

ASSOCIATION AGREEMENT
between the European Union and its Member States, of the one part,
and Ukraine, of the other part

May 29, 2014

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States',

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU'

and

THE EUROPEAN ATOMIC ENERGY COMMUNITY, hereinafter referred to as 'the EURATOM'

on the one part, and

UKRAINE

on the other part,

Hereafter jointly referred to as 'the Parties',

TAKING ACCOUNT of the close historical relationship and progressively closer links between the Parties as well as their desire to strengthen and widen relations in an ambitious and innovative way;

COMMITTED to a close and lasting relationship that is based on common values, namely respect for democratic principles, the rule of law, good governance, human rights and fundamental freedoms, including the rights of persons belonging to national minorities, non-discrimination of persons belonging to minorities and respect for diversity, human dignity and commitment to the principles of a free market economy, which would facilitate the participation of Ukraine in European policies;

RECOGNISING that Ukraine as a European country shares a common history and common values with the Member States of the European Union (EU) and is committed to promoting those values;

NOTING the importance Ukraine attaches to its European identity;

TAKING INTO ACCOUNT the strong public support in Ukraine for the country's European choice;

CONFIRMING that the European Union acknowledges the European aspirations of Ukraine and welcomes its European choice, including its commitment to building a deep and sustainable democracy and a market economy;

RECOGNISING that the common values on which the European Union is built – namely democracy, respect for human rights and fundamental freedoms, and the rule of law – are also essential elements of this Agreement;

ACKNOWLEDGING that the political association and economic integration of Ukraine with the European Union will depend on progress in the implementation of this Agreement as well as Ukraine's track record in ensuring respect for common values, and progress in achieving convergence with the EU in political, economic and legal areas;

COMMITTED to implementing all the principles and provisions of the United Nations Charter, the Organization for Security and Cooperation in Europe (OSCE), in particular the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe, the concluding documents of the Madrid and Vienna Conferences of 1991 and 1992 respectively, the Charter of Paris for a New Europe of 1990, the United Nations Universal Declaration on Human Rights of 1948 and the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms of 1950;

DESIROUS of strengthening international peace and security as well as engaging in effective multilateralism and the peaceful settlement of disputes, in particular by closely cooperating to that end within the

framework of the United Nations (UN), the OSCE and the Council of Europe;

COMMITTED to promoting the independence, sovereignty, territorial integrity and inviolability of borders;

DESIROUS of achieving an ever-closer convergence of positions on bilateral, regional and international issues of mutual interest, taking into account the Common Foreign and Security Policy (CFSP) of the European Union, including the Common Security and Defence Policy (CSDP);

COMMITTED to reaffirming the international obligations of the Parties, to fighting against the proliferation of weapons of mass destruction and their means of delivery, and to cooperating on disarmament and arms control;

DESIROUS of moving the reform and approximation process forward in Ukraine, thus contributing to the gradual economic integration and deepening of political association;

CONVINCED of the need for Ukraine to implement the political, socio-economic, legal and institutional reforms necessary to effectively implement this Agreement and committed to decisively supporting those reforms in Ukraine;

DESIROUS of achieving economic integration, *inter alia* through a Deep and Comprehensive Free Trade Area (DCFTA) as an integral part of this Agreement, in compliance with rights and obligations arising out of the World Trade Organisation (WTO) membership of the Parties, and through extensive regulatory approximation;

RECOGNISING that such a Deep and Comprehensive Free Trade Area, linked to the broader process of legislative approximation, will contribute to further economic integration with the European Union Internal Market as envisaged in this Agreement;

COMMITTED to developing a new climate conducive to economic relations between the Parties, and above all for the development of trade and investment and stimulating competition, factors which are crucial to economic restructuring and modernisation;

COMMITTED to enhancing energy cooperation, building on the commitment of the Parties to implement the Energy Community Treaty;

COMMITTED to enhancing energy security, facilitating the development of appropriate infrastructure and increasing market integration and regulatory approximation towards key elements of the EU *acquis*, promoting energy efficiency and the use of renewable energy sources as well as achieving a high level of nuclear safety and security;

COMMITTED to increasing dialogue – based on the fundamental principles of solidarity, mutual trust, joint responsibility and partnership – and cooperation on migration, asylum and border management, with a comprehensive approach paying attention to legal migration and to cooperating in tackling illegal immigration, and trafficking in human beings, and ensuring the efficient implementation of the readmission agreement;

RECOGNISING the importance of the introduction of a visa-free travel regime for the citizens of Ukraine in due course, provided that the conditions for well-managed and secure mobility are in place;

