Council of the European Union

Brussels, 29 November 2024
(OR. en)

15755/24

**Interinstitutional File:**
**2024/0294(NLE)**

**TRANS 481**
**RELEX 1450**

**'I/A' ITEM NOTE**

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee (Part 1)/Council |
| No. Cion doc.: | 15351/24 + ADD 1 |
| 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 recognition of smart tachographs for enforcement of the Agreement and the provision by the European Commission of smart tachograph certification services to Ukraine<br>– Adoption |

## CONTEXT AND CONTENT OF THE PROPOSAL

1. On 12 November 2024, the Commission presented to the Council its 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 recognition of smart tachographs for enforcement of the Agreement and the provision by the European Commission of smart tachograph certification services to Ukraine.

2. 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.

3. 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, which was signed by the Union on 20 June 2024 pursuant to Council Decision (EU) 2024/1876[4] and entered into provisional application on that date.

4. The purpose of the envisaged act is to allow for the smart tachograph to be recognised as a useful tool to better enforce certain provisions of the Agreement[5], in particular to allow competent authorities to control that road haulage operators do not engage in transport operations which are not authorised under the agreement, such as cross-trade or cabotage operations. Once this is achieved, the envisaged act also lays down certain provisions in relation to the set-up of the smart tachograph system, in particular the way for Ukraine to join the Union smart tachograph system.

**EXAMINATION AT WORKING PARTY LEVEL**

5. On 14 November 2024, the Land Transport Working Party discussed the Commission proposal. It was concluded that the Commission proposal can be adopted, subject to the revision by lawyer linguists.

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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. 4)

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)

4 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.

**CONCLUSION**

6. The Committee of Permanent Representatives is invited to suggest that the Council, in part "A" of the agenda of a forthcoming meeting, adopts the Council Decision in document 15732/24 and the draft decision of the Joint Committee, annexed to the decision, in document 15732/24 ADD1.

7. The European Parliament will be informed of the adoption of the Council Decision in all languages in accordance with Article 218(10) TFEU and the Council Decision will be transmitted to the Parliament.