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PROPOSAL

From: Secretary-General of the European Commission, signed by Ms Martine
DEPREZ, Director

date of receipt: 1 September 2025

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the
European Union

Subject: Proposal for a COUNCIL DECISION on the position to be taken on
behalf of the European Union in the Joint Committee established by the
Agreement between the European Union and Ukraine on the Carriage
of Freight by Road, as regards the continuation of the Agreement

Delegations will find attached document COM(2025) 474 final.

Encl.: COM(2025) 474 final



Brussels, 1.9.2025
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Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement between the European Union and Ukraine on the Carriage of Freight by Road, as regards the continuation of the Agreement

EXPLANATORY MEMORANDUM

1. SUBJECT MATTER OF THE PROPOSAL

This proposal concerns the decision establishing the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement between the European Union and Ukraine on the Carriage of Freight by Road signed in Lyon on 29 June 2022¹ (hereinafter “the Agreement”) as regards the continuation of the Agreement in accordance with Article 7(2) therein.

2. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Agreement has been provisionally applied since 29 June 2022. It was approved on behalf of the European Union and entered into force on 5 December 2022². By Decision No 2/2023 of the Joint Committee of 16 March 2023, the Agreement was prolonged until 30 June 2024³. By Amending Agreement signed in Brussels on 20 June 2024, it was modified and prolonged until 30 June 2025, with tacit renewal for another period of six months⁴, and has been provisionally applied since then. On 17 June 2025, the European Parliament adopted its consent to the conclusion of the Amending Agreement and on 15 July 2025 the Council adopted its decision on the conclusion of the Amending Agreement. The Agreement as amended is applicable until 31 December 2025.

The Agreement aims at temporarily facilitating road freight transport between and through Ukraine and the European Union, by granting additional rights of transit and carriage of goods between Ukraine and the EU, following the illegal war of aggression against Ukraine by Russia and the significant disruptions it brings for all transport modes in Ukraine.

Since August 2023, Ukraine re-launched traffic through the Black Sea, which is mainly used for the export of grain, but with limited capacity for non-agricultural goods. However, security concerns remain critical and this route is not yet a reliable alternative to address the wider import and export needs of the country, including the provision of military and humanitarian aid and or fuel.

In this context, the EU-Ukraine Solidarity Lanes⁵ which use rail, road and inland waterways have become a lifeline for Ukraine, allowing for exports of some agricultural products, contributing to global food security. They remain the main option for the export of other Ukrainian goods (e.g., iron, steel) and for the import of all the goods Ukraine needs (including fuel and humanitarian aid). It is estimated that, in April 2025, the Solidarity Lanes accounted for 70% of Ukrainian exports of non-agricultural products (in comparison to around 30% through the Black Sea), and around 20% of Ukrainian exports of grain, oilseeds and related products (in comparison to around 80% through the Black Sea)⁶.

¹ OJ L 179, 6.7.2022, p. 4, ELI: http://data.europa.eu/eli/agree_internation/2022/1158/oj.

² Council Decision (EU) 2022/2435 of 5 December 2022 on the conclusion, on behalf of the European Union, of the Agreement between the European Union and Ukraine on the carriage of freight by road (OJ L 319, 13.12.2022, p. 5, ELI: <http://data.europa.eu/eli/dec/2022/2435/oj>).

³ OJ L 123, 8.5.2023, p. 36, ELI: <http://data.europa.eu/eli/dec/2023/929/oj>.

⁴ OJ 2024/1878, 2.7.2024, ELI: http://data.europa.eu/eli/agree_internation/2024/1878/oj.

⁵ https://eu-solidarity-ukraine.ec.europa.eu/eu-assistance-ukraine/eu-ukraine-solidarity-lanes_en

⁶ Source: European Commission own estimates, based on data provided by Ukrainian customs services.

Road transport is vital for trade between the EU and Ukraine through the Solidarity Lanes. It has particular importance for valuable non-agricultural imports, as in 2023 close to 50% of this type of goods were imported to Ukraine by road, representing more than 75% of non-agricultural imports in value terms.

