

**CONFERENCE ON ACCESSION
TO THE EUROPEAN UNION
– UKRAINE –**

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ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
- Cluster 6 – External relations

ACCESSION NEGOTIATIONS

Ukraine

EU COMMON POSITION

(following Ukraine's Negotiating Position AD 35/26 CONF-UA 9)

Negotiating Cluster: 6

External Relations

Including chapters 30 – External relations, 31 – Foreign, security and defence policy

EUROPEAN UNION COMMON POSITION

This position of the European Union is based on its general position for the accession conference with Ukraine (AD 9/24 CONF-UA 2), and is subject to the negotiating principles endorsed therein, in particular:

- any view expressed by either Ukraine or the EU on a specific chapter of the negotiations will in no way prejudice the position which may be taken on other chapters;
- agreements reached in the course of negotiations on specific chapters, even partial ones, may not be considered as final until an overall agreement has been reached for all chapters;

as well as to the requirements set out in points 5, 12, 42, 49, 50, 51 and 52 of the Negotiating Framework.

The EU encourages Ukraine to continue the process of alignment with the EU *acquis* and its effective implementation and enforcement, and in general to develop already before accession, policies and instruments as close as possible to those of the EU.

The EU notes that Ukraine, in its position AD 35/26 CONF-UA 9 accepts the EU *acquis* under Cluster 6 as in force on 8 July 2026 and that it will be ready to implement it by the date of its accession to the European Union.

1. Chapter 30 – External relations

The EU notes Ukraine's partial alignment with the EU *acquis* in the field of the common commercial policy. The EU invites Ukraine to ensure the necessary administrative capacity is in place to enforce the implementation of the policy and to ensure that its international agreements are brought in conformity with the EU *acquis*, and that all directly applicable EU legislation in the field of EU common commercial policy is effectively applied by the date of accession. The EU notes Ukraine's commitment to bring in line its trade and investment agreements in line with the EU *acquis* by the date of accession. The EU invites Ukraine to cooperate closely with the European Commission on all changes to trade policy in the pre-accession period and to align itself with the policies and positions of the EU towards third countries and within international organisations, including in the World Trade Organization.

The EU underlines that it is the responsibility of Ukraine to ensure that upon accession all its **international agreements**, and in particular all trade related agreements or bilateral investment treaties between Ukraine and third countries, are in conformity with the EU *acquis*. The EU recalls that Ukraine will be required to terminate all existing bilateral agreements between Ukraine and third countries, and all other international agreements concluded by Ukraine which are incompatible with the obligations of EU membership, and particularly the exclusive competence of the EU for Common Commercial Policy.

The EU welcomes Ukraine's commitment to denounce all its free trade agreements in their entirety by the date of accession and to ensure that all agreements on trade, investment and economic cooperation and other relevant agreements are brought into conformity with the EU *acquis*. Ukraine is invited to keep the EU informed about the content of any negotiations in this regard with third countries and to closely coordinate any such negotiations with the Commission. The EU takes note of Ukraine's commitment whereby any new trade-related agreement which Ukraine may conclude with a third country between now and the date of accession should include a provision which enables Ukraine to terminate the agreement, before accession, without need for compensation of any kind by the EU. The EU notes that Ukraine must apply the EU common custom tariff for all products and the EU trade liberalisation in services, from the day of accession.

The EU notes Ukraine's partial alignment with the EU *acquis* on **export control of dual-use items**. The EU invites Ukraine to enhance its staff preparation to effectively apply the EU rules in this field already before the accession. The EU also stresses the importance for Ukraine to continually align its legal framework with the remaining provisions of Regulation (EU) 2021/821 on **dual-use items**. In terms of the international export control regimes, the EU takes note that Ukraine is a member of the **Wassenaar Arrangement**, the Australia Group, the Nuclear Supplier Group (NSG) and the Missile Technology Control Regime (MTCR). Ukraine also needs to apply the EU rules for official export credit support and ensure effective enforcement of EU trade defence measures upon accession.

The EU notes that there is no legislation governing the **screening of foreign direct investments (FDI)** in Ukraine and welcomes Ukraine's commitment to adopt new legislation aligning with the EU rules in this field. The EU underlines the importance for Ukraine to align with the provisions of Regulation (EU) 2019/452 on FDI screening – including any future revisions as envisaged in the Commission's Proposal for a new regulation on the screening of foreign investments of January 2024.

The EU notes that in the area of **foreign policy instruments**, Ukraine is party to the **Kimberley Process** in its own right since 2003, and that its national legal framework governing the trade in diamonds is in accordance with the Kimberley Process Certification Scheme (KPCS). The EU further notes that from the date of accession to the EU, Ukraine will become a member to the KPCS under EU membership and will no longer be a KPCS member in its own right as it is today. The EU notes Ukraine's plan to set up a Kimberley Process Union authority. The EU takes note that Ukraine is not aligned with the EU *acquis* on **anti-torture**. The EU underlines the importance for Ukraine to fully align with the provisions of Regulation (EU) 2019/125 on anti-torture, and recalls the need for efficient enforcement of the rules to be ensured upon accession.

