



NOTE VERBALE

The General Secretariat of the Council of the European Union presents its compliments to the Mission of Ukraine to the European Union and, on behalf of the President of the Council, has the honour to notify it that the European Union has completed its internal procedures necessary for the application on a provisional basis of the below provisions of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, signed at Brussels on 21 March 2014 and on 27 June 2014.

Ukraine having also completed the internal procedures necessary for this purpose, in accordance with its Article 486, the following provisions shall therefore be applied on a provisional basis from 1 January 2016 between the Union and Ukraine, but only to the extent that they cover matters falling within the Union's competence.

- Title IV (with the exception of Article 158 to the extent that it concerns criminal enforcement of intellectual property rights; and with the exception of Articles 285 and 286 to the extent that those Articles apply to administrative proceedings and review and appeal at Member State level).
- Title VII (with the exception of Article 479(1)), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement.
- Annexes I to XXV, as well as the Protocols I and II.

The provisional application of Article 279 shall not affect the sovereign rights of the Member States over their hydrocarbon resources in accordance with international law, including their rights and obligations as Parties to the 1982 UN Convention on the Law of the Sea;

The provisional application of Article 280(3) by the Union shall not affect the existing delineation of competences between the Union and its Member States in respect of the granting of authorisations for the prospection, exploration and production of hydrocarbon;

The General Secretariat of the Council of the European Union avails itself of this opportunity to renew to the Mission of Ukraine to the European Union the expression of its highest consideration.

Brussels, 16 November 2015

