



Secretary-General
Secrétaire général

AG/2016.308.gms

21 June 2016

Dear Minister,

Pursuant to a Decision of the Council of the OECD on 28 April 2016, I have the honour, on behalf of the Governments of the Member countries of the Organisation for Economic Co-operation and Development (OECD), to invite Ukraine to:

- i) adhere, with the same rights and responsibilities as OECD Member and other Adherents, to
 - the Declaration on International Investment and Multinational Enterprises [C(76)99(Final) as amended]
 - the related Recommendations of the Council C(86)55(FINAL), C(87)76(FINAL), C(88)31(FINAL) and C(89)76(FINAL); C/MIN(2011)12/FINAL as amended;
 - the related procedural Decisions of the Council C(84)92, C(91)73 and C(91)47/FINAL as amended and C/MIN(2011)11/FINAL subject to the notification of exceptions to the National Treatment instrument set in the Annex to the present letter; and
- ii) become an Associate (i.e. participate on an equal footing as OECD Members) in the Investment Committee meeting in enlarged session for work related to the Declaration on International Investment and Multinational Enterprises and related Instruments and its Working Party on Responsible Business Conduct of the Investment Committee in line with the Revised Resolution of the Council on Partnerships in OECD Bodies (C(2012)100/REV1/FINAL);

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H.E. Mr. Stepan Kubiv
Vice Prime-Minister
Minister of Economic Development and Trade
Ukraine

Cc: H.E. Mr. Oleh Shamshur, Ambassador Extraordinary and Plenipotentiary of Ukraine to France
Ms. Yulia Kovaliv, First Deputy Minister, Ministry of Economic Development and Trade of Ukraine (ykovaliv@me.gov.ua)
Ms. Olena Tregub, Director of Department for International Co-operation, Ministry of Economic Development and Trade of Ukraine (olenatregub@me.gov.ua)
Ms. Iryna Korzh, Senior expert, Department for International Co-operation, Ministry of Economic Development and Trade of Ukraine (i.korzh@me.gov.ua)
Ms. Daria Dmytruk, Third Secretary, Embassy of Ukraine in France (daria.dmytruk@mfa.gov.ua)



In line with the Decision of the Council, this invitation is subject to Ukraine's reporting to the Investment Committee at its session of October 2017 on:

- Policy developments in light of the Recommendation of the Council on Guidelines for Recipient Country Investment Policies relating to National Security [C(2009)63];
- Progress in improving its regime for FDI pursuant to the National Treatment instrument, with a view of reducing the number of exceptions to national treatment;
- Progress in improving the business environment, including concerning judicial reform, efforts to tackle corruption and to streamline business related procedures, and policy developments in the mining sector;
- Action to implement the recommendations made in a capacity building exercise to be undertaken one year after adherence in line with the WPRBC's Implementation of an Action Plan to Strengthen NCPs [DAF/INV/RBC(2015)11/FINAL] .

The Investment Committee and its Secretariat will assist Ukraine in building its capacity to meet its commitments and obligations under the Declaration and related Decisions and Recommendations.

The amount of the contribution of Ukraine with respect to its participation in the work related to the Declaration and related Acts will be established in accordance with the terms and conditions set out in the Revised Resolution of the Council on Partnerships in OECD Bodies [C(2012)100/REV1/FINAL].

A copy of the Declaration and its related Decisions and Recommendations, together with the terms of reference of the bodies for which your participation is envisaged, are also reproduced in the Compendium of Instruments and Related Documents accompanying the present exchange of letters.

I propose that this letter and Ukraine's affirmative reply to it constitute an agreement between the Organisation and Ukraine, by which Ukraine accepts the invitation set out above and the rights and obligations related hereto.

Non-OECD Members which adhere to the Declaration are invited to become Associates also in the Freedom of Investment (FOI) Roundtable. The Roundtable, which is hosted by the Investment Committee, is a multilateral forum in which more than 50 OECD and emerging countries participate to exchange information and experience related to international investment policies. Associate status in the Roundtable requires explicit acceptance by Ukraine. Under the current rules, this form of participation does not trigger any additional fees.

I am pleased to welcome Ukraine in the work on international investment carried out by the Organisation and hope it will enhance the fruitful collaboration between Ukraine and the OECD.

Yours sincerely,

Angel Gurría