

APPENDIX 1 TO ANNEX VIII

UKRAINE – LIST OF MFN EXEMPTIONS REFERRED TO IN ARTICLE 3.4

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Audiovisual Services - Production and distribution of audiovisual works through broadcasting and other forms of transmission to the public	Measures, which define works of European origin, in such a way as to extend national treatment to audiovisual works which meet certain linguistic and origin criteria regarding access to broadcasting or similar forms of transmission.	Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded.	Indefinite.	The measures aim, within the sector, to promote cultural values both within Ukraine, and with other countries in Europe, as well as achieving linguistic policy objectives.
Audiovisual Services - Production and distribution of cinematographic works and television programs	Measures based upon government-to-government framework agreements on co-production of audiovisual works, which confer national treatment to audiovisual works covered by these agreements, in particular in relation to distribution and access to funding.	All countries with which cultural cooperation may be desirable.	Indefinite.	The aim of such agreements is to promote cultural links between the countries concerned.
Audiovisual Services - Production and distribution of television programs and cinematographic works	Measures granting the benefit of any support programs (such as Action Plan for Advanced Television Services, MEDIA or EURIMAGES) to audiovisual works, and suppliers of such works, meeting certain European origin criteria.	European countries.	Indefinite.	These programs aim at preserving and promoting the regional identity of countries within Europe, which have longstanding cultural links.

Sector or Subsector	Description of measure indicating its inconsistency with Article 3.4	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Internal Waterways Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of the kind of economic activity in the territory of Ukraine or between the countries which are parties to the corresponding agreements including agreements relating to the use of the Rhine Main-Danube system.	All countries with which agreements are or will be in force.	Gradual elimination with final elimination by 17 May 2016.	Protection of integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned.
Rail Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which govern access and/or traffic rights and the terms of conduct of this kind of economic activity in the territory of Ukraine or between the countries which are parties to the corresponding agreements.	All countries with which agreements are or will be in force.	Indefinite.	Laws of Ukraine. Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned, taking account of the regional specificity of this kind of services.
Road Transport Passenger and Freight Transportation	Measures taken under existing or future agreements which reserve and/or restrict the supply of this kind of transportation services and specify the terms and conditions of this supply, incl. transit permits and/or preferential road taxes, in the territory of Ukraine or across the borders of Ukraine.	All countries with which agreements are or will be in force.	Indefinite.	Bilateral intergovernmental agreements on international road transportation, international conventions. Protection of the integrity of the infrastructure, as well as environmental protection, and regulation of traffic rights in the territory of Ukraine and between the countries concerned.