Council of the European Union

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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) 333 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 Agreement on the European Economic Area, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 4 on rules of origin to that Agreement

Delegations will find attached document COM(2024) 333 final ANNEX.

Encl.: COM(2024) 333 final ANNEX

EUROPEAN
COMMISSION

Brussels, 30.7.2024
COM(2024) 333 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 Agreement on the European Economic Area, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 4 on rules of origin to that Agreement

ANNEX

[Draft] DECISION No … OF THE EEA 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 4 on rules of origin to the Agreement on the European Economic Area

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area[1] (the Agreement) and in particular Article 98 thereof,

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 4 to the Agreement).

(3) Considering the development of customs electronic systems, the Contracting Parties to the EEA Agreement acknowledge that proofs of origin in the form of movement certificates should benefit from a modernisation concerning their issuance, submission and verification.

(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 Contracting Parties to the EEA Agreement 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].

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1 OJ EC L 1, 3.1.1994, p. 3.
2 OJ L 54, 26.2.2013, p. 4
3 OJ L 246, 22.09.2022, p. 133
4 OJ C, C/2024/1673, 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

(6) The Contracting Parties to the EEA Agreement 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 Contracting Parties to the EEA Agreement agreed to implement the provisions of Article 17(4) of Appendix A to Protocol 4 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 4 to the Agreement, the Contracting Parties to the EEA Agreement agree that the proofs of origin referred to in Article 17(1) (a) may be issued electronically.

Article 2

The Contracting Parties to the EEA Agreement 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 Contracting Party to the EEA Agreement 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 Contracting Party to the EEA Agreement starts the issuance of electronic movement certificates is specified in the notices published in the Official Journal of the European Union (C series). The acceptance of the movement certificates issued electronically shall apply from the date indicated in those notices.

Article 3

A Contracting Party to the EEA Agreement 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 Contracting Parties to the EEA Agreement thereof in advance. The notices referred to in Article 2, point (d), shall indicate the starting date of the suspension.

Article 4

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

For the purpose of administrative cooperation according to Articles 34 and 35 of Appendix A to Protocol 4 to the Agreement, the Contracting Parties to the EEA Agreement 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).

Article 6

Articles 1 to 5 shall apply until the date of entry into force of the agreement between the Contracting Parties to the EEA 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 the date of antry into force of the amendment to the Convention , Articles 1 to 6 of this Decision shall continue to apply between the Contracting Parties to the EEA Agreement within the framework of the Convention, until the 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 [ ], provided that all the notifications under Article 103(1) of the EEA Agreement have been made[7].

Article 9

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at…

For the Joint Committee

The President

The Secretaries

To the EEA Joint Committee

[7] No constitutional requirements indicated.