

**ANNEXES OF  
TITLE V: ECONOMIC AND SECTOR COOPERATION**

**ANNEX XXVI**

ANNEX XXVI to Chapter 1  
ENERGY COOPERATION, INCLUDING NUCLEAR ISSUES

1. The EU and Ukraine establish herewith an 'Early Warning Mechanism' with the objective of setting out practical measures aimed at preventing and rapidly reacting to an emergency situation or to a threat of an emergency situation. It foresees an early evaluation of potential risks and problems related to the supply and demand of natural gas, oil or electricity and the prevention and rapid reaction in case of an emergency situation or a threat of an emergency situation.
2. For the purpose of this Annex, an emergency situation is a situation causing a significant disruption / physical interruption of supply of natural gas, oil or electricity between Ukraine and the European Union.
3. For the purpose of this Annex the Coordinators are the Minister of Energy of Ukraine and the Member of the European Commission in charge of Energy.

4. An early evaluation of potential risks and problems related to the supply and demand of energy materials and products should be undertaken jointly by the two Parties in particular in the framework of the Memorandum of Understanding on cooperation in the field of energy between the European Union and Ukraine of 1st December 2005 and should be regularly reported to the Coordinators.
5. Should one of the Parties to this Agreement become aware of an emergency situation or of a situation which in its opinion could lead to an emergency situation, that Party shall inform the other Party without delay.
6. Under the circumstances set out in paragraph 5 of this Annex, the Coordinators shall notify each other, within the shortest possible time, of the necessity to initiate the Early Warning Mechanism. The notification shall indicate, inter alia, designated persons that are authorised by the Coordinators to maintain permanent contact with each other.
7. Upon notification in accordance with paragraph 6 of this Annex, each Party shall provide the other Party with its own assessment. Such an assessment will include an estimate of the timeframe within which the threat of an emergency situation or the emergency situation could be eliminated. Both Parties shall react promptly to the assessment provided by the other Party and complement it with available additional information.

8. If one Party is unable to adequately assess or accept the other Party's assessment of the situation or the estimated timeframe within which a threat of an emergency situation or an emergency situation may be eliminated, the corresponding Coordinator can request consultations, which are to commence within a time period not exceeding 3 days from the moment of forwarding the notification foreseen in paragraph 6 of this Annex. Such consultations shall take place through an Experts Group consisting of representatives authorised by the Coordinators. The consultations aim at:

- elaborating a common evaluation of the situation and of the possible further development of events;
- elaborating recommendations to eliminate the threat of an emergency situation or to overcome the emergency situation;
- elaborating recommendations on a joint action plan of the Parties in order to minimise the impact of an emergency situation and, if possible, to overcome the emergency situation, including the possibility of establishing a Special Monitoring Group.

9. The consultations, common evaluations and proposed recommendations shall be based on the principles of transparency, non-discrimination and proportionality.

10. The Coordinators, within their competencies, will work to eliminate the threat of an emergency situation or to overcome the emergency situation taking into account the recommendations that have been elaborated as the result of the consultations.

11. The Experts Group referred to in paragraph 8 will report to the Coordinators on its activities, promptly after the implementation of any agreed plan of action.

12. If an emergency situation occurs, the Coordinators may establish a Special Monitoring Group for examining the ongoing circumstances and development of events and for an objective record of them. The Group shall consist of:

- representatives of both Parties;
- representatives of energy companies of the Parties;
- representatives of international energy organisations, proposed and mutually approved by the Parties;
- independent experts proposed and mutually approved by the Parties.

13. The Special Monitoring Group shall start its work without delay and shall operate, as necessary, until the emergency situation has been solved. A decision on the termination of the work of the Special Monitoring Group shall be taken jointly by the Coordinators.

14. From the moment of discovering the circumstances described in paragraph 5, and until the completion of the procedure for applying the Early Warning Mechanism, as well as until the elimination of the threat of an emergency situation or the resolution of the emergency situation, the Parties will do their utmost to minimise negative consequences for the other Party. Both Parties will cooperate with the aim to reach an immediate solution in a spirit of transparency. The Parties will refrain from any actions unrelated to the ongoing emergency situation that could create or deepen the negative consequences for the supply of natural gas, oil or electricity between Ukraine and the European Union.

15. Each Party independently carries the costs relating to the actions in the framework of this Annex.

16. The Parties shall maintain in confidence all information exchanged between them that is designated as being of a confidential nature. The Parties shall take the necessary measures to protect confidential information on the basis of the relevant legal and normative acts of Ukraine, or the European Union and/ or its Member States, as applicable, as well as in accordance with applicable international agreements and conventions.

17. The Parties may invite, by mutual agreement, representatives of third parties to take part in the consultations or monitoring referred to in paragraphs 8 and 12.

18. The Parties may agree to adapt the provisions of this Annex in view of establishing an early warning mechanism between them and other parties.

19. A violation of this mechanism cannot serve as a basis for dispute settlement procedures under this Agreement. Moreover, a Party shall not rely on or introduce as evidence in such dispute settlement procedures:

- positions taken or proposals made by the other Party in the course of the procedure; or,
- the fact that the other Party has indicated its willingness to accept a solution to the emergency situation subject to this mechanism.