A Joint Committee was established to supervise and monitor the application and implementation of the Agreement. It decides in particular on the continuation of the Agreement. In that regard, the Joint Committee shall assess and decide, at the latest three months before the expiry of the Agreement, that is to say at the latest on 30 September 2025, on the need for its continuation. According to Article 7(5) of the Agreement, the Joint Committee shall adopt its decisions by consensus.

This proposal follows two discussions held on 17 and 22 July 2025 in the Council Land Transport Working Party on the basis of a Commission non-paper.

- **Effects of the Agreement**

Data available to the Commission confirm that the Agreement still fulfils an essential function for Ukraine's economy and remains crucial for EU exports to Ukraine.

- According to Eurostat, the volume of EU imports from Ukraine by road significantly increased following the entry into force of the Agreement. EU imports by road from Ukraine increased by 64%, from 1,800 thousand tonnes in Q3/2021 to 2,945 thousand tonnes in Q3/2022 (all goods). Since then, EU imports from Ukraine have stabilized, reaching 7,749 thousand tonnes in 2024, which is 13% above the 6,869 thousand tonnes in 2021, before Russia's war of aggression against Ukraine. In value, EU imports by road from Ukraine have increased by 12%, from EUR 9,006 million in 2021 to EUR 10,108 million in 2024.
- EU exports by road to Ukraine in volume increased by 36%, from 1,797 thousand tonnes in Q3/2021 to 2,446 thousand tonnes in Q3/2022 according to Eurostat data (all goods). Since then, the overall volumes of EU exports by road towards Ukraine have stabilized, reaching 7,617 thousand tonnes in 2024, which is 11% above the 6,873 thousand tonnes in 2021, before Russia's war of aggression against Ukraine. In value, EU exports by road to Ukraine have increased by 48%, from EUR 22,526 million in 2021 to EUR 33,434 million in 2024.
- Since the signature of the Agreement, the value of EU exports to Ukraine by road has therefore grown at a higher pace than imports from Ukraine, resulting in a trade balance 73% higher in 2024 than in 2021 (from EUR 13,520 million in 2021 to EUR 23,326 million in 2024).
- These figures show that the optimization of road capacity was instrumental to support alternative corridors between the EU and Ukraine, helping the Ukrainian economy and allowing for the necessary transport of goods it needs, when traditional transport routes in the region became unavailable due to Russia's war of aggression against Ukraine.
- These positive trends are confirmed at national level for almost all Member States, and particularly for the Member States neighbouring Ukraine according to Eurostat data. In Poland, the value of exports by road to Ukraine was 85% higher in 2024 than in 2021, while the road imports from Ukraine increased by 8% during the same period, resulting in a positive trade balance of EUR 8,237 million in 2024. In Romania, the value of exports by road to Ukraine was 124% higher in 2024 than in

2021, while the road imports from Ukraine increased by 15% during the same period, resulting in a positive trade balance of EUR 677 million in 2024. In Slovakia, the value of exports by road to Ukraine was 106% higher in 2024 than in 2021, while the road imports from Ukraine increased by 31% during the same period, resulting in a positive trade balance of EUR 803 million in 2024. Only in Hungary there has been a slight drop of the trade balance, as the value of road exports decreased by 17% between 2021 and 2024 and road imports decreased by 22% during the same period, resulting in a negative trade balance of EUR 90 million in 2024.

