

<p>EU-UKRAINE CIVIL SOCIETY PLATFORM</p>		<p>ПЛАТФОРМА ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА УКРАЇНА-ЄС</p>
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4th meeting, Brussels, 18 May 2017

JOINT DECLARATION

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

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

The CSP is made up of thirty members, fifteen from each side, representing the EESC and Ukrainian civil society. The 4th meeting of the CSP was co-chaired by **Alfredas Jonuška**, member of the EESC and Director General of the Šiauliai Chamber of Commerce, Industry and Craft, and **Zoriana Mishchuk**, expert of the Ukrainian environmental NGO MAMA-86.

The 4th meeting of the CSP was attended by **Adriano Martins**, Deputy Head of the Eastern Partnership Bilateral Division of the European External Action Service, **Oleksander Irkhin**, Deputy Head of the Mission of Ukraine to the EU, and **Gavin Evans**, Advisor to the Head of the Support Group for Ukraine.

The CSP members discussed the progress in the implementation of the EU-Ukraine Association Agreement, and considered and adopted reports on environmental protection under the EU-Ukraine Association Agreement as well as on the first year of the implementation of the EU-Ukraine DCFTA. They also held a preliminary discussion on media freedom.

1. With regard to the implementation of the EU-Ukraine Association Agreement, the CSP members:

1.1 welcome the demanding reforms carried out by Ukraine to implement the EU-Ukraine Association Agreement, and call for their determined and consistent continuation, in particular in such areas of societal interest as the judiciary, anti-corruption, decentralisation, energy efficiency, healthcare and others;

1.2 stress that fight against corruption remains one of the key challenges in the reform process in Ukraine, and, while welcoming the full operational capacity of the National Anti-Corruption Bureau and the Specialized Anti-Corruption Prosecution Office, call on the Government of Ukraine to

proceed with the enforcement of anti-corruption legislation as well as transparent and independent appointment of judges;

1.3 draw attention to the importance of building institutional capacity to implement the reforms under the Association Agreement, in particular through the implementation of the public administration reform and by creating an effective mechanism for stakeholder engagement at all the stages of policy-making;

1.4 are concerned about the recently amended legislation on e-declaration requiring civil society anti-corruption experts to declare their assets, which misses the key aim of fighting corruption, the efforts of which should be focused on real corruption cases;

1.5 welcome the decision of the Dutch Lower House of Parliament to endorse a bill to ratify the EU-Ukraine Association Agreement, and call upon the Senate of the Netherlands to complete the ratification process as soon as possible;

1.6 welcome the adoption by the Council of the Commission's proposal for a visa-free travel regime for the citizens of Ukraine carrying biometric passports for up to 90 days, and look forward to the possibilities this will create for bringing the societies closer together;

1.7 express their unequivocal support for the sovereignty and territorial integrity of Ukraine within its internationally recognised borders and condemn the Russian aggression which resulted in the illegal annexation of Crimea and the partial occupation of the Donetsk and Luhansk regions as well as multiple deaths of people. The CSP calls on the EU Member States to push, with all necessary political and economic means, for the restoration of Ukraine's sovereignty and territorial integrity, establishing peace and solving the humanitarian problems of the residents of these and adjoining territories;

1.8 express their deep concern with regard to the aggravation of the Russian aggression in Donbass which has been observed since the end of January 2017, and call upon the European Union to remain united in pressuring the Russian Federation to achieve a ceasefire, withdraw heavy weapons, release the hostages and ensure full and unhindered access of OSCE observers to the occupied territories;

1.9 call on the European Union to step up pressure on the Russian Federation to bring about the termination of political persecutions and the release of the Ukrainian citizens held as political prisoners in the territory of Russia and the occupied Crimea, and until that time, to secure respect for their rights and freedoms, in particular humane treatment, freedom from torture, medical care, contact with relatives, the right to an effective remedy and the right to a fair trial;

1.10 stress the remarkable attention of Ukrainian society towards reforms of labour and social protection legislation that will follow after the adoption of a new labour code, changes to pension legislation, health care reform and the development of a new remuneration system as a result of minimum salary reform since the beginning of 2017. These core developments need meaningful social dialogue between social partners to assure economic development and social inclusiveness during times of deep reforms as well as compensation measures for the most vulnerable people.