---

## **ANNEX XXVII**

### ANNEX XXVII to Chapter 1 ENERGY COOPERATION, INCLUDING NUCLEAR ISSUES

Ukraine undertakes to gradually approximate its legislation to the following EU legislation within the stipulated timeframes:

#### Electricity

Directive 2003/54/EC concerning common rules for the internal market in electricity

Timetable: the Directive's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

Regulation (EC) 1228/2003 on conditions for access to the network for cross-border exchanges in electricity, as amended by the Commission Decision 2006/770/EC

Timetable: the Regulation's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

Directive 2005/89/EC concerning measures to safeguard security of electricity supply and infrastructure investment

Timetable: the Directive's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

Gas

Directive 2003/55/EC concerning common rules for the internal market in gas

Timetable: the Directive's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

Regulation (EC) n° 1775/2005 on conditions of access to the natural gas network

Timetable: the Regulation's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

Directive 2004/67/EC concerning measures to safeguard security of natural gas supply

Timetable: the Directive's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.



## Oil

Directive 2006/67/EC on maintaining minimum stocks of crude oil and/or petroleum products

Timetable: the Directive's provisions shall be reflected in the Ukrainian legislation within 3 years and implemented within 11 years after entry into force of this Agreement.

## Prospection and exploration of hydrocarbons

Directive 94/22/EC on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons

Timetable: the Directive's provisions shall be implemented within 3 years after entry into force of this Agreement, taking into account Articles (12 and 13) of the Trade-related Energy provisions covered by Chapter 11 (Trade-related Energy) of Title IV (Trade and Trade-related Matters).

## Energy Efficiency

Directive 2004/8/EC on the promotion of cogeneration

Timetable: the Directive's provisions shall be implemented within 3 years after entry into force of this Agreement.

#### Directive 2002/91/EC on the energy performance of buildings

Timetable: the Directive's provisions shall be reflected in the Ukrainian legislation within 3 years and implemented within 5 years after entry into force of this Agreement.

#### Directive 2006/32/EC on energy end-use efficiency and energy services

Timetable: The Directive's provisions shall be reflected in the Ukrainian legislation within 5 years and implemented within 8 years after entry into force of this Agreement.

#### Directive 2005/32/EC on establishing a framework for the setting eco-design requirements for energy using products

#### Implementing Directives/Regulations:

- Commission Regulation (EC) No 278/2009 on eco-design requirements for no-load condition electric power consumption and average active efficiency of external power supplies;
- Commission Regulation (EC) No 245/2009 on eco-design requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaires able to operate such lamps;

- Commission Regulation (EC) No 244/2009 on eco-design requirements for non-directional household lamps;
- Commission Regulation (EC) No 107/2009 on eco-design requirements for simple set-top boxes;
- Commission Regulation (EC) No 1275/2008 on eco-design requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment;
- Council Directive 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels;
- Directive 96/57/EC on energy efficiency requirements for household electric refrigerators, freezers and combinations thereof;
- Directive 2000/55/EC on energy efficiency requirements for ballasts for fluorescent lighting.

Timetable: The provisions in the framework Directive as well as in the relevant existing implementing measures ("daughter directives or regulations") shall be implemented within 3 years after entry into force of this Agreement. New daughter directives/regulations shall be implemented in accordance with timetables established in these directives/regulations after changes to this Annex in line with the institutional provisions as set out in Title VII of this Agreement and as notified to the Ukrainian side.

Directive 92/75/EEC on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances

Implementing Directives/Regulations:

- Commission Directive 2003/66/EC on energy labelling of household electric refrigerators, freezers and their combinations;
- Commission Directive 2002/40/EC on energy labelling of household electric ovens;
- Commission Directive 2002/31/EC on energy labelling of household air-conditioners;
- Commission Directive 98/11/EC on energy labelling of household lamps;
- Commission Directive 97/17/EC on energy labelling of household dishwashers as amended by Commission Directive 1999/9/EC on energy labelling of household dishwashers;

- Commission Directive 96/60/EC on energy labelling of household combined washer-driers;
- Commission Directive 95/13/EC on energy labelling of household electric tumble driers;
- Commission Directive 95/12/EC on energy labelling of household washing machines.

Timetable: The provisions in the framework Directive as well as in the relevant existing implementing measures ("daughter directives or regulations") shall be implemented within 2 years after entry into force of this Agreement. New daughter directives/regulations shall be implemented in accordance with timetables established in these directives/regulations after changes to this Annex in line with the institutional provisions as set out in Title VII of this Agreement and as notified to the Ukrainian side.

## Nuclear

Directive 96/29/Euratom laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation

Timetable: the Directive's provisions shall be implemented within 2 years after entry into force of this Agreement.

Directive 2006/117/Euratom on the supervision and control of shipments of radioactive waste and spent fuel

Timetable: the Directive's provisions shall be implemented within 2 years after entry into force of this Agreement.

Directive 2003/122/Euratom on the control of high-activity sealed radioactive sources and orphan sources

Timetable: the Directive's provisions shall be implemented within 2 years after entry into force of this Agreement.

---

## **ANNEX XXVIII**

### ANNEX XXVIII to Chapter 4 TAXATION

Ukraine undertakes to gradually approximate its legislation to the following EU legislation within the stipulated timeframes:

#### Indirect taxation

Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax

Timetable: the Directive's provisions, with the exception of articles 5-8, 20, 33, 40-42, 79, 100-101, 123-130, 140-142, 145, 146 (1(B)), 147, 155, 164-166, 170-171, 175, 203, 205, 209, 210, 212, 219, 238-240, 245, 254, 258, 274-280, 293-294, 370-395, 396-400, 402-410, 411-413 (provisions applicable to EU Member States); articles 281-294, 295- 305, 306-325, 326-332, 333-343, 348-349, 358-369 (on special tax regimes), shall be implemented within 5 years of the entry into force of this Agreement.

