

JOINT STATEMENT
Ukraine – EU Trade and Sustainable Development Sub-Committee
to the Joint Civil Society Forum
(7 November 2019, Brussels)

Representatives of the Ukrainian authorities and the European Commission met on 6 November 2019 in Brussels for the third Trade and Sustainable Development (TSD) Sub-Committee, dedicated to the implementation of the TSD Chapter of the Ukraine – European Union Association Agreement.

On 7 November 2019, the parties debriefed the Civil Society Forum on the issues discussed during the last meeting of the TSD Sub-Committee.

The 3rd meeting of the Trade and Sustainable Development Sub-Committee discussed labour as well as renewable energy & energy efficiency issues. The parties agreed to continue addressing legal and sustainable forestry management issues in the forthcoming 4th Association Committee in Trade Configuration (ACTC) meeting on 18/19 November.

The EU emphasised the role of values and principles, such as high social and environmental standards, in the context of EU trade and investment policy. The EU highlighted the importance of reinforcing multilateral governance in these areas, through supporting the International Labour Organization (ILO) and multilateral environmental bodies. Moreover, enabling civil society and having their voices heard are important for the effective implementation of the TSD Chapter.

Progress on selection of candidates for the Group of Experts

The TSD Sub-Committee discussed the establishment of the Group of Experts. Ukraine updated the EU on steps to be taken for the selection of the outstanding fourth and fifth Ukrainian experts. Both parties agreed to endorse the final, complete list of members to the Group of Experts by the next TSD subcommittee in 2020.

Trade and labour

The EU once again underlined that good governance of labour relations and improved labour standards are key to establish a level-playing field and to allow Ukraine to fully reap the benefits of its Association Agreement with the EU.

Both parties reviewed priority issues and actions agreed at the 2018 meeting. The EU noted the overall uneven progress so far but welcomed intentions of the new administration. The EU is confident that once the transitional period is over, swift action will follow.

Further improving the functioning of the State Labour Services (SLS) and bringing it in line with ILO Conventions № 81 and № 129 remain an urgent matter for the effective implementation of all labour standards.

The EU welcomed the first positive results in tackling undeclared work and plans to address the issue of wage arrears.

The EU once again urged Ukraine to continue removing legal restrictions to the operation of the SLS and to align legislation on ILO principles on labour inspections and called for more decisive action to enhance the capacity of the SLS.

Ukraine stressed the positive contribution of the EU-funded ILO project 'Enhancing the Labour Administration Capacity to Improve Working Conditions'. The EU stressed the importance of following up on the recommendations of this soon to be completed project, and confirmed its continued support to the administration and SLS through the initiation of a new, follow-up project.

The EU encouraged Ukraine to continue its efforts and measures to tackle undeclared work and wage arrears. It notably encouraged the finalisation of the Action Plan on Undeclared Work and of draft legislation on Payment of Wages.

Both parties agreed on the need to modernise labour legislation. The EU welcomed the decision by Ukraine to adopt a new Labour Code in early 2020 that would address legal gaps related to several ILO fundamental labour standards and other Association Agreement obligations (approximation to the EU law). Ukraine also informed the EU that the draft Law of Ukraine 'On Collective Agreements and Contracts' has been consulted on and is now pending its review and approval by the Government. The EU urged swift adoption of the draft Law and submission to the Parliament. The EU once again stressed the need to ensure that trade unions' rights and activities are respected in line with international standards.

Legal and Sustainable Forest Management and related wood production

The EU reiterated the importance of sustainable forest management. The EU insisted on the importance of reforming the forest management by Ukraine based on the principles of sustainable resources management in all forests and the separation of state institutions' functions for policy, control, monitoring and management. Both parties in 2018 agreed that a system for the management of all Ukrainian state forests should be independent from a robust forest control body and from forest policy and legislation function; Ukraine noted that the reform process is currently underway. Both sides agreed to discuss the operational steps necessary to ensure legal and sustainable trade in this area during the next ACTC meeting on 18/19 November.

Trade and renewable energy/energy efficiency

Both parties discussed progress made with regards to the adoption of eco-design/energy labelling legislation in Ukraine. The parties also shared information on legislative developments with regards to sustainable biomass and will enhance cooperation in this area. It was agreed that transparent and market based regulatory framework for support for renewables, without retroactive changes is necessary to provide stable and predictable environment for investments.

Other issues

The parties agreed on operational conclusions that summarise the steps to be undertaken by the parties until the 4th TSD Sub-Committee.

The parties encourage their respective Advisory Groups to actively engage with civil society at large to monitor progress in implementation of the TSD Chapter. The TSD Sub-Committee looks forward to the Advisory Groups' as well as to the open Civil Society Forum's views in this regard.