COMMITTED to combating organised crime and money laundering, to reducing the supply of and demand for illicit drugs and to stepping up cooperation in the fight against terrorism;

COMMITTED to enhancing cooperation in the field of environmental protection and to the principles of sustainable development and green economy;

DESIROUS of enhancing people-to-people contacts;

COMMITTED to promoting cross-border and inter-regional cooperation;

COMMITTED to gradually approximating Ukraine's legislation with that of the Union along the lines set out in this Agreement and to effectively implementing it;

TAKING INTO ACCOUNT that this Agreement will not prejudice and leaves open future developments in EU-Ukraine relations;

CONFIRMING that the provisions of this Agreement that fall within the scope of Part III, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the European Union, unless the European Union together with the United Kingdom and/or Ireland jointly notify Ukraine that the United Kingdom or Ireland is bound as part of the European Union in accordance with Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on the Functioning of the European Union. If the United Kingdom and/or Ireland ceases to be bound as part of the European Union in accordance with Article 4a of Protocol No. 21 or in accordance with Article 10 of Protocol No. 36 on transitional provisions annexed to the Treaties, the European Union together with the United Kingdom and/or Ireland shall immediately inform Ukraine of any change in their position, in which case they shall remain bound by the provisions of the Agreement in their own right. The same applies to Denmark, in accordance with Protocol No. 22 on the position of Denmark, annexed to the Treaties.

HAVE AGREED AS FOLLOWS

Article 1
Objectives

1. An association between the Union and its Member States, of the one part, and Ukraine, of the other part, is hereby established.
2. The aims of this association are:
 - (a) to promote gradual rapprochement between the Parties based on common values and close and privileged links, and increasing Ukraine's association with EU policies and participation in programmes and agencies;
 - (b) to provide an appropriate framework for enhanced political dialogue in all areas of mutual interest;
 - (c) to promote, preserve and strengthen peace and stability in the regional and international dimensions in accordance with the principles of the

United Nations Charter, and of the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe and the objectives of the Charter of Paris for a New Europe of 1990;

- (d) to establish conditions for enhanced economic and trade relations leading towards Ukraine's gradual integration in the EU Internal Market, including by setting up a Deep and Comprehensive Free Trade Area as stipulated in Title IV (Trade and Trade-related Matters) of this Agreement, and to support Ukrainian efforts to complete the transition into a functioning market economy by means of, inter alia, the progressive approximation of its legislation to that of the Union;
- (e) to enhance cooperation in the field of Justice, Freedom and Security with the aim of reinforcing the rule of law and respect for human rights and fundamental freedoms;
- (f) to establish conditions for increasingly close cooperation in other areas of mutual interest.

TITLE I GENERAL PRINCIPLES

Article 2

Respect for democratic principles, human rights and fundamental freedoms, as defined in particular in the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe and the Charter of Paris for a New Europe of 1990, and other relevant human rights instruments, among them the UN Universal Declaration of Human Rights and the European Convention on Human Rights and Fundamental Freedoms, and respect for the principle of the rule of law shall form the basis of the domestic and external policies of the Parties and constitute essential elements of this Agreement. Promotion of respect for the principles of sovereignty and territorial integrity, inviolability of borders and independence, as well as countering the proliferation of weapons of mass destruction, related materials and their means of delivery also constitute essential elements of this Agreement.

Article 3

The Parties recognise that the principles of a free market economy underpin their relationship. The rule of law, good governance, the fight against corruption, the fight against the different forms of trans-national organised crime and terrorism, the promotion of sustainable development and effective multilateralism are central to enhancing the relationship between the Parties.

TITLE II

**POLITICAL DIALOGUE AND REFORM, POLITICAL ASSOCIATION,
COOPERATION AND CONVERGENCE IN THE FIELD OF FOREIGN AND
SECURITY POLICY***Article 4***Aims of political dialogue**

1. Political dialogue in all areas of mutual interest shall be further developed and strengthened between the Parties. This will promote gradual convergence on foreign and security matters with the aim of Ukraine's ever-deeper involvement in the European security area.
2. The aims of political dialogue shall be:
 - (a) to deepen political association and increase political and security policy convergence and effectiveness;
 - (b) to promote international stability and security based on effective multilateralism;
 - (c) to strengthen cooperation and dialogue between the Parties on international security and crisis management, particularly in order to address global and regional challenges and key threats;
 - (d) to foster result-oriented and practical cooperation between the Parties for achieving peace, security and stability on the European continent;
 - (e) to strengthen respect for democratic principles, the rule of law and good governance, human rights and fundamental freedoms, including

the rights of persons belonging to national minorities, non-discrimination of persons belonging to minorities and respect for diversity, and to contribute to consolidating domestic political reforms;

- (f) to develop dialogue and to deepen cooperation between the Parties in the field of security and defence;
- (g) to promote the principles of independence, sovereignty, territorial integrity and the inviolability of borders.