Council Directive 2007/74/EC of 20 December 2007 on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries

– section 3 on quantitative limits

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity

Timetable: the Directive's provisions shall be implemented progressively, taking into account future needs of Ukraine in the field of environmental protection and energy efficiency, as they may result in particular from the post-2012 international climate change negotiations.



Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC

– Article 1

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

Council Directive 2011/64/EU of 21 June 2011 on the structure and rates of excise duty applied on manufactured tobacco (codification)

Timetable: the Directive's provisions shall be implemented within 2 years of the entry into force of this agreement with the exception of Art. 7.2, Art. 8, 9, 10, 11, 12 Art. 14.1, 14.2, 14.4, Art 18 and Art 19 for which the timetable of implementation will be established by the Association Council.

Upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of the following directives:

Thirteenth Council Directive 86/560/EEC of 17 November 1986 on the harmonisation of the laws of the Member States relating to turnover taxes - arrangements for the refund of value added tax to taxable persons not established in Community territory

Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages in respect of intermediate product category as defined in the directive

Art. 7.2, Art. 8, 9, 10, 11, 12, Art. 14.1, 14.2, 14.4, Art 18 and Art 19 of Council Directive 2011/64/EU of 21 June 2011 on the structure and rates of excise duty applied on manufactured tobacco (codification)

---

## **ANNEX XXIX**

### ANNEX XXIX to Chapter 5 STATISTICS

The *acquis* in statistics as mentioned in Article 355 of Chapter 5 (Statistics), Title V (Economic and Sector Cooperation) is set out in the annually updated Statistical Requirements Compendium, which is considered by the Parties as annexed to this Agreement.

The latest available version of the Statistical Requirements Compendium can be found on the website of the Statistical Office of the European Union (Eurostat) in an electronic form

<http://epp.eurostat.ec.europa.eu>

---

**ANNEX XXX**

ANNEX XXX to Chapter 6  
ENVIRONMENT

Ukraine undertakes to gradually approximate its legislation to the following EU legislation within the stipulated timeframes:

Environmental governance and integration of environment into other policy areas

Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (codification)

For projects falling under the Treaty establishing the Energy Community all the Directive's provisions shall be implemented by 01/01/2013 as indicated in the Protocol concerning the Accession of Ukraine to this Treaty. For other projects the following provisions shall be applicable:

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of requirements that Annex I projects shall be made subject to environmental impact assessment and of a procedure to decide which Annex II projects require EIA (art. 4)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- determination of the scope of the information to be provided by the developer (art. 5)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of a procedure for consultation with environmental authorities and a public consultation procedure (art. 6)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of arrangements with neighbouring countries for exchange of information and consultation (art. 7)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of measures for notifying the public of the outcome of decisions on applications for development consent (art. 9)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

- adoption of national legislation and designation of competent authority/ies
- establishment of a procedure to decide which plans or programmes require strategic environmental assessment and of requirements that plans or programmes for which strategic environmental assessment is mandatory are subject to such an assessment (art. 3)
- establishment of a procedure for consultation with environmental authorities and a public consultation procedure (art. 6)
- establishment of arrangements with neighbouring countries for exchange of information and consultation (art. 7)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

Directive 2003/4/EC on public access to environmental information and repealing  
Directive 90/313/EEC

- adoption of national legislation and designation of competent authority/ies
- setting up of practical arrangements under which environmental information is made available to the public and the applicable exceptions (art. 3 and 4)
- ensuring that public authorities make environmental information available to the public (art. 3.1)
- establishment of procedures to review decisions not to supply environmental information or to supply only partial information (art. 6)
- establishment of a system for disseminating environmental information to the public (art. 7)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

Directive 2003/35/EC providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Directives 85/337/EEC and 96/61/EC

- adoption of national legislation and designation of competent authority/ies
- establishment of a mechanism for providing the public with information (art. 2.2a and 2.2d)
- establishment of a mechanism for public consultation (art. 2.2b and 2.3)
- establishment of a mechanism for public comments and opinions to be taken into account in the decision-making process (art. 2.2c)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.



## Air Quality

### Directive 2008/50/EC on ambient air quality and cleaner air for Europe

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of upper and lower assessment thresholds (art.5), target and limit values (art. 13,14,16.2,17.1), and the PM 2.5 exposure reduction target (art. 15.1)

Timetable: these provisions of the Directive shall be implemented for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, lead, benzene, carbon monoxide, ozone, PM 10 and PM 2.5 within 3 years of the entry into force of this agreement on the basis of an existing situation in Ukraine. Upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of these provisions to fully comply with the requirements of the Directive.

- establishment and classification of zones and agglomerations (art. 4 and 5)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of a system for assessing ambient air quality in relation to air pollutants (art. 5, 6 and 9)
- establishment of air quality plans for zones and agglomerations where levels of pollutants exceed limit value/target value (art. 23)

Timetable: these provisions of the Directive shall be implemented for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, lead, benzene, carbon monoxide, ozone, PM 10 and PM 2.5 within 5 years of the entry into force of this agreement on the basis of an existing situation in Ukraine. Upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of these provisions to fully comply with the requirements of the Directive.

