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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the Association Committee in Trade Configuration established by 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, as regards the reduction and elimination of customs duties

COUNCIL DECISION (EU) 2025/...

of ...

**on the position to be taken on behalf of the European Union
within the Association Committee in Trade Configuration
established by 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,
as regards the reduction and elimination of customs duties**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) 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 part¹ (the ‘Agreement’) was concluded by the Union by means of Council Decision (EU) 2017/1247² and entered into force on 1 September 2017.
- (2) Pursuant to Article 29(4) and Article 465(3) of the Agreement, the Association Committee in Trade Configuration (the ‘Trade Committee’) can decide to accelerate or eliminate a customs duty on a good. Such a decision is to supersede any duty rate or staging category determined pursuant to the Schedules of the Union or Ukraine for that good.

¹ OJ L 161, 29.5.2014, p. 3, ELI: http://data.europa.eu/eli/agree_international/2014/295/oj.

² Council Decision (EU) 2017/1247 of 11 July 2017 on the conclusion, on behalf of the European Union, 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, with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other party (OJ L 181, 12.7.2017, p. 1, ELI: <http://data.europa.eu/eli/dec/2017/1247/oj>).

- (3) At Ukraine's request, consultations under Article 29(4) of the Agreement were initiated in 2021. The consultations were subsequently put on hold following Russia's unprovoked and unjustified war of aggression against Ukraine and the Union's adoption of unilateral trade liberalisation measures of 4 June 2022 ('Autonomous Trade Measures') by means of Regulation (EU) 2022/870 of the European Parliament and of the Council³. Those Autonomous Trade Measures were renewed in 2023 by means of Regulation (EU) 2023/1077 of the European Parliament and of the Council⁴, and in 2024 by means of Regulation (EU) 2024/1392 of the European Parliament and of the Council⁵. The Parties to the Agreement resumed consultations in 2025. Those consultations have resulted in a provisional agreement, to be adopted by the Trade Committee, to broaden the scope of the elimination of customs duties and support Ukraine's alignment to the EU *acquis*, which is an important part of Ukraine's accession negotiations with the Union.

³ Regulation (EU) 2022/870 of the European Parliament and of the Council of 30 May 2022 on temporary trade-liberalisation measures supplementing trade concessions applicable to Ukrainian products under 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 (OJ L 152, 3.6.2022, p. 103, ELI: <http://data.europa.eu/eli/reg/2022/870/oj>).

⁴ Regulation (EU) 2023/1077 of the European Parliament and of the Council of 31 May 2023 on temporary trade-liberalisation measures supplementing trade concessions applicable to Ukrainian products under 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 (OJ L 144, 5.6.2023, p. 1, ELI: <http://data.europa.eu/eli/reg/2023/1077/oj>).

⁵ Regulation (EU) 2024/1392 of the European Parliament and of the Council of 14 May 2024 on temporary trade-liberalisation measures supplementing trade concessions applicable to Ukrainian products under 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 (OJ L, 2024/1392, 29.5.2024, ELI: <http://data.europa.eu/eli/reg/2024/1392/oj>).

- (4) The Trade Committee is to adopt a decision on the reduction and elimination of customs duties pursuant to Article 29(4) of the Agreement during the course of 2025.
- (5) It is appropriate to establish the position to be taken on the Union's behalf within the Trade Committee as the decision of that Committee will have legal effects.
- (6) The position of the Union within the Trade Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Association Committee in Trade Configuration (the 'Trade Committee') established by 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 ('the Agreement') with regard to a decision on the reduction and elimination of customs duties pursuant to Article 29(4) of the Agreement shall be based on the draft Decision of the Trade Committee attached to this Decision.

Article 2

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

Done at ..., ...

For the Council

The President