Article 5

Fora for the conduct of political dialogue

1. The Parties shall hold regular political dialogue meetings at Summit level.
2. At ministerial level, political dialogue shall take place, by mutual agreement, within the Association Council referred to in Article 460 of this Agreement and within the framework of regular meetings between representatives of the Parties at Foreign Minister level.
3. Political dialogue shall also take place in the following formats:
 - (a) regular meetings at Political Directors, Political and Security Committee and expert level, including on specific regions and issues, between representatives of the European Union on the one hand, and representatives of Ukraine on the other;
 - (b) taking full and timely advantage of all diplomatic and military channels between the Parties, including appropriate contacts in third countries and within the United Nations, the OSCE and other international fora;
 - (c) regular meetings both at the level of high officials and of experts of the military institutions of the Parties;
 - (d) any other means, including expert-level meetings, which would contribute to improving and consolidating this dialogue.

4. Other procedures and mechanisms for political dialogue, including extraordinary consultations, shall be set up by the Parties by mutual agreement.
5. Political dialogue at parliamentary level shall take place within the framework of the Parliamentary Association Committee referred to in Article 467 of this Agreement.

Article 6

Dialogue and cooperation on domestic reform

The Parties shall cooperate in order to ensure that their internal policies are based on principles common to the Parties, in particular stability and effectiveness of democratic institutions and the rule of law, and on respect for human rights and fundamental freedoms, in particular as referred to in Article 14 of this Agreement.

Article 7

Foreign and security policy

1. The Parties shall intensify their dialogue and cooperation and promote gradual convergence in the area of foreign and security policy, including the Common Security and Defence Policy (CSDP), and shall address in particular issues of conflict prevention and crisis management, regional stability, disarmament, non-proliferation, arms control and arms export control as well as enhanced mutually-beneficial dialogue in the field of space. Cooperation will be based on common values and mutual interests, and shall aim at increasing policy convergence and effectiveness, and promoting joint policy planning. To this end, the Parties shall make use of bilateral, international and regional fora.
2. Ukraine, the EU and the Member States reaffirm their commitment to the principles of respect for independence, sovereignty, territorial integrity and inviolability of borders, as established in the UN Charter and the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe, and to promoting these principles in bilateral and multilateral relations.

3. The Parties shall address in a timely and coherent manner the challenges to these principles at all appropriate levels of the political dialogue provided for in this Agreement, including at ministerial level.

Article 8

International Criminal Court

The Parties shall cooperate in promoting peace and international justice by ratifying and implementing the Rome Statute of the International Criminal Court (ICC) of 1998 and its related instruments.

Article 9

Regional stability

1. The Parties shall intensify their joint efforts to promote stability, security and democratic development in their common neighbourhood, and in particular to work together for the peaceful settlement of regional conflicts.
2. These efforts shall follow commonly shared principles for maintaining international peace and security as established by the UN Charter, the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe and other relevant multilateral documents.

Article 10

Conflict prevention, crisis management and military-technological cooperation

1. The Parties shall enhance practical cooperation in conflict prevention and crisis management, in particular with a view to increasing the participation of Ukraine in EU-led civilian and military crisis management operations as well as relevant exercises and training activities, including those carried out in the framework of the Common Security and Defence Policy (CSDP).
2. Cooperation in this field shall be based on modalities and arrangements between the EU and Ukraine on consultation and cooperation on crisis management.

3. The Parties shall explore the potential of military-technological cooperation. Ukraine and the European Defence Agency (EDA) shall establish close contacts to discuss military capability improvement, including technological issues.

Article 11

Non-proliferation of weapons of mass destruction

1. The Parties consider that the proliferation of weapons of mass destruction, related materials and their means of delivery, to both state and non-state actors, represents one of the most serious threats to international stability and security. The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction, related materials and their means of delivery through full compliance with, and national implementation of, their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations. The Parties agree that this provision constitutes an essential element of this Agreement.
2. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction, related materials and their means of delivery by:
 - (a) taking steps to sign, ratify or accede to, as appropriate, and fully implement all other relevant international instruments;
 - (b) further improving the system of national export controls, in order to control effectively the export as well as transit of goods related to weapons of mass destruction, including an end-use control on dual use technologies and goods, as well as effective sanctions for violations of export controls.
3. The Parties agree to establish a regular political dialogue that will accompany and consolidate these elements.