2. On environmental protection under the EU-Ukraine Association Agreement, the CSP members:

2.1 acknowledge that the Association Agreement is a powerful incentive for reforming Ukrainian environmental policy and legislation based on a modern approach as well as for ensuring its integrated nature and efficiency; however, note that the low priority on the agenda of the Ukrainian Government and Parliament of environmental issues, the sustainable use of natural resources and establishing responsibility for violation of environmental laws has resulted in limited progress in the implementation of the Association Agreement's environmental component;

2.2 call upon the Government of Ukraine to speed up the update of the National Strategy on environmental policy until 2020 in order to streamline the environmental reforms across the sectors and create long-term strategic priorities, as well as to adopt the National Action Plan for its implementation for the relevant period;

2.3 express concern regarding the absence in Ukraine of legal acts to ensure the application of important environmental policy tools such as Environmental Impact Assessment and Strategic Environmental Assessment, which are considered to be the main legislative priority by the EU; call upon the Government and the Parliament of Ukraine to urgently adopt the necessary laws and regulations for the effective functioning of the environmental impact and strategic environmental assessment systems;

2.4 stress the importance of overcoming the institutional challenges and of strengthening the institutional capacity for appropriate implementation of the environmental component of the Association Agreement, in particular through proper expertise regarding adopted regulations to ensure their compliance with EU legislation; invite the relevant EU institutions to consider a more diverse toolkit to influence Ukraine's reform in the sector, in particular information-based, scientific, technical and economic leverage to induce the reforms and better prevent vested interests or outdated practices from blocking the reform process;

2.5 welcome the progress in the implementation of Ukraine's commitments in the area of water resource management, particularly the adoption of the Law of Ukraine "On the introduction of integrated approaches to the management of water resources on the basin principle";

2.6 support the latest trends in the implementation of the environmental component of the Agreement – initial development and approval of strategic documents and, based on these, laws and regulations, for example, in the sphere of waste management, climate change and the management of the marine environment;

2.7 agree that legal approximation in Ukraine to EU standards plays an important role in the reform process regarding the environment; note, however, that proper attention should also be paid to the implementation of the other articles of the Agreement, in particular Chapter 6 regarding the strategic planning and sectoral strategies as well as provisions on the implementation of the international environmental conventions and sustainable development issues, the development of environmental standards and national environmental labelling criteria, adapted to regional conditions, to switch to "green" public procurement, as provided for in Chapter 13, in the context of the DCFTA;

2.8 stress the need to pay more attention to the regional context in the implementation of the Association Agreement in the area of environmental protection; urge the Ukrainian authorities to raise awareness about the challenges and advantages of implementing the European legislation, to increase visibility in society, to raise awareness of the direct benefits for citizens and local communities, to involve local authorities in policy development and sustainable development criteria based on credible data; and, furthermore, to engage domestic civil society and create preconditions for structured and comprehensive dialogue;

2.9 acknowledge that green jobs are central to sustainable development and respond to the challenges of environmental protection, economic development and social inclusion, and note that Ukraine should work for a fair transition towards a sustainable green economy, creating quality jobs and enhancing green skills. Efforts by the government, workers' and employers' organisations and other CSOs to promote the greening of enterprises, workplace practices and the labour market as a whole create decent employment opportunities, enhance resource efficiency and build low-carbon sustainable societies; therefore call upon the Government of Ukraine to prioritise investment policies to support sustainable infrastructure and industrial regeneration, innovation, research and development, low-carbon technologies and resource efficiency.

3. On the first year of the implementation of the EU-Ukraine DCFTA, the CSP members:

3.1 stress that the relevant authorities in the EU and Ukraine should closely monitor the implementation of the DCFTA and assess the impact on bilateral trade and investments as well as on labour and environmental issues pertaining to the Agreement. This assessment shall also be used as part of the EU's and Ukraine's analysis of the potential update of certain aspects of the DCFTA after the lapse of the initial 5-year period of implementation of the Agreement;

3.2 with regard to the wood export ban applied by Ukraine and all concerns relating to the sustainability of the forestry sector as well as all issues relating to the implementation of labour standards in Ukraine, including labour inspections in particular, call on the relevant structures established under the EU-Ukraine Association Agreement and the DCFTA to address these issues as a matter of urgency;

3.3 note that all pending institutional and/or structural matters that prevent the full implementation of the DCFTA and the Trade and Sustainable Development Chapter in particular should be solved; in particular, call for the immediate establishment of the Domestic Advisory Group on sustainable development, as provided for in Article 299, Chapter 13, of the EU-Ukraine Association Agreement, with broad representation of employers' organisations, trade unions, non-governmental organisations and other stakeholders to ensure a permanent, coherent and timely dialogue, covering sustainable development aspects of EU-Ukraine trade relations;