- establishment of short-term action plans for zones and agglomerations in which there is a risk that alert thresholds will be exceeded (art. 24)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

- establishment of a system to provide information to the public (art. 26)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

Directive 2004/107/EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of upper and lower assessment thresholds (art. 4.6) and target values (art. 3)

Timetable: these provisions of the Directive shall be implemented for arsenic, nickel, cadmium and benzo(a)pyrene within 3 years of the entry into force of this agreement on the basis of an existing situation in Ukraine. Upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of these provisions to fully comply with the requirements of the Directive.

- establishment and classification of zones and agglomerations (art. 3 and 4.6)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of a system for assessing ambient air quality in relation to air pollutants (art. 4)
- taking measures in order to maintain/improve air quality in respect of the relevant pollutants (art. 3)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this agreement on the basis of an existing situation in Ukraine. Upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of these provisions to fully comply with the requirements of the Directive.

Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 93/12/EEC as amended by Directives 2000/71/EC, 2003/17/EC and 2009/30/EC and Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies
- carrying out an assessment of national fuel consumption
- establishment of a system for monitoring fuel quality (art. 8)
- prohibition of marketing of leaded petrol (art. 3.1)

- permitting the marketing of unleaded petrol, diesel fuel and gas oils intended for non-road mobile machinery and agricultural and forestry tractors only if these meet relevant requirements (art. 3 and 4)
- establishment of a regulatory system to cover exceptional circumstances and of a system to collect national fuel quality data (art. 7 and 8)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

Directive 1999/32/EC on reduction of sulphur content of certain liquid fuels and amending Directive 93/12/EC as amended by Regulation (EC) 1882/2003 and Directive 2005/33/EC

For fuels used for purposes under the Treaty establishing the Energy Community all the Directive's provisions shall be implemented by 01/01/2012 as indicated in the Protocol concerning the Accession of Ukraine to this Treaty. For fuels used for other purposes the following provisions shall be implemented:

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of an effective sampling system and appropriate analytical methods of analysis (art. 6)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- prohibition of use of heavy fuel oil and gas oil with a sulphur content greater than established limit values (art. 3.1 and 4.1)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- application of limit values for the sulphur content of marine fuels (art. 4a and 4b)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

Directive 94/63/EC on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations as amended by Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- identifying all terminals for storing and loading petrol (art. 2)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of technical measures to reduce loss of petrol from storage installations at terminals and service stations and during loading/unloading mobile containers at terminals (art. 3, 4 and 6 and Annex III)

Timetable: these provisions of the Directive shall be implemented within 9 years of the entry into force of this agreement

- requiring all road tanker loading gantries and mobile containers to meet the requirements (art. 4 and 5)

Timetable: these provisions of the Directive shall be implemented within 9 years of the entry into force of this Agreement.

Directive 2004/42/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC

- adoption of national legislation and designation of competent authority/ies
- setting up maximum VOC content limit values for paints and varnishes (art. 3 and Annex II)
- establishment of requirements ensuring labelling of products placed on the market and placing on the market of products complying with relevant requirements (art. 3 and 4)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.



## Waste and Resource Management

### Directive 2008/98/EC on waste

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- preparation of waste management plans in line with the five-step waste hierarchy and of waste prevention programmes (Chapter V of Directive 2008/98/EC)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of full cost recovery mechanism in accordance with the polluter pays principle and extended producer responsibility principle (art. 14)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

- establishment of a permitting system for establishments/undertakings carrying out disposal or recovery operations, with specific obligations for the management of hazardous wastes (Chapter IV of Directive 2008/98/EC)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

- establishment of a register of waste collection and transport establishments and undertakings (Chapter IV of Directive 2008/98/EC)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

Directive 1999/31/EC on the landfill of waste as amended by Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies
- classification of landfill sites (art. 4)
- preparation of a national strategy reducing the amount of biodegradable municipal waste going to landfill (art. 5)

- establishment of an application and permit system and of waste acceptance procedures (art. 5-7, 11, 12 and 14)
- establishment of control and monitoring procedures in the operation phase of landfills and of closure and after-care procedures for landfills to be disaffected (art. 12 and 13)
- establishment of conditioning plans for existing landfill sites (art. 14)
- establishment of a costing mechanism (art. 10)
- ensuring the relevant waste is subject to treatment before landfilling (art. 6)

Timetable: these provisions of the Directive shall be implemented for existing installations within 6 years of the entry into force of this Agreement. For any installations put into operation after the signature of this agreement, the Directive's provisions shall be implemented as of the date of the agreement's entry into force.

Directive 2006/21/EC on the management of waste from extractive industries and amending Directive 2004/35/EC

- adoption of national legislation and designation of competent authority/ies
- establishment of a system to ensure that operators draw up waste management plans (identification and classification of waste facilities; characterisation of the waste) (art. 4 and 9)
- establishment of a permit system, of financial guarantees and of an inspection system (art. 7, 14 and 17)
- establishment of procedures for the management and monitoring of excavation voids (art. 10)
- establishment of closure and after-closure procedures for mining waste facilities (art. 12)
- drawing up an inventory of closed mining waste facilities (art. 20)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

## Water Quality and water resource management, including marine environment

Directive 2000/60/EC establishing a framework for Community action in the field of water policy as amended by Decision No 2455/2001/EC and Directive 2009/31/EC

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of legislative definition of the country's territory hydrographic zoning unit

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- development of appropriate national legislation (Regulation on Basin Directorate) making the "basin Directorate" responsible for functions provided by art. 3 of Directive 2000/60/EC

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- identification of river basin districts and establishment of administrative arrangements for international rivers, lakes and coastal waters (art. 3)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- analysis of the characteristics of river basin districts (art. 5)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- establishment of programmes for monitoring water quality (art. 8)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- preparation of river basin management plans, consultations with the public and publication of these plans (art. 13 and 14)

Timetable: these provisions of the Directive shall be implemented within 10 years of the entry into force of this Agreement.

