



Council of the
European Union

115591/EU XXVII. GP
Eingelangt am 11/10/22

Brussels, 11 October 2022
(OR. en)

12788/22

Interinstitutional File:
2022/0265 (NLE)

UD 193
COEST 682
WTO 177

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the EU-Ukraine 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 update of Annex XV (Approximation of customs legislation) to that Agreement

COUNCIL DECISION (EU) 2022/...

of ...

**on the position to be taken on behalf of the European Union within
the EU-Ukraine 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 update of Annex XV
(Approximation of customs legislation) to that Agreement**

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’) entered into force on 1 September 2017.
- (2) Pursuant to Article 465(2) of the Agreement, the Association Council may delegate to the Association Committee any of its powers, including the power to take binding decisions.
- (3) By Decision No 3/2014 of the Association Council², the Association Council delegated to the Association Committee in Trade configuration the power to update or amend, among others, Annex XV to the Agreement.

¹ OJ L 161, 29.5.2014, p. 3.

² Decision No 3/2014 of the EU-Ukraine Association Council of 15 December 2014 on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration [2015/980] (OJ L 158, 24.6.2015, p. 4).

- (4) The Association Committee in Trade configuration in its next meeting is to adopt a decision on the update of Annex XV to the Agreement.
- (5) Considering that several Union acts listed in Annex XV to the Agreement have been amended or repealed since the conclusion of the negotiations of the Agreement, it is necessary to update that Annex, including by adjusting certain deadlines to take into account the progress already made to date by Ukraine in the process of approximation to the Union *acquis*.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the Association Committee in Trade configuration, as the envisaged decision will be binding on the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the EU-Ukraine 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, at its next meeting, as regards the update of Annex XV (Approximation of customs legislation) to that Agreement, shall be based on the draft Decision of the EU-Ukraine Association Committee in Trade configuration attached to this Decision.

Article 2

After its adoption, the Decision of the EU-Ukraine Association Committee in Trade configuration referred to in Article 1 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
