



Trade Facts

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Ukraine's Accession to the World Trade Organization (WTO) Fact Sheet on Implementation of WTO Rules

As part of its WTO accession package, Ukraine has enacted many new laws, amendments to laws, and administrative regulations to bring its trade regime into conformity with WTO provisions and to eliminate existing barriers to trade that are inconsistent with WTO rules. Most of these changes already are implemented; a few will become effective when Ukraine becomes a WTO Member later this year. Ukraine did not negotiate any transitional periods for the implementation of the mandatory WTO agreements from the date of accession.

The most significant legal changes and commitments occurred in the following areas:

- Ukraine revised its customs procedures (including customs valuation, fees for services, and rules of origin), eliminated WTO-inconsistent import and export restrictions, and established WTO-based import licensing procedures. In particular, Ukraine confirmed the removal of licensing and import approval requirements on the importation of ITA and other mass market technology goods with cryptographic capability.
- Ukraine eliminated discriminatory excise taxes and reformed its value-added tax (VAT) structure to ensure no less favorable treatment of imported agricultural products. Ukraine also committed to ensuring that the right to import and export would not be impaired (trading rights).
- Ukraine also confirmed that its still-numerous state-owned and state-controlled enterprises would make purchases and sales in international trade of goods and services based on commercial considerations and provide U.S. firms an adequate opportunity, in accordance with customary international practice, to make sales to and purchases from these firms.
- Ukraine addressed outstanding deficiencies in its implementation of intellectual property rights protection (as required by the WTO TRIPS Agreement), including providing, by the date of accession, for the protection of undisclosed information for pharmaceuticals (for 5 years) and agricultural chemicals (for 10 years). Ukraine strengthened its IP enforcement mechanisms and clarified its approach to geographical indications in line with the TRIPS Agreement.

- Ukraine's approach to the application of standards, technical regulations, and conformity assessment procedures was fully revised, and new laws established WTO-consistent methods of applying sanitary and phytosanitary measures to imports. These were major barriers to trade at the outset of the accession negotiations.
- Ukraine confirmed that all remaining prohibited industrial subsidies and trade-related investment measures (TRIMS) would be eliminated from the date of accession.
- Ukraine had shut down most of its special economic zones as part of eliminating export subsidies, and committed to apply WTO-consistent provisions if such mechanisms were ever restored, or if pre-shipment inspection mechanisms were incorporated in Ukraine's trade regime in the future.
- The transparency provisions and other institutional requirements of the WTO Agreements on TBT, SPS, and Services all will be in place from the date of accession. In addition, within two years of accession, Ukraine will establish enhanced transparency for laws and regulations affecting trade in goods, services, and TRIPS, providing comprehensive publication for comment prior to implementation for all trade-related regulations. Ukraine also confirmed its intention to establish a dedicated journal or website for this purpose.
- Ukraine agreed to initiate negotiations to join the Government Procurement Agreement (GPA) within one year of its accession and will join the Agreement on Trade in Civil Aircraft (ATCA) by 2010. These agreements are not mandatory for WTO Members.