*Article 12***Disarmament, arms controls, arms export control and the fight against illicit trafficking of arms**

The Parties shall develop further cooperation on disarmament, including in the reduction of their stockpiles of redundant small arms and light weapons, as well as dealing with the impact on the population and on the environment of abandoned and unexploded ordnance as referred to in Chapter 6 (Environment) of Title V of this Agreement. Cooperation on disarmament shall also include arms controls, arms export controls and the fight against illicit trafficking of arms, including small arms and light weapons. The Parties shall promote universal adherence to, and compliance with, relevant international instruments and shall aim to ensure their effectiveness, including through implementation of the relevant United Nations Security Council Resolutions.

*Article 13***Combating terrorism**

The Parties agree to work together at bilateral, regional and international levels to prevent and combat terrorism in accordance with international law, international human rights standards, and refugee and humanitarian law.

TITLE III

JUSTICE, FREEDOM AND SECURITY*Article 14***The rule of law and respect for human rights and fundamental freedoms**

In their cooperation on justice, freedom and security, the Parties shall attach particular importance to the consolidation of the rule of law and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular. Cooperation will, in particular, aim at strengthening the judiciary, improving its efficiency, safeguarding its independence and impartiality, and combating corruption. Respect for human rights and fundamental freedoms will guide all cooperation on justice, freedom and security.

*Article 15***Protection of personal data**

The Parties agree to cooperate in order to ensure an adequate level of protection of personal data in accordance with the highest European and international standards, including the relevant Council of Europe instruments. Cooperation on personal data protection may include, inter alia, the exchange of information and of experts.

*Article 16***Cooperation on migration, asylum and border management**

1. The Parties reaffirm the importance of joint management of migration flows between their territories and shall further develop the comprehensive dialogue on all migration-related issues, including illegal migration, legal migration, smuggling of and trafficking in human beings, as well as the inclusion of migration concerns in the national strategies for economic and social development of the areas from which migrants originate. This dialogue is based on the fundamental principles of solidarity, mutual trust, joint responsibility and partnership.
2. In accordance with the relevant Union and national legislation in force, cooperation will, in particular, focus on:
 - (a) tackling the root causes of migration, pursuing actively the possibilities of cooperation in this field with third countries and in international fora;
 - (b) establishing together an effective and preventive policy against illegal migration, smuggling of migrants and trafficking in human beings including how to combat networks of smugglers and traffickers and how to protect the victims of such trafficking;
 - (c) establishing a comprehensive dialogue on asylum issues and in particular on matters relating to the practical implementation of the UN Convention of 1951 relating to the Status of Refugees and the Protocol relating to the Status of Refugees of 1967 and other relevant

international instruments, as well as ensuring the respect of the principle of '*non-refoulement*';

- (d) admission rules, the rights and status of persons admitted, and the fair treatment and integration of lawfully-residing non-nationals;
- (e) further developing operational measures in the field of border management;
 - (i) Cooperation on border management may include, inter alia, training, exchange of best practices including technological aspects, exchange of information in line with applicable rules and, where appropriate, exchange of liaison officers.
 - (ii) Efforts of the Parties in this field will aim at the effective implementation of the principle of integrated border management.
- (f) enhancing document security;
- (g) developing an effective return policy, including in its regional dimension; and
- (h) exchanging views on the informal employment of migrants.

Article 17

Treatment of workers

1. Subject to the laws, conditions and procedures applicable in the Member States and the EU, treatment accorded to workers who are Ukrainian nationals and who are legally employed in the territory of a Member State shall be free of any discrimination based on nationality as regards working conditions, remuneration or dismissal, compared to the nationals of that Member State.
2. Ukraine shall, subject to the laws, conditions and procedures in Ukraine, accord the treatment referred to in paragraph 1 of this Article to workers who are nationals of a Member State and who are legally employed in its territory.

Article 18
Mobility of workers

1. Taking into account the labour market situation in the Member States, subject to the legislation and in compliance with the rules in force in the Member States and the EU in the area of mobility of workers:
 - (a) the existing facilities of access to employment for Ukrainian workers accorded by Member States under bilateral agreements should be preserved and, if possible, improved;
 - (b) other Member States shall examine the possibility of concluding similar agreements.
2. The Association Council shall examine the granting of other more favourable provisions in additional areas, including facilities for access to professional training, in accordance with laws, conditions and procedures in force in the Member States and in the EU, and taking into account the labour market situation in the Member States and in the EU.

