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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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 **(first reading)** - Adoption of the legislative act = Statement

Statement by the Council

The Commission presented a statement on the Review Process under Article 29 of the Association Agreement on the occasion of the adoption of Regulation 2024/xxx indicating that, as it takes the necessary steps under Article 29 of the Association Agreement to pursue the process of reciprocal tariff liberalisation, it will closely involve the European Parliament and keep it informed of the progress of the consultations with Ukraine. Moreover, the Commission indicated that it will take due account of possible comments of the European Parliament in that respect.

The Council recalls that this process must be undertaken in accordance with the procedure set out in Article 218 TFEU, in particular paragraph 9. The close involvement of the European Parliament in this process, as described in the Commission statement, is not foreseen in Article 218 TFEU and would lead to a modification of the institutional balance resulting from the Treaties.

In this context, as indicated in its statement on the Framework Agreement between the European Parliament and the Commission (2010/C 287/01), the Council will submit to the Court of Justice any act or action of the European Parliament or the Commission performed in application of the Commission's statement that would have an effect contrary to the interests of the Council and the prerogatives conferred upon it by the Treaties.