3.4 welcome the introduction of a strategic approach to the development of sectoral policies relevant to the implementation of the DCFTA; at the same time, express their concerns that the already adopted SPS Strategy and the Strategy on Technical Regulation until 2020 are being implemented with delays regarding the development and adoption of normative and legislative acts, without due consideration of the needs, positions and capacity of market actors;

3.5 consider the formulation of the Export Strategy to be a positive example that is accompanied by the process of public consultations and based on the principles of good policy-making, while still requiring a focus on the simplification of trade procedures, coherence of customs procedures with regulatory policies and non-tariff measures, efficient use of budget resources and international assistance, in order to further develop SME export capacity and take full advantage of trade quotas;

3.6 stress that more attention should be paid to SMEs, in particular regarding the preparation under way of the draft SME Strategy until 2020. The development of SMEs requires support from governmental and EU institutions to perform a comprehensive assessment of the compliance of business activities with European standards and market requirements, reinforced by the sectoral and regional modernisation plans and related investments, as well as the application of up-to-date communication instruments in order to ensure a positive perception of changes and opportunities by economic actors and the public at large; call for the further development of the SME strategy, providing for a more transparent stakeholder dialogue and for the inclusion of provisions regarding the implementation of Title IV of the Association Agreement;

3.7 emphasise that the access to the European market on the basis of its *acquis* is a paramount objective of the implementation of the DCFTA. The introduction of the current international standards should be carried out by drawing up documents such as the EU White Book on Food Safety and green books for major industries;

3.8 stress the importance of high-quality scientific and analytical justification of reforms when implementing the DCFTA which should be based on the knowledge of specific national characteristics and policy-making processes in line with the principles of good governance; call on Ukrainian and European experts to join efforts to establish technical working groups and launch consultations with technical committees, including the SPS Subcommittee under Title IV of the Agreement.

4. On media freedom, the CSP members:

4.1 welcome the significant improvements in the media environment in Ukraine since 2014 and are pleased that the ongoing reforms continue to strengthen the legislative environment for journalists and media outlets;

4.2 note with satisfaction that in 2016 the regulators launched an ownership transparency mechanism for television and radio companies, requiring them to disclose detailed information about the identities of their owners;

4.3 welcome the establishment of an independent Public Broadcasting Company in Ukraine; regret, however, the fact that funding challenges continue to delay visible outcomes, and that difficulties in terminating some state companies are delaying the full implementation of legislation on public broadcasting; therefore, urge the Government of Ukraine to ensure proper support for the operation of public broadcasting by all financial and organisational means;

4.4 regret that the broadcast licensing process in Ukraine is not fully transparent, well-understood, and fair, and the criteria are unclear; call on the Ukrainian National Council on Television and Radio Broadcasting to establish proper procedures to make the broadcasting licensing process more objective and free from monopolies; therefore, urge the Government of Ukraine to harmonise legislation on audio-visual media services in accordance with European standards;

4.5 note with regret that impunity for crimes committed against journalists in Ukraine persists, even though the number of attacks has decreased, and, due to low trust of media by the public, violent acts against journalists do not receive the needed attention by the public; hence, call upon the Ukrainian government, social partners and civil society to take urgent steps in raising public awareness on violence against journalists;

4.6 consider that the quality of journalism and public media literacy should be the primary areas of concern in order to improve the media freedom situation in Ukraine; therefore, journalist organisations and overseeing bodies should increase and empower the ethical standards for media and invest in the competences of both journalists and managers of media outlets; call upon the European Commission to review and present to the Ukrainian media and journalist associations and overseeing bodies the possibilities of competence exchange and on-the-job training programmes in the media outlets and institutions of the EU Member States;

4.7 despite the challenging economic situation in the whole country, are of the opinion that it is crucial to ensure that media outlets have possibilities to present quality content to the public instead of choosing an often easier and more profitable path of ordered content; therefore call upon the European Commission to assist the Ukrainian media outlets and broadcasters in presenting European works to their audiences, in participating in EU media support schemes, and in cooperating with and learning from their peers in EU Member States;

4.8 welcome the fact that public access was granted to the register of regulations; however emphasise the need to draft a law defining the procedures for bringing laws to the notice of the public at large, as provided for by the Constitution of Ukraine.