## Directive 2007/60/EC on the assessment and management of flood risks

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- undertaking preliminary flood assessment (art. 4 and 5)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- preparation of flood hazards maps and flood risks maps (art. 6)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- establishment of flood risk management plans (art. 7)

Timetable: these provisions of the Directive shall be implemented within 8 years of the entry into force of this Agreement.

Directive 2008/56/EC Directive establishing a framework for Community action in the field of marine environmental policy

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- development of a marine strategy in cooperation with EU MSs (art. 5 and 6)
- initial assessment of marine waters, determination of good environmental status and establishment of environmental targets and indicators (art. 5 and 8 – 10)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of a monitoring programme for ongoing assessment and regular updating of targets (art. 5 and 11)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.



- preparation of a programme of measures to achieve good environmental status (art. 5 and 13)

Timetable: these provisions of the Directive shall be implemented within 7 years of the entry into force of this Agreement.

Directive 91/271/EEC on urban waste water treatment as amended by Directive 98/15/EC and Regulation (EC) 1882/2003 and Regulation (EC) No 1137/2008

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this agreement

- assessment of the status of urban waste water collection and treatment

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this agreement

- identification of sensitive areas and agglomerations (art. 5 and Annex II)

Timetable: these provisions of the Directive shall be implemented within 6 years of the entry into force of this Agreement.

- preparation of technical and investment programme for the implementation of the urban waste water treatment requirements (art. 17)

Timetable: these provisions of the Directive shall be implemented within 8 years of the entry into force of this Agreement.

Directive 98/83/EC on quality of water intended for human consumption as amended by Regulation (EC) 1882/2003 and Regulation (EC) 596/2009

- adoption of national legislation and designation of competent authority/ies
- establishment of standards for drinking water (art. 4 and 5)
- establishment of a monitoring system (art. 6 and 7)
- establishment of a mechanism to provide information to consumers (art. 13)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

Directive 91/676/EC concerning the protection of waters against pollution caused by nitrates from agricultural sources as amended by Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- identification of nitrate vulnerable zones (art. 3)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- establishment of action plans for nitrate vulnerable zones (art. 5)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of programmes for monitoring (art. 6)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

## Nature protection

### Directive 2009/147/EC on the conservation of wild birds

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- assessment of bird species requiring special conservation measures and regularly occurring migratory species

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- identification and designation of special protection areas for bird species (art. 4.1)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of special conservation measures to protect regularly occurring migratory species (art. 4.2)

Timetable: these provisions of the Directive shall be implemented by 01/01/2015 as indicated in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty.

- establishment of a general system of protection for all wild bird species of which the hunted species are a special subset and prohibition of certain types of capture/killing (art. 5, 6, 7, 8, 9.1 and 9.2)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

Directive 92/43/EC on the conservation of natural habitats and of wild fauna and flora as amended by Directive 97/62/EC, 2006/105/EC and Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- preparation of inventory of sites, designation of these sites and establishing priorities for their management (including completion of the inventory of potential Emerald sites and establishment of protection and management measures for these sites) (art. 4)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of measures required for the conservation of such sites (art. 6)

Timetable: these provisions of the Directive shall be implemented within 4 years of the entry into force of this Agreement.

- establishment of a system to monitor conservation status of habitats and species (art. 11)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of a strict species protection regime for species listed in Annex IV as relevant for Ukraine (art. 12)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- establishment of a mechanism to promote education and general information to the public (art. 22)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

## Industrial pollution and industrial hazards

### Directive 2010/75/EU on industrial emission (integrated pollution prevention and control) (recast)

- adoption of national legislation and designation of competent authority/ies

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

- identification of installations that require a permit (Annex I)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

- implementation of BAT taking into account the conclusions of the BREFs (art. 14(3-6) and 15(2-4))

Timetable: upon the entry into force of this Agreement, the Association Council shall define the timetable for implementation by Ukraine of these provisions for existing installations.

- establishment of an integrated permit system (art. 6 – 9 and 13)
- establishment of a compliance monitoring mechanism (art. 8,14 (1d) and 23(1))
- establishment of emission limit values for combustion plants (art. 30 and Annex V)
- preparation of programmes to reduce total annual emissions from existing plants (optional to setting emission limit values for existing plants) (art. 32)

Timetable: as an immediate priority, the Association Council shall define the timetable for implementation by Ukraine of these provisions for new installations. The Association Council shall also define the timetable for implementation by Ukraine of these provisions for existing installations. The timetable shall be without prejudice to deadlines defined in the Protocol concerning the Accession of Ukraine to the Energy Community Treaty for combustion plants falling under the scope of the Energy Community. Existing installations are installations that are granted a permit within 5 years of the entry into force of this agreement, provided that such plants are put into operation no later than 6 years after the entry into force of this Agreement.



Directive 96/82/EC on the control of major accident hazards involving dangerous substances as amended by Directive 2003/105/EC and Regulation (EC) 1882/2003

- adoption of national legislation and designation of competent authority/ies
- establishment of effective coordination mechanisms between relevant authorities
- establishment of systems for recording information about relevant installations and for reporting on major accidents (art. 13 and 14)

Timetable: these provisions of the Directive shall be implemented within 5 years of the entry into force of this Agreement.

