and the regulatory framework for social and labour relations should directly involve the parties to social dialogue so as to ensure a balance of interests and in compliance with international workers' rights standards and guarantees;

42. stress the urgent need to ensure decent working conditions for workers in all enterprises operating in Ukraine, in order to preserve lives and the health of workers in the workplace, and ensure legal employment, the immediate repayment of existing wage arrears and wage growth;
43. call on the Ukrainian government to draft and adopt a law harmonised with EU legislation to ensure higher employment of the working age population of Ukraine, to develop an inclusive labour market with support schemes for those who need accommodation, and to facilitate the return of labour migrants who are Ukrainian citizens;
44. call on the Ukrainian government to involve all social dialogue participants in the Decent Work Country Programme 2020-2024 and in all the projects in its framework;
45. call on the Association Council to prioritise the implementation of international labour standards and EU legislation and practices in the areas of social policy, employment and labour, collective bargaining regulation, social dialogue, gender inequality and labour legislation reform so as to ensure that the social partners' interests are balanced and employees' rights are protected in compliance with the provisions of the Association Agreement (Articles 419-421 and 424) and ILO conventions (81, 87, 98, 117, 122, 129, 144, 154 and 173);

***On Ukraine's economic development:***

46. call on the Verkhovna Rada and the Government of Ukraine to ensure that the laws on the DCFTA are adopted as a matter of priority in order to speed up the adaptation of Ukrainian legislation to that of the EU; to achieve this, they ask for strengthened cooperation between all branches of government and public consultation;
47. call on the EU to work more closely with the Ukrainian side in joint monitoring and evaluation of the implementation of the EU-Ukraine Association Agreement in order to accelerate economic integration, and to develop a specific procedure for its implementation;
48. emphasise the need to pay more attention to SMEs, especially at regional and local level, and in particular to enterprise support programmes and mechanisms and the development of sectoral self-regulation, up-to-date standardisation and certification systems, and tools for market and public supervision;
49. call for the relevant institutions in the EU and Ukraine to be approached with a view to developing a programme for agricultural soil assessment and sustainable management similar to current programmes in the EU;
50. emphasise the need to hold consultations between the government of Ukraine and the relevant EU agencies on mechanisms for integrating their financial services markets in order to apply the internal market regime to Ukraine in this sector;

***On science, innovation, the information society, and education:***

51. welcome the Ukrainian government's aspiration to reform the vocational education system and call on the government and Verkhovna Rada to adopt the law on vocational education in Ukraine as soon as possible;
  52. highlight the need to develop a lifelong learning system in Ukraine;
  53. call on the Verkhovna Rada to take steps towards developing a National Qualifications System in Ukraine and adopting a law on the national qualifications system;
  54. welcome the Government's initiatives to participate in the new Horizon Europe programme (2021-2027), which will enable scientists and entrepreneurs in Ukraine to participate in competitions for the financing of research and innovation projects alongside other EU countries.
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