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PROPOSAL

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 9 October 2024

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: COM(2024) 441 final

Subject: ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the amendment of Decision 1/2023 of that Joint Committee with respect to the use of movement certificates issued electronically in the framework of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin applicable as of 1 January 2025

Delegations will find attached document COM(2024) 441 final.

Encl.: COM(2024) 441 final



EUROPEAN
COMMISSION

Brussels, 9.10.2024
COM(2024) 441 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the amendment of Decision 1/2023 of that Joint Committee with respect to the use of movement certificates issued electronically in the framework of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin applicable as of 1 January 2025

ANNEX

Decision No X/2024 OF THE JOINT COMMITTEE OF THE REGIONAL CONVENTION ON PAN-EURO-MEDITERRANEAN PREFERENTIAL RULES OF ORIGIN

of xx.xx.2024

amending Decision 1/2023 of the Joint Committee with respect to the use of movement certificates issued electronically in the framework of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin applicable as of 1 January 2025

THE JOINT COMMITTEE,

Having regard to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, and in particular Article 4(3)(a) thereof,

Whereas:

- (1) At the beginning of 2020, the Commission informed the Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin¹ (Convention) that due to the COVID-19 pandemic which suspended contacts between the customs authorities and economic operators in a number of Contracting Parties, it was not possible by a majority of Contracting Parties to provide movement certificates for preferential origin purposes in due form, namely signed by hand, stamped by customs in wet ink or using the right paper format.
- (2) A vast majority of Contracting Parties considered it appropriate to adopt exceptional measures to ensure the full implementation of the preferential trade arrangements covered by the Convention. Those exceptional measures were applicable on a reciprocal basis by the Contracting Parties that made use of the relevant provisions in the rules of origin.
- (3) During the COVID-19 pandemic, some Contracting Parties developed or adapted existing electronic systems to issue certificates electronically so as to balance the need for flexibility with the need for compliance with the requirements on the format of the movement certificates described in Appendix I to the Convention.
- (4) The customs authorities of the Contracting Parties were invited to accept movement certificates for preferential origin purposes, issued electronically with a digital signature, stamp or cachet of the competent authorities, or a copy in paper or electronic form (scanned or available online) based on the flexibility provided for in Article 24 of Appendix I to the Convention.
- (5) The Joint Committee was informed of a request by a Contracting Party, during its meeting held on 16 June 2022, to maintain the good practices introduced under the exceptional measures adopted during the COVID-19 pandemic in order for the economic operators to benefit from a digitalisation of movement certificates.
- (6) The Contracting Parties acknowledged that the experience on the use of movement certificates issued electronically in the preferential trade under the exceptional measures

¹ OJ L 54, 26.2.2013, p. 4, ELI: [http://data.europa.eu/eli/dec/2013/94\(1\)/oj](http://data.europa.eu/eli/dec/2013/94(1)/oj).

adopted due to the COVID-19 pandemic was positive and committed to keep up the good practices introduced under such exceptional measures by working together towards introducing a common system based on electronic proofs of origin and electronic administrative cooperation within the pan-Euro-Mediterranean (PEM) zone.

- (7) The Contracting Parties consider that moving to a system that issues movement certificates electronically and provides for electronic administrative cooperation under the framework of the Convention constitutes the first steps towards a full digitalisation of proofs of origin at the scale of the PEM zone, especially in view of the forthcoming entry into force of the amendment of the Convention by Decision No 1/2023 of the Joint Committee².
- (8) Systems designed for the electronic issuance of movement certificates should offer the possibility for the customs authorities of the Contracting Parties to check their authenticity instantly.
- (9) On 7 December 2023 the Joint Committee adopted Recommendation 1/2023³ on the use of movement certificates issued electronically under the framework of the Convention. To provide a clear legal framework and ensure consistency in the use of electronic certificates in the context of the transition from the Convention to the revised Convention, which will enter into force as of 1 January 2025, Decision 1/2023 should therefore be amended so as to include in the revised Convention the general requirements on proofs of origin issued electronically in Article 17(4) of Appendix I,

HAS ADOPTED THIS DECISION:

Article 1

1. Decision 1/2023 shall be amended as set out in the Annex to this Decision.
2. The amendments shall enter into force on 1 January 2025.

Article 2

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

² Decision No 1/2023 of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean Preferential Rules of Origin of 7 December 2023 on the amendment of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (OJ L 2024/390, 19.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/390/oj>).

³ Recommendation No 1/2023 of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin of 7 December 2023 on the use of movement certificates issued electronically (OJ L 2024/243, 15.1.2024, ELI: <http://data.europa.eu/eli/reco/2024/243/oj>).

ANNEX to the Decision No X/2024 OF THE JOINT COMMITTEE OF THE REGIONAL CONVENTION ON PAN-EURO-MEDITERRANEAN PREFERENTIAL RULES OF ORIGIN

Sole Article

Amendment to Decision 1/2023 of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean Preferential Rules of Origin

In the Sole Article of the Annex of Decision 1/2023, point (5), Paragraph 4 of Article 17 in Appendix I to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin is replaced by:

“4. For the purposes of paragraph 1, two or more Contracting Parties may agree to establish a system that allows proofs of origin listed in paragraph 1 to be issued electronically and/or submitted electronically.

Until such a system is established, the Contracting Parties shall accept movement certificates issued electronically when submitted at importation, provided that:

- (a) the movement certificates issued electronically have a similar form as the specimen described in Annex IV;
- (b) the customs authorities of the exporting Contracting Party provide for a secure online internet-based system to verify the authenticity of movement certificates issued electronically;
- (c) the movement certificates issued electronically bear a unique serial number and, if available, security features by which they can be identified; and
- (d) the date from which a Contracting Party starts the issuance of electronic movement certificates is specified in notices published in the *Official Journal of the European Union* (C series) and according to the Contracting Parties' own procedures.

A Contracting Party may decide to suspend the acceptance of movement certificates issued electronically where the conditions listed above are not fulfilled and shall in that case inform the other Contracting Parties thereof in advance, through the secretariat of the Joint Committee. In case of suspension, notices as referred to under point (d) shall indicate the starting date of the suspension.”

For the Joint Committee
The Chair