## Climate change and protection of the ozone layer

Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Directive 96/61/EC as amended by Directive 2004/101/EC

- adoption of national legislation and designation of competent authority/ies
- establishment of a system for identifying relevant installations and for identifying greenhouse gases (Annexes I and II)
- development of a national allocation plan to distribute allowances to installations (art. 9)
- establishment of a system for issuing greenhouse gas emissions permits and issuance of allowances to be traded domestically among installations in Ukraine (art. 4 and 11 - 13)
- establishment of monitoring, reporting, verification and enforcement systems and public consultations procedures (art. 9, 14 – 17, 19 and 21)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

## Regulation (EC) 842/2006 on certain fluorinated greenhouse gases

- adoption of national legislation and designation of competent authority/ies
- establishment/adaptation of national training and certification requirements for relevant personnel and companies (art. 5)
- establishment of reporting systems for acquiring emission data from the relevant sectors (art. 6)
- establishment of an enforcement system (art. 13)

Timetable: these provisions of the Regulation shall be implemented within 2 years of the entry into force of this Agreement.

Regulation (EC) 2037/2000 on substances that deplete the ozone layer as amended by Regulations (EC) 2038/2000, (EC) 2039/2000, (EC) 1804/2003, (EC) 2077/2004, (EC) 29/2006, (EC) 1366/2006, (EC) 1784/2006, (EC) 1791/2006 and (EC) 2007/899 and Decisions 2003/160/EC, 2004/232/EC and 2007/54/EC

- adoption of national legislation and designation of competent authority/ies
- establishment of bans for controlled substances including ending the use of virgin hydrochlorofluorocarbons by 2010 and of all hydrochlorofluorocarbons by 2020 (art. 4 and 5)
- establishment of a quantitative limit for the use of methyl bromide for quarantine and pre-shipment applications at the level of the average use in the years 1996, 1997 and 1998 (art. 4)
- phasing out of the placing on the market of virgin hydrochlorofluorocarbons by 2015 (art. 4)
- establishment of obligations to recover, recycle, reclaim and destruct used controlled substances (Art. 16)
- establishment of procedures for monitoring and inspecting leakages of controlled substances (Art. 17)

Timetable: these provisions of the Regulation shall be implemented within 2 years of the entry into force of this Agreement.

## Genetically modified organisms

Relevant EU *acquis* concerning genetically modified organisms (GMOs) is also covered in Chapter 4 (Sanitary and Phytosanitary Measures) of Title IV (Trade and Trade-related Matters).

Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC as amended by Decisions 2002/623/EC and 2002/811/EC, Regulations (EC) 1829/2003 and (EC) 1830/2003 and Directive 2008/27/EC

- adoption of national legislation and designation of competent authority/ies
- phasing out antibiotic resistance markers in GMOs placed on the market according to Part C and in GMOs authorised under Part B (art. 4.2)
- establishment of an effective inspection and control system to ensure compliance with the Directive provisions and in particular regarding non-authorised GMOs (art. 4(5))
- establishment of prior notification procedures for Part B releases (art. 6) and for Part C releases (art. 13)

- establishment of risk assessment procedures for Part B (Art. 6-11) and Part C (Art. 13-24) releases
- establishment of a public register of locations of Part B releases (art. 31.3(a))
- establishment of a register of locations of GMOs grown under Part C (art. 31.3(b))
- establishment of procedures for consultation of the public and, where appropriate, groups (art. 9)
- establishment of a procedure requiring notifiers to send results of the release to the competent authority/ies (art. 10)
- ensuring that products placed on the market comply with specified labelling and packaging requirements (art. 21)
- ensuring confidentiality of information and intellectual property rights (art. 25)

Timetable: these provisions of the Directive shall be implemented within 2 years of the entry into force of this Agreement.

Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms

- adoption of national legislation and designation of competent authority/ies
- establishment of procedures for GMOs intended for deliberate release into the environment (art. 4 – 8)
- establishment of procedures for GMOs intended for direct use as food or feed, or for processing (art. 9 and 10) and for GMOs intended for contained use (art. 11)
- establishment of procedures for identification and accompanying documentation (art. 12) and for notification of transit of GMOs (art. 13)
- establishment of a system for ensuring confidentiality (art. 16)

Timetable: these provisions of the Regulation shall be implemented within 2 years of the entry into force of this agreement

Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms

- adoption of national legislation and designation of competent authority/ies
- classification of GMMs and ensuring users carry out risk assessments (art. 4)
- application of the general principles and the appropriate containment and other protective measures set out in Annex IV (art. 5)
- establishment of notification procedures (art. 6-9)
- establishment of criteria for emergency plans (art. 13-15)
- establishment of a system for ensuring confidentiality (art. 18)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

---



**ANNEX XXXI**

ANNEX XXXI to Chapter 6  
ENVIRONMENT

Implementation by Ukraine of the Kyoto Protocol, including all eligibility criteria for fully using the Kyoto mechanisms

Development of an action plan for long-term (i.e., post-2012) mitigation of and adaptation to climate change

Development and implementation of long-term measures to reduce emissions of greenhouse gases

---

## **ANNEX XXXII**

### ANNEX XXXII to Chapter 7 TRANSPORT

Ukraine undertakes to gradually approximate its legislation to the following EU legislation within the stipulated timeframes:

#### (1) ROAD TRANSPORT

Technical conditions

Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community

Timetable: the Directive's provisions shall be implemented for all vehicles engaged in international goods transport within 1 year and for all vehicles engaged in international passenger transport within 3 years of the entry into force of this Agreement, and for all vehicles, first registered after 1 January 2008, engaged in national transport within 4 years of the entry into force of this Agreement.

Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force for vehicles registered in the EU during their movement only in international network roads "E" according to Annex I of the European Agreement on Main International Traffic Arteries (AGR), of 15 November 1975, of this Agreement. The Association Council will take a decision on the extension of the application of the Directive's provisions to the whole network and all vehicles within 3 years of the entry into force of this Agreement.

Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers

Timetable: the Directive's provisions shall be implemented for all vehicles engaged in international goods transport within 1 year and for all vehicles engaged in international passenger transport within 3 years of the entry into force of this Agreement and all other vehicles within 5 years of the entry into force of this Agreement.

## Safety conditions

### Council Directive 91/439/EEC of 29 July 1991 on driving licences

- Introduction of the driving licence categories (art. 3)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- Conditions for issuing the driving licence (art. 4, 5, 6 and 7)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

- Requirements for driving tests (Annexes II and III)

Timetable: these provisions of the Directive shall be implemented within 3 years of the entry into force of this Agreement.

### Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods

Timetable: the Directive's provisions shall be implemented for all transport of dangerous goods in international road traffic within 1 year of the entry into force of this Agreement, in national road traffic within 3 years of the entry into force of this Agreement.

## Social conditions

Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85

Timetable: the Regulation's provisions shall be implemented in national transport within 5 years of the entry into force of this Agreement.

Council Regulation (EEC) 3821/85 of 20 December 1985 on recording equipment in road transport

Timetable: the Regulation's provisions shall be implemented in national transport within 5 years of the entry into force of this Agreement.

Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC

Timetable: the Directive's provisions shall be implemented in national transport within 5 years of the entry into force of this Agreement.

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC

- Articles 3, 4, 5, 6, 7 (without monetary value of the financial standing), 8, 10, 11, 12, 13, 14, 15 and Annex I

Timetable: these provisions of the Regulation shall be implemented for all transport undertakings engaged in international traffic within 3 years, all other within 7 years of the entry into force of this Agreement.

Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force of this Agreement in international transport and 5 years of the entry into force of this Agreement in national transport.

Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC

Timetable: the Directive's provisions shall be implemented for drivers engaged in international transport operations within 3 years of the entry into force of this Agreement, for drivers engaged in national transport operations within 5 years of the entry into force of this Agreement.

Fiscal conditions

Directive 99/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures

Timetable: the Directive's provisions shall be implemented once Ukraine decides to introduce tolls or charges for the use of its infrastructure.

## (2) RAILWAY TRANSPORT

### Market and infrastructure access

Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways

- Introduction of management independence and improvement of the financial situation (art. 2, 3, 4, 5 and 9)

Timetable: the provisions of the Directive shall be implemented within 8 years of the entry into force of this Agreement.

- Separation between infrastructure management and transport operations (art. 6, 7 and 8)

Timetable: the provisions of the Directive shall be implemented within 8 years of the entry into force of this Agreement.

Council Directive 95/18/EC of 19 June 1995 on the licensing of railway undertakings

- Introduction of licenses under the conditions listed in Articles 1, 2, 3, 4 (except for Article 4.5.), 5, 6, 7, 8, 9, 10, 11, 12, 13 and 15

Timetable: the provisions of the Directive shall be implemented within 8 years of the entry into force of this Agreement.



Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification

Timetable: the Directive's provisions shall be implemented within 8 years of the entry into force of this Agreement.

Regulation (EU) 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight

Timetable: the Regulation's provisions shall be implemented within 8 years of the entry into force of this Agreement.

Technical and safety conditions

Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive)

Timetable: the Directive's provisions shall be implemented within 8 years of the entry into force of this Agreement.

Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community

Timetable: the Directive's provisions shall be implemented within 8 years of the entry into force of this Agreement, paying particular attention to article 9.2 of this Directive allowing Ukraine to apply more stringent requirements than currently in force in Ukrainian legislation.

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods

Timetable: the Directive's provisions shall be implemented for all transport of dangerous goods in international rail traffic upon entry into force of this Agreement, in national traffic within 8 years of the entry into force of this Agreement.

Standardisation of accounts and statistics

Regulation (EEC) 1192/69 of the Council of 26 June 1969 on common rules for the normalisation of the accounts of railway undertakings

Timetable: the Regulation's provisions shall be implemented within 8 years of the entry into force of this Agreement.

## Interoperability

Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (Recast)

Timetable: the Directive's provisions shall be implemented within 8 years of the entry into force of this Agreement.

## Combined transport

Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States

Timetable: the Directive's provisions shall be implemented within 8 years of the entry into force of this Agreement.

## Other aspects

Regulation (EC) 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) 1191/69 and 1107/70

Timetable: the Regulation's provisions shall be implemented within 8 years of the entry into force of this Agreement except Article 7.2

Regulation (EC) 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations

Timetable: the Regulation's provisions shall be implemented within 8 years of the entry into force of this Agreement and for Articles 13, 16 and 17 the Association Council will decide on the deadline for implementation.