The EU notes that in the field of **development action policy**, Ukraine is committed to the EU policy and principles guiding its international partnerships. The EU encourages Ukraine to establish a legal framework covering international cooperation and development policy in line with EU policies and principles, including strengthening administrative capacities and establishing a development agency.

The EU notes that in the field of **humanitarian aid policy**, Ukraine is committed to the EU policy and principles guiding the provision of humanitarian aid. The EU notes that Ukraine possesses capacities to provide humanitarian interventions and participates in the Union Civil Protection Mechanism. The EU further notes that Ukraine has a national legal framework in place, which is partially aligned with the EU *acquis* in this field. The EU invites Ukraine to develop a strategic policy framework for the provision of humanitarian aid to non-EU countries in accordance with EU policies and principles.

The EU notes that regarding **fight against corruption in external relations**, Ukraine has a legal framework as well as a national strategy in place for fighting corruption. The EU expects Ukraine to step up the fight against corruption through effective and sustained enforcement of the anti-corruption measures, including preventive measures and awareness-raising.

2. Chapter 31 – Foreign, security and defence policy

The EU welcomes that despite the challenges posed by Russia's ongoing war of aggression, Ukraine's foreign, security and defence policies are guided and reflect Ukraine's strategic choice towards EU membership.

Regarding **institutions and decision-making process**, the EU notes that Ukraine is on track to prepare for the efficient and timely implementation and to participate in the CFSP and CSDP and will be able to adapt its administration and capacities in the future. The EU underlines its far-reaching **political dialogue** with Ukraine, which has further intensified in the context of Russia's war of aggression. Ukraine maintains a close and intense political dialogue and has signed bilateral security agreements with the majority of EU Member States, which are complementary to the joint security commitments between the EU and Ukraine. The EU takes note of Ukraine's active role taking positions aligned with EU values and foreign policy interests and efforts to intensify its diplomatic engagement with global partners in the context of Russia's war of aggression and the outreach in support of a just, lasting and comprehensive peace.

Regarding the **Common Foreign and Security Policy (CFSP)**, the EU notes that in 2024, Ukraine has reached a 95% rate of alignment with statements of the High Representative on behalf of the EU and Council Decisions on restrictive measures. The EU strongly encourages Ukraine to take further concrete steps towards full alignment with statements by the High Representative on behalf of the EU and Council decisions on restrictive measures, in line with the principles of sovereignty and territorial integrity of all states, with a view to reaching 100% of alignment by the date of accession.

The EU notes that Ukraine is partially aligned with the EU *acquis* on **restrictive measures**. The EU expects Ukraine to fully align with all EU sanctions regimes by the date of accession and notes the efforts by the authorities to improve its national sanctions legislation and mechanisms, in particular for the effective implementation of EU sanctions and to counter circumvention. The EU invites Ukraine to continue strengthening its sanctions implementation framework in line with the EU *acquis*.

The EU takes note of Ukraine's commitment to support and participate in the measures and actions implemented by the EU in the area of **conflict prevention**. The EU notes that Ukraine's legislative and technical framework on conflict prevention is partially aligned with the EU *acquis*. In the context of CSDP, the EU invites Ukraine to further bridge the gap between early-warning and early action, ensuring that analysis guides conflict prevention actions in an integrated manner.

As regards **non-proliferation**, the EU notes that Ukraine supports the EU objectives on disarmament, arms control and non-proliferation and is ready to adopt and implement the related *acquis*. The EU takes note that Ukraine is state party to all major international agreements concerning non-proliferation of weapons of mass destruction, as well as in the area of conventional weapons. The EU underlines the importance of alignment with EU positions in various international non-proliferation and arms control fora, an important EU priority. The EU encourages Ukraine to ratify the Arms Trade Treaty; to remain committed to the humanitarian goal and to preserve and further, as far as possible, the global achievements of the Anti-Personnel Mine Ban Convention and its role; and to align its legal framework of arms export control with the Common Position 2008/944/CFSP.

The EU takes note of Ukraine's efforts to control over manufacture, acquisition, identification, registration, storage and protection of **small arms and light weapons (SALW)**. The EU welcomes that Ukraine is preparing a national strategy (roadmap) for countering and prevention of illegal trafficking of SALW, based on a comprehensive national threat assessment, with a view to adoption by December 2025. The EU invites Ukraine to outline in the strategy the scope of responsibilities of national authorities, actions to be taken in specified timeframe, and their financing and to adopt and implement it promptly, taking full advantage of assistance made available by the EU and international partners. Ukraine made progress in the area of SALW control and should continue to build a solid track record, including taking into account the risk of illicit arms trafficking.

Regarding **co-operation with international organisations** the EU notes that Ukraine is engaging with over 80 international organisations, including key institutions such as the United Nations, the Council of Europe, and the Organisation for Security and Co-operation in Europe. The EU welcomes that Ukraine is a State Party to the Rome Statute, which entered into force on 1 January 2025. The EU notes Ukraine's consistent alignment with EU positions in international fora and takes positive note of Ukraine's active engagement in the context of Russia's war of aggression and its commitment to a shared vision of peace, accountability and rules-based international order.

