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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	5 August 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 357 final
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Association Committee meeting 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 Georgia, of the other, concerning the update of Annex XIII (Approximation of customs legislation) to the Agreement

Delegations will find attached document COM(2020) 357 final - Annex.

Encl.: COM(2020) 357 final

EUROPEAN
COMMISSION

Brussels, 5.8.2020
COM(2020) 357 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Association Committee meeting 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 Georgia, of the other, concerning the update of Annex XIII (Approximation of customs legislation) to the Agreement

ATTACHMENT

DECISION NO …/2020 OF THE EU-GEORGIA ASSOCIATION COMMITTEE IN TRADE CONFIGURATION

of xx.xx.2020

on amending Annex XIII (Approximation of Customs legislation) to Chapter 5 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, and in particular Article 84 and 465(3) thereof,

Whereas:

(1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part ('the Agreement') was signed on 27 June 2014 and entered into force in July 2016.

(2) The Preamble to the Agreement recognises the Parties' desire to move the reform and approximation process forward in Georgia, thus contributing to the gradual economic integration and deepening of political association as well as to achieving economic integration through extensive regulatory approximation.

(3) In accordance with Article 75 of the Agreement, Georgia undertook a commitment to approximate to EU customs legislation as set out in Annex XIII to the Agreement.

(4) Considering that the EU acquis listed in Annex XIII (Approximation of customs legislation) substantially evolved since the conclusion of the negotiations of the Agreement, this evolution should be reflected in Annex XIII to the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Annex XIII (Approximation of customs legislation) to the Agreement is hereby replaced by the Annex to this Decision.

Article 2

This decision has been established in Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Georgian languages, each of them being equally authentic.

Article 3

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

Done at …,

For the Association Committee
in Trade configuration

The Chair *The secretaries*

ANNEX

ANNEX XIII TO CHAPTER 5

APPROXIMATION OF CUSTOMS LEGISLATION

Customs Code

Council Regulation No 952/2013 of 9 October 2013 establishing the Union Customs Code (UCC)

Timetable: the approximation with the provisions of the above mentioned Regulation, with the exception of Articles 1, 4, 27(1)(b), 53, 81, 82, 87(4), 89(2)(a), Articles 155 to 157, Articles 211(4)(b), 227, 233(1)(c) and Articles 284 to 288, shall be carried out within four years following the entry into force of this Agreement

The Parties shall revisit the approximation of Articles 210 UCC – Special procedures – before the expiry of timeframe for approximation as set out above.

Approximation with Article 247 shall take place on a best endeavor basis.

Common Transit and Single Administrative Document (SAD)

Convention of 20 May 1987 on the Simplification of Formalities in Trade in Goods
Convention of 20 May 1987 on a common transit procedure

Timetable: the approximation with the provisions of the above mentioned Conventions, including through a possible accession to those Conventions by Georgia, shall be carried out within four years following the entry into force of this Agreement.

Reliefs from customs duty

Council Regulation (EC) No 1186/2009 of 16 November 2009 setting-up a Community system of reliefs from customs duty

Timetable: the approximation with Titles I and II of the above mentioned Regulation shall be carried out within four years following the entry into force of this Agreement.

Intellectual property rights protection

Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights

Timetable: the approximation with the provisions of the above mentioned Regulation, with the exception of Article 26, shall be carried out within three years following the entry into force of this Agreement. The obligation on approximation to Regulation No 608/2013 in itself does not create any obligation on Georgia to apply measures where a right in intellectual property is not protected under its substantive intellectual property laws and regulations.