COUNCIL DECISION (EU) 2021/1797

of 5 October 2021

on the position to be taken on behalf of the European Union within the 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 amendment of Appendix XVII-3 (Rules applicable to telecommunication services), Appendix XVII-4 (Rules applicable to postal and courier services) and Appendix XVII-5 (Rules applicable to international maritime transport) to Annex XVII 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 100(2) and 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 part (the 'Agreement') entered into force on 1 September 2017.

(2) Pursuant to Article 11 of Annex XVII to the Agreement, the Association Committee in Trade configuration may decide to modify the provisions of that Annex.

(3) The Association Committee in Trade configuration will adopt a Decision amending Appendix XVII-3 (Rules applicable to telecommunication services), Appendix XVII-4 (Rules applicable to postal and courier services) and Appendix XVII-5 (Rules applicable to international maritime transport) to Annex XVII to the Agreement.

(4) In accordance with Articles 114, 124 and 138 of the Agreement, the Union and Ukraine recognise the importance of the approximation of Ukraine's existing legislation to that of the Union. Ukraine is to ensure that its existing laws and future legislation will be gradually made compatible with the Union *acquis*.

(5) Considering that several Union acts listed in Appendix XVII-3 (Rules applicable to telecommunication services), Appendix XVII-4 (Rules applicable to postal and courier services) and Appendix XVII-5 (Rules applicable to international maritime transport) to Annex XVII to the Agreement have been amended or repealed since the initialling of the text of the Agreement on 30 March 2012, it is necessary to amend those Appendices and to adjust certain deadlines to take into account the progress already made by Ukraine in the process of approximation of its laws to the Union *acquis*.

(6) It is therefore appropriate to establish the position to be taken on the Union's behalf within the Association Committee in Trade configuration, as the Decision amending Appendix XVII-3 (Rules applicable to telecommunication services), Appendix XVII-4 (Rules applicable to postal and courier services) and Appendix XVII-5 (Rules applicable to international maritime transport) to Annex XVII to the Agreement will be binding upon the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the 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 amendment of Appendix XVII-3 (Rules applicable to telecommunication services), Appendix XVII-4 (Rules applicable to postal and courier services) and Appendix XVII-5 (Rules applicable to international maritime transport) to Annex XVII to the Agreement shall be based on the draft Decision of that Committee ([1]).

([1]) See document ST 11503/21 at http://register.consilium.europa.eu.

Article 2

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

Done at Luxembourg, 5 October 2021.

For the Council
The President
A. ŠIRCELJ