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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEX to the Recommendation for a COUNCIL DECISION Authorising the opening of negotiations on an agreement on the carriage of goods by road between the European Union and the Republic of Moldova

Delegations will find attached document ANNEX to COM(2022) 168 final.

Encl.: ANNEX to COM(2022) 168 final



EUROPEAN
COMMISSION

Brussels, 6.4.2022
COM(2022) 168 final

ANNEX

ANNEX

to the

Recommendation for a COUNCIL DECISION

**Authorising the opening of negotiations on an agreement on the carriage of goods by
road between the European Union and the Republic of Moldova**

ANNEX

Negotiating directives for an agreement between the European Union and the Republic of Moldova on the carriage of goods by road

1. NEGOTIATING OBJECTIVES

Allow for liberalisation of the transport of goods by road, in terms of transit rights and rights of bilateral international carriage, between Moldova and the Union for the duration of Russia's unprovoked and unjustified military aggression against Ukraine.

2. SCOPE OF THE AGREEMENT

- (1) The agreement should liberalise transport of goods by road by granting access rights to Moldovan and European Union operators regarding transit and bilateral international carriage between the European Union and Moldova. The agreement should maintain or increase the level of market access or other commercial opportunities available under existing bilateral road transport agreements between EU Member States and Moldova.
- (2) The agreement, which should be equally authentic in all official EU languages, should include a language clause to that effect.
- (3) The agreement should be limited in time and it should apply for as long as the impact of Russia's aggression against Ukraine on transport operations and Ukrainian transport infrastructure remains severe.

3. GENERAL PROVISIONS

The agreement, being subsequent to the existing bilateral road transport agreements between Member States and Moldova, will prevail over their provisions.

Once this agreement is terminated, the existing bilateral agreements between EU Member States and Moldova would again apply unless and until the Union concludes another agreement with Moldova in the field of road transport.

4. MANAGEMENT OF THE AGREEMENT

A Joint Committee composed of representatives of the Parties should be established, which should be responsible for the administration of the agreement and for its proper implementation in particular as regards the adaptation, following their modification, of the EU rules included in an Annex to the agreement to be complied with by Moldova as well as new rules applicable in the field of road transport adopted at Union level.

Moldovan experts may be allowed to participate as observers in the Experts Groups established by the Union and dealing with the Union legislation to be applied by Moldova, which will be set out in an Annex to the agreement.

The agreement should include an expeditious, effective and binding dispute settlement mechanism, which will ensure that the agreement can be properly applied.

Notwithstanding the dispute settlement mechanism, the agreement should include provisions to be applied in case of non-fulfilment of its obligations, such as the possibility of adopting appropriate safeguard measures or of suspending fully or partially the rights or privileges granted under the terms of the agreement.

5. CONDUCT OF THE NEGOTIATIONS

The Commission will conduct the negotiations in pursuance of these directives and will ensure proper coordination with ongoing and future negotiations in other relevant areas.