Council of the European Union

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TRANS 477
RELEX 1443

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the position to be taken on behalf of the Union in the ad hoc working group and in the Joint Committee established by the Agreement between the European Union and Ukraine on the carriage of freight by road, as regards the terms of reference of the ad hoc working group

COUNCIL DECISION (EU) 2024/…

of …

on the position to be taken on behalf of the Union in the ad hoc working group and in the Joint Committee established by the Agreement between the European Union and Ukraine on the carriage of freight by road, as regards the terms of reference of the ad hoc working group

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 road[1] (the 'Agreement') was signed by the Union on 29 June 2022 pursuant to Council Decision (EU) 2022/1158[2] and entered into provisional application on that date. It was concluded by the Union by Council Decision (EU) 2022/2435[3] and entered into force on 5 December 2022.

(2) The Agreement was amended by the Agreement between the European Union and Ukraine amending the Agreement between the European Union and Ukraine on the carriage of freight by road of 29 June 2022[4], which was signed by the Union on 20 June 2024 pursuant to Council Decision (EU) 2024/1876[5] and entered into provisional application on that date.

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

2 Council Decision (EU) 2022/1158 of 27 June 2022 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and Ukraine on the carriage of freight by road (OJ L 179, 6.7.2022, p. 1, ELI: http://data.europa.eu/eli/dec/2022/1158/oj).

3 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).

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

5 Council Decision (EU) 2024/1876 of 20 June 2024 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and Ukraine amending the Agreement between the European Union and Ukraine on the carriage of freight by road of 29 June 2022 (OJ L, 2024/1876, 2.7.2024, ELI: http://data.europa.eu/eli/dec/2024/1876/oj).

(3) A specific ad hoc working group was established by Article 7A(1) of the Agreement in order to facilitate the practical implementation of the Agreement.

(4) Pursuant to Article 7A(6) of the Agreement, the ad hoc working group is to adopt its terms of reference.

(5) In order to ensure the organisation and functioning of the ad hoc working group, and thereby facilitate the practical implementation of the Agreement, the terms of reference of the ad hoc working group are to be approved by the Joint Committee established by Article 7(1) of the Agreement, in accordance with Article 7A(6) of the Agreement.

(6) Therefore, the ad hoc working group is to adopt its terms of reference, and the Joint Committee is to adopt a decision approving those terms of reference.

(7) It is therefore appropriate to establish the position to be taken on the Union's behalf in the ad hoc working group and in the Joint Committee on, respectively, the adoption and the approval of the terms of reference of the ad hoc working group, as those acts will have legal effects for the Union under international law,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Joint Committee established by Article 7(1) of the Agreement between the European Union and Ukraine on the carriage of freight by road (the 'Agreement'), as regards the approval of the terms of reference of the ad hoc working group established by Article 7A(1) of the Agreement, shall be based on the draft Decision of the Joint Committee attached to this Decision (the 'draft Decision').

The position to be taken on the Union's behalf in the ad hoc working group established by Article 7A(1) of the Agreement, as regards the adoption of its terms of reference, shall be based on the draft terms of reference annexed to the draft Decision.

Minor changes to the draft Decision and to the draft terms of reference referred to in the second subparagraph of this Article may be agreed by the representatives of the Union in the Joint Committee and in the ad hoc working group, without a further decision of the Council.

Article 2

The Decision of the Joint Committee shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at …, …

For the Council
The President