- The importance of road transport is also demonstrated by the fact that 80% of Ukraine's fuel imports from the EU was transported by road. Road transport also makes up for about 70% of the pharmaceutical products imported from the EU to Ukraine and about 80% of all pharmaceutical imports to Ukraine was transported across the EU by road. The land corridors therefore remain essential, not only for grain, but importantly for all other products Ukraine needs or exports.
- Ukraine has set up in August 2023 an alternative corridor in the Black Sea to export mostly grain. However, this corridor remains subject to Russian attacks. The capacity of this corridor is estimated to be about 100 million tonnes per year, while the capacity of the Black Sea before the war was at a level of 150 million tonnes per year. In April 2025, Ukrainian exports through the Black Sea amounted to about 4.6 million tonnes, including some 3.2 million tonnes of agricultural products, and some 1.4 million tonnes of non-agricultural goods, while the Ukrainian imports through the Black Sea were estimated at around 0.7 million tonnes in April 2025⁷. This alternative Black Sea corridor, although it is a valuable element for the export of grain, cannot replace road transport for all goods, mostly when it comes to Ukrainian imports from the EU. Moreover, road transport offers a more flexible and reliable alternative than other modes of transport, and particularly for high-added value goods.
- Available data suggest that the number of EU road carriers crossing the Ukrainian border has decreased from 370 000 in 2021 and 345 000 in 2022 to 303 000 in 2023 and 203 000 in 2024⁸. Some Member States report a loss of market share of the road hauliers established on their territories compared with the road hauliers established in Ukraine as regards the volume of trade by road between the EU and Ukraine. These Member States claim that this would be the result of the lower operating costs of Ukrainian hauliers. Several other factors may have contributed to this decrease. The war has made it more difficult for EU hauliers to be active in Ukraine, notably because of the reluctance of EU hauliers to go to some parts of Ukraine that are closer to the frontline and the difficulty to get insurances to cover war related risks. Moreover, road transport operations from and to Ukraine represent on average only a small proportion of the business of EU hauliers even from bordering Member States. Therefore, while a market impact may be felt on a local level, the Commission has no evidence that the Agreement has caused any major distortion of the road transport markets of Member States.

⁷ Source: European Commission own estimates, based on data provided by Ukrainian customs services.

⁸ Source: Data provided by Ukrainian authorities.

3. CONTINUATION OF THE AGREEMENT

• The Joint Committee

Article 7 of the Agreement established a Joint Committee to supervise and monitor the application and implementation of the Agreement and periodically review its functioning in light of its objectives. According to that provision, the Joint Committee is composed by representatives of the Parties. Its decisions are taken by consensus and are binding on the Parties.

According to Article 7(2), the Joint Committee shall be convened, at the latest three months before the expiry of the Agreement, in order to assess and decide the need for the continuation of the Agreement, and the duration thereof.

• The envisaged act of the Joint Committee

The Joint Committee should adopt a decision regarding the continuation of the Agreement until 31 March 2027, in accordance with Article 7(2) of the Agreement.

The reasons for the extension are many-fold:

- First, the monitoring of the Agreement has shown that it has played an essential role in the context of the Solidarity Lanes, providing a lifeline to the Ukrainian economy, not only for the export of agricultural produce, but also facilitating the export of Ukrainian non-agricultural goods.
- Second, the Agreement has also been critical in ensuring that Ukraine has access to the imports it needs, including fuel and humanitarian aid. In this respect, it has been instrumental in the surge of EU exports towards Ukraine, providing economic gains for the Union and its Member States. It may also, especially for bordering Member States, contribute to balance the collapse of exports to Russia resulting from EU sanctions.
- Third, the increase of trade by road between the EU and Ukraine demonstrates that the Agreement is and will remain critical to support Ukraine and its reconstruction efforts in the face of the Russian war of aggression.
- Fourth, the Commission has not identified any major disturbance on the EU haulage market due to the Agreement. Possible unfair competition from Ukrainian hauliers within the EU arising from the Agreement is limited, as Ukrainian hauliers are granted only limited rights for access to the market compared to the rights that hauliers established in the EU Member States enjoy. Indeed, only bilateral trade and transit are allowed under the Agreement, with cross border trade and cabotage being prohibited. Moreover, road transport operations from and to Ukraine represent, on average, only a small proportion of the business of EU hauliers. Therefore, while a market impact may be felt on a local or regional level which requires closer monitoring, there is no evidence that the Agreement has caused any major disturbance of the road transport market, at EU or even national level.
- Fifth, the modifications to the Agreement made in 2024 have substantially strengthened its enforcement, establishing a legal framework that enables effective controls and the prevention of abuses. Meetings of the ad hoc working group on the practical implementation of the Agreement, established under Article 7A thereof, took place on 24 March and 25 June 2025. The monitoring of the implementation of the Agreement did not evidence any major issue of non-compliance or abuses. In particular, the implementation of the obligation for drivers to carry the authorisation

in the vehicle, under Article 5A of the Agreement, did not give rise to any significant difficulties, and the QR code included in the authorisations carried by the Ukrainian hauliers is effective in enabling an effective control of their existence and validity. The obligation to carry a sticker under Article 5C of the Agreement appears to be well respected. As regards the implementation of the measures necessary to ensure compliance by road haulage operators with their obligations, under Article 5D of the Agreement, one Member State reported a significant number of infringements, which are currently being subject, with the involvement of the operators concerned, to the necessary procedures in Ukraine for the possible adoption of any necessary follow-up measures. To this date, none of these reports led to the exclusion of Ukrainian road haulage operators of the possibility to avail themselves from the rights laid down by the Agreement in its Article 5D(3). Finally, no issues were reported by Member States as regards the implementation of the obligation to carry certain documents at roadside checks for the control of road transport services, under Article 5B of the Agreement, or the implementation of the mutual assistance clause set out in Article 5E of the Agreement.