Article 19
Movement of persons

1. The Parties shall ensure the full implementation of:
 - (a) the Agreement between the European Community and Ukraine on the Readmission of Persons of 18 June 2007, (through the joint readmission committee set up by its Article 15);
 - (b) the Agreement between the European Community and Ukraine on the Facilitation of the Issuance of Visas of 18 June 2007, (through the joint committee for management of the agreement set up by its Article 12).
2. The Parties shall also endeavour to enhance the mobility of citizens and to make further progress on the visa dialogue.
3. The Parties shall take gradual steps towards a visa-free regime in due course, provided that the conditions for well- managed and secure

mobility, set out in the two-phase Action Plan on Visa Liberalization presented at the EU-Ukraine Summit of 22 November 2010, are in place.

Article 20

Money laundering and terrorism financing

The Parties shall work together in order to prevent and combat money laundering and terrorism financing. To this end the Parties shall enhance bilateral and international cooperation in this field, including at operational level. The Parties shall ensure implementation of relevant international standards, in particular those of the Financial Action Task Force (FATF) and standards equivalent to those adopted by the Union.

Article 21

Cooperation in the fight against illicit drugs, and on precursors and psychotropic substances

1. The Parties shall cooperate on issues relating to illicit drugs, on the basis of commonly agreed principles along the lines of the relevant international conventions, and taking into account the Political Declaration and the Special Declaration on the guiding principles of drug demand reduction, approved by the Twentieth United Nations General Assembly Special Session on Drugs in June 1998.
2. This cooperation shall aim to combat illicit drugs, reduce the supply of, trafficking in, and demand for, illicit drugs, and cope with the health and social consequences of drug abuse. It shall also aim at a more effective prevention of diversion of chemical precursors used for the illicit manufacture of narcotic drugs and psychotropic substances.
3. The Parties shall use the necessary methods of cooperation to attain these objectives, ensuring a balanced and integrated approach towards the issues at stake.

*Article 22***Fight against crime and corruption**

1. The Parties shall cooperate in combating and preventing criminal and illegal activities, organised or otherwise.
2. This cooperation shall address, inter alia:
 - (a) smuggling of, and trafficking in, human beings as well as firearms and illicit drugs;
 - (b) trafficking in goods;
 - (c) economic crimes including in the field of taxation;
 - (d) corruption, both in the private and public sector;
 - (e) forgery of documents;
 - (f) cybercrime.
3. The Parties shall enhance bilateral, regional and international cooperation in this field, including cooperation that involves Europol. The Parties shall further develop their cooperation as regards, inter alia:
 - (a) the exchange of best practice, including on investigation techniques and crime research;
 - (b) the exchange of information in line with applicable rules;
 - (c) capacity-building, including training and, where appropriate, the exchange of staff;
 - (d) issues relating to the protection of witnesses and victims.
4. The Parties are committed to implementing effectively the UN Convention against Transnational Organised Crime of 2000 and its

three Protocols, the UN Convention against Corruption of 2003 and other relevant international instruments.

Article 23

Cooperation in fighting terrorism

1. The Parties agree to cooperate in the prevention and suppression of acts of terrorism in accordance with international law, international human rights law, refugee law and humanitarian law, and the respective laws and regulations of the Parties. In particular, the Parties agree to cooperate on the basis of the full implementation of Resolution No. 1373 of the UN Security Council of 2001, the United Nations Global Counter- Terrorism Strategy of 2006 and other relevant UN instruments, and applicable international conventions and instruments.
2. They shall do so in particular by exchanging:
 - (a) information on terrorist groups and their support networks;
 - (b) experience and information on terrorism trends and on the means and methods of combating terrorism, including in technical areas, and training, and
 - (c) experience in respect of terrorism prevention.

All exchange of information shall take place in accordance with international and national law.

Article 24

Legal cooperation

1. The Parties agree to further develop judicial cooperation in civil and criminal matters, making full use of the relevant international and bilateral instruments and based on the principles of legal certainty and the right to a fair trial.
2. The Parties agree to facilitate further EU-Ukraine judicial cooperation in civil matters on the basis of the applicable multilateral legal

instruments, especially the Conventions of the Hague Conference on Private International Law in the field of international Legal Cooperation and Litigation as well as the Protection of Children.

3. As regards judicial cooperation in criminal matters, the Parties shall seek to enhance arrangements on mutual legal assistance and extradition. This would include, where appropriate, accession to, and implementation of, the relevant international instruments of the United Nations and the Council of Europe, as well as the Rome Statute of the International Criminal Court of 1998 as referred to in Article 8 of this Agreement, and closer cooperation with Eurojust.

Extract from: https://eeas.europa.eu/sites/eeas/files/association_agreement_ukraine_2014_en.pdf.