Council of the European Union

Brussels, 31 July 2024
(OR. en)

12611/24
ADD 1

Interinstitutional File:
2024/0189(NLE)

UD 144
COMER 101
MED 31
WTO 95

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	30 July 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2024) 328 final ANNEX
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 Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestinian Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and Gaza Strip, of the other part, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 3 to that Agreement

Delegations will find attached document COM(2024) 328 final ANNEX.

Encl.: COM(2024) 328 final ANNEX

EUROPEAN
COMMISSION

Brussels, 30.7.2024
COM(2024) 328 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 Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestinian Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and Gaza Strip, of the other part, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 3 to that Agreement

ANNEX

[Draft] DECISION No … OF THE EU-PALESTINIAN LIBERATION ORGANISATION (PLO) FOR THE BENEFIT OF THE PALESTINIAN AUTHORITY OF THE WEST BANK AND GAZA STRIP JOINT COMMITTEE

of XX XX 2024

establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 3 to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part and the Palestinian Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and Gaza Strip, of the other part

The EU- PALESTINIAN LIBERATION ORGANISATION (PLO) FOR THE BENEFIT OF THE PALESTINIAN AUTHORITY OF THE WEST BANK AND GAZA STRIP JOINT COMMITTEE,

Having regard to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestinian Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and Gaza Strip, of the other part[1] (the Agreement), and in particular Article 63 of the Agreement,

Whereas,

(1) The COVID-19 pandemic accelerated the need for a paperless customs environment in the field of rules of origin and a vast majority of Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin[2] (the Convention) decided to accept electronic copies of movement certificates.

(2) Applying Contracting Parties developed electronic systems or adapted existing systems to balance the need for digitalisation with the requirements of the movement certificate form described in the Transitional rules of origin[3] (Appendix A to Protocol 3 to the Agreement).

(3) Considering the development of customs electronic systems, the EU and the Palestinian Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and Gaza Strip (the Parties) acknowledge that proofs of origin in the form of movement certificates should benefit from a modernisation concerning their issuance, submission and verification.

[1] OJ L 187, 16.07.1997, p. 3.
[2] OJ L 54, 26.2.2013, p. 4.
[3] OJ L 328, 16.9.2021, p.23

(4) A network of bilateral protocols on rules of origin among Contracting Parties to the Convention entered into force rendering the Transitional rules of origin applicable[4], since 1 September 2021.

(5) The Parties affirm their commitment to continue the good practices introduced under the exceptional measures during the COVID-19 pandemic, recognise the importance of introducing electronic means and work together towards a common system based on electronic proofs of origin and electronic administrative cooperation within the pan-Euro-Mediterranean zone (PEM zone)[5].

(6) The Parties consider that moving to electronic proofs of origin and digitalised administrative cooperation under the framework of the Transitional rules of origin constitutes the first steps towards a full digitalization of proofs of origin at the scale of the PEM zone, especially in the view of the forthcoming entry into force of the amendment of the Convention[6].

(7) The Parties agreed to implement the provisions of Article 17(4) of Appendix A to Protocol 3 to the Agreement, as regards proofs of origin issued electronically, thus originating products shall benefit from these provisions,

HAS ADOPTED THIS DECISION

Article 1

Concerning Article 17(4) of Appendix A to Protocol 3 to the Agreement, the Parties agree that the proofs of origin referred to in Article 17(1), point (a), may be issued electronically.

Article 2

The Parties shall accept movement certificates issued electronically when submitted at importation where all of the following conditions are fulfilled:

a. the movement certificates issued electronically have a similar form as the specimen referred to in Annex IV to the Appendix A;

b. the customs authorities of the exporting Party provide for a secured 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;

d. the date from which a Party starts the issuance of electronic movement certificates is specified in the notices published in the Official Journal of the European Union (C series) and according to that Party's own procedures. The acceptance of the movement certificates issued electronically shall apply from the date indicated in those notices.

Article 3

[4] OJ C, C/2024/1637, 20.2.2024.

[5] EU, Iceland, Switzerland (including Liechtenstein), Norway, Faroe Islands, Israel, Jordan, Palestine (this designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue), Albania, Bosnia and Herzegovina, Kosovo (this designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence), North Macedonia, Serbia, Montenegro, Georgia, Republic of Moldova and Ukraine

[6] OJ L 390/2024, 19.2.2024

A Party may decide to suspend the acceptance of movement certificates issued electronically where the conditions listed under Article 2 are not fulfilled, and shall inform the other Party thereof in advance. The notices referred to in Article 2, point (d), shall indicate the starting date of the suspension.

Article 4

For the purpose of administrative cooperation according to Articles 34 and 35 of Appendix A to Protocol 3 to the Agreement, the Parties may decide to assist each other through electronic means.

Article 5

Notices indicating the application of this Decision shall be published in the *Official Journal of the European Union* (C series) in the EU and in an official publication in the other Party, in accordance with its own procedures.

Article 6

Articles 1 to 5 shall apply until the date of entry into force of the Parties' agreement to use a pan-Euro-Mediterranean digital environment for proofs of origin developed with the other applying Contracting Parties that allows proofs of origin to be issued and/or submitted electronically.

Article 7

As the Transitional rules of origin shall cease to apply on date of entry into force of the amendment to the Convention, Articles 1 to 6 of this Decision shall continue to apply between the parties within the framework of the Convention, until the date of entry into force of the Decision of the Joint Committee of the Convention establishing the general requirements on proofs of origin issued and/or submitted electronically.

Article 8

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

Done at…

For the Association Council

The Chairman

The Secretaries