The EU takes positive note of Ukraine's active engagement in **international human rights fora** as well as its alignment with EU statements and positions therein. The EU welcomes Ukraine's commitment to continue aligning its priorities in the field of human rights with the EU's Action Plan on Human Rights and Democracy and the Gender Action Plan III (GAP III), as well as the Women, Peace and Security Action Plan.

The EU and Ukraine concluded a Security of Information Agreement (SIA) on the mutual protection of classified information in force since 2007. Ukraine's legislation and institutional framework are overall compatible with EU standards. The EU underlines that further adaptation of legislation and physical and cryptographic measures is required for Ukraine to be in a position to exchange electronically information classified at CONFIDENTIEL UE/UE CONFIDENTIAL and above.

The EU notes Ukraine's solid framework and welcomes its whole of government approach to countering **hybrid threats**. The EU invites Ukraine to continue updating relevant laws and aligning those with the EU *acquis*.

The EU encourages Ukraine to continue its efforts to closing space for **foreign information manipulation and interference** (FIMI), including disinformation. Ukraine is invited to assign Ukraine's representatives in the EU-Ukraine Working Group on Strategic Communications and to focus on the EU's FIMI Toolbox and the adoption of Digital Services Act-aligned. The EU takes note of Ukraine's intention to join the European Shield for Democracy.

Given the context of Russia's full-scale invasion and war of aggression against Ukraine, the EU-Ukraine military and security cooperation has been significantly enhanced in particular within the framework of the **European Peace Facility**.

The EU welcomes the increased cooperation with Ukraine in **security and defence** related matters, regularly discussed in the context of the EU-Ukraine and Defence Dialogues and other formats, and takes note of Ukraine's interest to develop the capacities of the Ukrainian defence industry through its integration into the EU's defence industrial base.

The EU takes note of Ukraine's previous contributions to EU crisis management missions and operations under the **Common Security and Defence Policy (CSDP)**, including to EUFOR Althea in Bosnia and Herzegovina and EUNAVFOR ATALANTA that were suspended following the introduction of martial law. As a consequence of Russia's war of aggression, military and security cooperation between Ukraine and the EU and its Member States was significantly enhanced including through the European Peace Facility (via the Assistance Measures for the provision of military equipment), and the EU Military Assistance Mission in support of Ukraine (EUMAM Ukraine) and the EU Advisory Mission for Civilian Security Sector Reform in Ukraine (EUAM Ukraine). Ukraine is prepared to resume its active participation in EU CSDP missions and operations once conditions allow for resuming external engagements.

The EU takes note of Ukraine's interest to participate in **Permanent Structured Cooperation** (PESCO) projects. The EU invites Ukraine to continue its efforts to participate in relevant PESCO projects in the future. As a Member States' driven framework, such requests are first evaluated by the participants of the respective projects.

The EU notes that regarding **fight against corruption in foreign, security and defence policy**, further decisive steps are needed to tackle corruption risks in the defence sector in the context of Russia's aggression against Ukraine. The EU invites Ukraine to strengthen its institutional framework to increase transparency and accountability, modernise the defence procurement systems, and to curb corrupt practices in military compensation systems.

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In view of the present state of preparations, the EU notes that, on the understanding that Ukraine has to continue to make progress in the alignment with and implementation of the EU *acquis* covered by the following chapters, these may only be provisionally closed once it is agreed by the EU that the following benchmarks are met:

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- Ukraine has aligned its legal framework with the remaining provisions of Regulation (EU) 2021/821 on the export control of dual-use goods, as amended, with the provisions of Regulation (EU) 2019/452 on FDI screening, as amended, and with the provisions of Regulations (EU) 2019/125 on anti-torture.
- Ukraine has submitted to the Commission an action plan with a comprehensive inventory of its international agreements with a view to bringing these agreements into conformity with the EU *acquis* from the day of accession.

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- Ukraine adopts a national strategy and action plan to counter trafficking and illegal possession of firearms, ammunition and explosives in the field of SALW control, outlining the scope of responsibilities of national authorities, actions to be taken within a specified timeframe, and their financing, and makes concrete progress in its implementation.

Monitoring of progress in the alignment with and implementation of the EU *acquis* will continue throughout the negotiations. The EU underlines that it will devote particular attention to monitoring all specific issues mentioned above with a view to ensuring Ukraine's administrative capacity, its capacity to complete legal alignment in all sectors under this cluster, as well as further progress in implementation and enforcement. Particular consideration needs to be given to the links between the chapters of the present cluster and other negotiation chapters. A final assessment of the conformity of Ukraine's legislation with the EU *acquis* as well as of its implementation capacity can only be made at a later stage of the negotiations.

In view of all the above considerations, the Conference will have to return to this cluster at an appropriate moment.

Furthermore, the EU recalls that there may be new EU *acquis* between 8 July 2026 and the conclusion of the negotiations.