### (3) AIR TRANSPORT

- Conclude and implement a comprehensive Common Aviation Area Agreement.
- Without prejudice to the conclusion of the Common Aviation Area Agreement, ensure implementation and coordinated development of bilateral air services agreements between Ukraine and EU-Member States, as amended by the "horizontal agreement".

#### (4) MARITIME TRANSPORT

Maritime safety - Flag state / classification societies

Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations

Timetable: the Regulation's provisions shall be implemented within 5 years of the entry into force of this Agreement.

Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

## Port State

Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

## Liability of carriers of passengers

Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95

Timetable: the Regulation's provisions shall be implemented within 3 years of the entry into force of this Agreement.

Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents.

Timetable: the Regulation's provisions shall be implemented within 3 years of the entry into force of this Agreement

## Traffic monitoring

Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council

Directive 93/75/EEC

Timetable: the Directive's provisions shall be implemented within 6 years of the entry into force of this Agreement.

## Technical and operational rules

### Passenger ships

Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships

Timetable: the Directive's provisions shall be implemented within 4 years of the entry into force of this Agreement.

Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force of this Agreement.

Directive 2003/25/EC of the European Parliament and of the Council on specific stability requirements for ro-ro passenger ships

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force of this Agreement.

Oil tankers

Regulation (EC) 417/2002 of the European Parliament and of the Council of 18 February 2002 on the accelerated phasing-in of double hull or equivalent design requirements for single hull oil tankers and repealing Council Regulation (EC) 2978/94

The timetable of phasing-out single hull tankers will follow the schedule as specified in the MARPOL Convention of 1973.

Bulk carriers

Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.



## Crew

Directive 2008/106 on the minimum level of training of seafarers

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force of this Agreement.

## Environment

Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues

Timetable: the Directive's provisions shall be implemented within 6 years of the entry into force of this Agreement.

Regulation (EC) 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships

Timetable: the Regulation's provisions shall be implemented within 3 years of the entry into force of this Agreement.

## Technical conditions

Directive 2010/65 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community repealing Directive 2002/6/EC of the European Parliament and of the Council of 18 February 2002 valid until 18 May 2012

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

## Social conditions

Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) - Annex: European Agreement on the organisation of working time of seafarers, except Clause 16

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement, with the exception of Clause 16 which shall be implemented within 7 years of the entry into force of this Agreement.

Directive 1999/95/EC of the European Parliament and of the Council of 13 December 1999 concerning the enforcement of provisions in respect of seafarers' hours of work on board ships calling at Community ports

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

Maritime security

Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security

Timetable: the Directive's provisions (except those concerning Commission inspections) shall be implemented within 3 years of the entry into force of this Agreement.

Regulation (EC) 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security

Timetable: the Regulation's provisions (except those concerning Commission inspections) shall be implemented within 3 years of the entry into force of this Agreement.

## (5) INLAND WATERWAY TRANSPORT

### Functioning of the market

Council Directive (EC) No 96/75 on the systems of chartering and pricing in national and international inland waterway transport in the Community

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

### Access to the profession

Council Directive (EEC) No 87/540 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation

Timetable: the Directive's provisions shall be implemented within 3 years of the entry into force of this Agreement.

Council Directive 96/50/EC on the harmonization of the conditions for obtaining national boat masters' certificates for the carriage of goods and passengers by inland waterway in the Community

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

## Safety

Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels

Timetable: the Directive's provisions will be transposed in the framework of the Danube Commission.

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods

Timetable: the Directive's provisions shall be implemented for all inland water way transport of dangerous goods in international traffic within 1 year of the entry into force of this Agreement, in national traffic within 3 years of the entry into force of this Agreement.

## River Information Services

Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community

Timetable: the Directive's provisions shall be implemented within 5 years of the entry into force of this Agreement.

---

**ANNEX XXXIII**

ANNEX XXXIII to Chapter 7

TRANSPORT

1. The Parties recognise the importance of improving transport connections by making them smoother, safer and more reliable. This is to the mutual benefit of the EU and Ukraine. The Parties will cooperate in order to develop further transport connections in particular through:
  - (a) policy cooperation, improved administrative procedures at the border crossings and removal of bottlenecks in infrastructure;
  - (b) cooperation within the Eastern Partnership Transport Panel, a result-oriented permanent framework for transport cooperation between the EU and the Eastern Partnership countries;
  - (c) cooperation with International Financial Institutions that can contribute to improved transport;
  - (d) further develop a Ukrainian co-ordination mechanism and information system to ensure effectiveness and transparency of infrastructure planning, including traffic management systems, charging and financing;
  - (e) adoption of border crossing facilitation actions in line with the stipulations in the customs part of this Agreement that aim to improve the functioning of the transport network in order to increase the fluidity of the transport flows between Ukraine, regional partners and the EU;

- (f) exchange of best practice on financing options of projects (both infrastructure and horizontal measures), including public-private partnerships, relevant legislation and user charging;
  - (g) taking into account where relevant the environmental provisions as set out in the environmental part of this Agreement in particular the Strategic Impact Assessment, Environmental Impact Assessment, nature-related and air quality-related directives;
  - (h) development of efficient traffic management systems such as ERTMS at regional level ensuring cost effectiveness, interoperability and high quality.
2. The Parties take note of the indicative maps submitted by Ukraine. The Parties will cooperate in order to establish Ukraine's strategic transport network connected to the TEN-T network as well as to networks of the region.
3. The Parties will seek to identify projects of mutual interest located on the strategic transport network of Ukraine.
4. Maps