Furthermore, the continuation of the Agreement until 31 March 2027 is necessary because the conditions justifying the conclusion of the original agreement continue to prevail. Russia's war of aggression against Ukraine has not stopped, and the Agreement would be instrumental in assisting the reconstruction efforts of Ukraine, even in case of a cease-fire or peace process.

It remains that a negative impact on the road haulage industry has been invoked by two Member states bordering Ukraine and echoed by two others. There is currently a lack of data to assess the magnitude of the potential problem, to which extent it is the consequence of the Agreement, and what could be its remedies. Any further prolongation of the Agreement should therefore take into account the results of a study on the impact of the Agreement on the road transport industry, at EU and national level, which should be delivered to the Commission before the expiry of the Agreement on 31 March 2027. This study will concern each of the twenty-seven Member States but will pay particular attention to the Member States likely to be confronted to direct competition from Ukrainian hauliers and, in the first place, those bordering Ukraine (Poland, Slovakia, Hungary and Romania) and, in the second place, those which might be more directly impacted than the rest of Member States even though they do not share a border with Ukraine (Estonia, Latvia, Lithuania, Czech Republic, Slovenia, Croatia, Bulgaria). As regards the Member States bordering Ukraine, it will also look at any sub-national effect or at any effect for a certain category of carriers. The study will in particular describe the respective position of EU and Ukrainian hauliers in the transport of goods by road between the EU and Ukraine; it will compare it with the pre-war position; it will explain the reasons of any evolution; it will assess the impact of any evolution; it will propose, in order to protect the interests of EU operators, remedies to any negative impact observed, including if appropriate the end of the Agreement and its possible replacement by other appropriate measures in favour of Ukraine.

Moreover, in order to answer the concerns on the level playing field between EU and Ukrainian road haulage operators raised by some Member States (see above), the early alignment of Ukraine with some major parts of the EU road transport acquis will be part of a roadmap, agreed with the Ukrainian government and monitored by the Commission. The progress will be taken into account for any further prolongation of the Agreement. This will concern in particular the social pillar of the road transport acquis (driving times, breaks and rest periods; working times), the early introduction of the smart tachographs version 2 and the market pillar of the road transport acquis (establishment of a national electronic register of road transport undertakings complying with EU specifications, conditions related to the

requirement of establishment) in accordance with the appendix to the enclosed draft decision of the Joint Committee. These obligations were selected because they are elements of the *acquis* not yet transposed by Ukraine and which are key to create a level playing field between the EU and Ukraine within the framework of the Agreement (access to the market rules and social rules). This should be seen against the background of the current accession negotiations⁹

This proposal follows a proposal for the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement between the European Union and the Republic of Moldova on the Carriage of Freight by Road¹⁰, as regards the continuation of that Agreement¹¹. This proposal concerns a prolongation for 18 months of the Agreement with the Republic of Moldova, which was signed by the Union on 29 June 2022¹² and prolonged until 31 December 2025¹³.

4. POSITION TO BE TAKEN ON THE UNION'S BEHALF

The position to be adopted on behalf of the Union should therefore be in accordance with the draft decision of the Joint Committee attached to this proposal.

5. LEGAL BASIS

Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) provides for Council decisions establishing ‘the positions to be adopted on the Union’s behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.’

The concept of ‘acts having legal effects’ includes acts that have legal effects by virtue of the rules of international law governing the body in question.

The Joint Committee is a body set up by an agreement, namely the Agreement between the European Union and Ukraine on the Carriage of Freight by Road.

The envisaged decision on the extension of the duration of the Agreement, which the Joint Committee is called upon to adopt, constitutes an act having legal effects and will be binding under international law, in accordance with Article 7(2) of the Agreement.

