

# Canada-U.S. Blog

LEGAL DEVELOPMENTS AFFECTING CANADA-U.S. CROSS BORDER TRADE

## The Canada-Ukraine Free Trade Agreement Should Be Ratified in 2016

By Cyndee Todgham Cherniak on November 18th, 2015

Posted in Aerospace & Defence, Agriculture, Antidumping, Corporate Counsel, Cross-border deals, Cross-border trade, Customs Law, Environment, Export Controls & Economic Sanctions, Government Procurement, Intellectual Property, Labour, Legal Developments, Trade Agreements



When I say that the Canada-Ukraine Free Trade Agreement “should be ratified in 2016”, it is an opinion that it would be beneficial for ratification to occur. I do not have any inside knowledge about the new Trudeau Government’s plans. In fact, we have heard very little from PM Justin Trudeau or Canada’s new Trade Minister, Chrystia Freeland, concerning the Canada-Ukraine Free Trade Agreement, which was signed on July 14, 2015.

I gave a presentation to the Ukrainian Canadian Bar Association last night about the Canada-Ukraine Free Trade Agreement. Here is the link to the PowerPoint presentation – [Canada-Ukraine Free Trade Agreement – A Primer for Canadian Lawyers](#).

The Canada-Ukraine Free Trade Agreement is primarily a trade in goods agreement. It does not appear from the Canadian Government promotional materials to include a chapter of services, financial services, telecommunications or investment. The text has not yet been released — so, it is difficult to say what is in the agreement and what is not in the agreement.

We understand that the Canada-Ukraine Free Trade Agreement includes chapters on market access for goods (tariff elimination, tariff reductions and quantitative restrictions), rules of origin, trade facilitation, customs, emergency action and trade remedies, SPS measures, TBT measures, government procurement, competition policy, monopolies and state enterprises, intellectual property, labour, environment, trade-related cooperation, institutional provisions and dispute settlement.

We understand that Ukraine will eliminate immediately upon implementation or reduce duties on beef, pork, canola oil, grains, soybeans, potatoes, French fries, apples, wines, ice wines, maple syrup, forestry and wood products, processed foods, pet feed and animal feed, frozen fish, caviar, cosmetics, pharmaceuticals, iron and steel products, plastics, aerospace, industrial machinery, chemicals, cultures, medications, cooling coal, boring and sinking machinery, trailers, semi-trailers, air compressors, tractors, reservoir tanks, motor boats, asphalt, tires, musical instruments, telescopes, periscopes, drilling tools, and meteorological, geophysical and other surveying instruments.

We understand that Canada will immediately upon implementation 99.9% of its duties, including duties on industrial

products, fish and seafood, agricultural products, sunflower oil, sugar, chocolate, candies, molasses, baked goods, vodka, beer, apparel, ceramics, iron and steel and minerals. However, Canada's supply managed products (poultry, dairy and eggs) are still subject to quantitative restrictions.

There are many opportunities for Canadian and Ukrainian companies to access the other country's goods market. However, it is important to remember that Canada's export controls and economic sanctions laws still apply to restriction or oversee some trade.

Tags: Canada-Ukraine Free Trade Agreement, Ukraine

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