The envisaged act does not supplement or amend the institutional framework of the Agreement. Therefore, the procedural legal basis for the proposed Council decision is Article 218(9) TFEU.

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act in respect of which a position is taken on the Union's behalf. If the envisaged act pursues two aims or has two components and if one of those aims or components is identifiable as the main one, whereas the other is merely incidental, the decision under Article 218(9) TFEU must be founded on a single substantive legal basis, namely that required by the main or predominant aim or component.

The main objective and content of the envisaged act relates to road transport. Therefore, the substantive legal basis of the proposed decision is Article 91 TFEU.

⁹ EUCO 20/23

¹⁰ OJ L 181, 7.7.2022, p. 4, ELI: http://data.europa.eu/eli/agree_internation/2022/1165/oj.

¹¹ COM(2025)411 final

¹² OJ L 226, 14.9.2023, p. 1.

¹³ OJ 2024/1266, 30.4.2024.

6. PUBLICATION OF THE ENVISAGED ACT

It is appropriate to publish the decision of the Joint Committee in the Official Journal of the European Union after its adoption.

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement between the European Union and Ukraine on the Carriage of Freight by Road, as regards the continuation of the Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Union and Ukraine on the Carriage of Freight by Road¹⁴ (“the Agreement”) was signed by the Union on 29 June 2022 and entered into force on 5 December 2022¹⁵.
- (2) Article 7(1) of the Agreement establishes a Joint Committee to supervise and monitor the application and implementation of the Agreement and periodically review its functioning in light of its objectives. Pursuant to Article 7(2) of the Agreement, the Joint Committee is to be convened at the latest three months before the expiry of the Agreement in order to assess and decide the need for a further continuation of the Agreement.
- (3) According to Decision 2/2023 of the Joint Committee of 16 March 2023¹⁶, the Agreement was extended until 30 June 2024.
- (4) By Amending Agreement signed on 20 June 2024, the Agreement was modified and prolonged until 30 June 2025, with tacit renewal for another period of six months¹⁷. The Amending Agreement has been provisionally applied as from the date of its signature. On 17 June 2025, the European Parliament adopted its consent to the conclusion of the Amending Agreement and on 15 July 2025 the Council adopted its decision on the conclusion of the Amending Agreement. The Agreement is applicable until 31 December 2025.
- (5) In order for both the European Union and Ukraine to continue benefitting from the positive effects of the Agreement, by facilitating road freight transport between and through Ukraine and the European Union and supporting the well-functioning of the Solidarity Lanes in the context of Russia’s war of aggression against Ukraine, the Agreement should be prolonged until 31 March 2027.

¹⁴ OJ L 179, 6.7.2022, p. 4, ELI: http://data.europa.eu/eli/agree_internation/2022/1158/oj.

¹⁵ OJ L 226, 14.9.2023, p. 2.

¹⁶ OJ L 123, 8.5.2023, p. 36, ELI: <http://data.europa.eu/eli/dec/2023/929/oj>.

¹⁷ OJ 2024/1878, 2.7.2024, ELI: http://data.europa.eu/eli/agree_internation/2024/1878/oj.

- (6) The Joint Committee, during its next meeting, is to adopt a decision on the need for a further continuation of the Agreement, including the duration thereof. That decision will be binding on the Union.
- (7) It is therefore necessary to establish the position to be taken on the Union's behalf in the Joint Committee as regards the continuation of the Agreement.
- (8) Considering the concerns and uncertainties as to a possible negative impact of the Agreement on some Member States, the Commission will launch a study on the impact of the Agreement on the road transport industry, at EU and national level. Any further prolongation should be subject to satisfactory progress made on the alignment of Ukrainian legislation with the relevant market access and social EU road transport acquis that have not yet been transposed and should take into account the results of the study.
- (9) Therefore, the position of the Union as regards the continuation of the Agreement, including the duration thereof, should be based on the attached draft decision,
HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Joint Committee established by Article 7 of the Agreement between the European Union and Ukraine on the Carriage of Freight by Road ("the Agreement"), as regards the continuation of the Agreement, including the duration thereof, shall be based on the draft decision of the Joint Committee attached to this Decision.

Minor changes to the draft decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further Council Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council
The President*