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) 335 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 Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 2 to that Agreement

Delegations will find attached document COM(2024) 335 final ANNEX.

Encl.: COM(2024) 335 final ANNEX

EUROPEAN
COMMISSION

Brussels, 30.7.2024
COM(2024) 335 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 2 to that Agreement

ANNEX

[Draft] DECISION No … OF THE EU-BOSNIA AND HERZEGOVINA STABILISATION AND ASSOCIATION COUNCIL

of XX XX 2024

establishing the general requirements on proofs of origin issued electronically according to Article 17(4) of Appendix A to Protocol 2 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part

The EU-BOSNIA AND HERZEGOVINA STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part[1] (the Agreement), and in particular Article 117 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 2 to the Agreement).

(3) Considering the development of customs electronic systems, the EU and Bosnia and Herzegovina (the Parties) 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 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

1 OJ L 164 30.6.2015, p. 2
2 OJ L 54, 26.2.2013, p. 4.
3 OJ L, 2024/245, 18.1.2024.
4 OJ C, C/2024/1637, 20.2.2024

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 2 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 2 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

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

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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

For the purpose of administrative cooperation according to Articles 34 and 35 of Appendix A to Protocol 2 of 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) and in an official publication in Bosnia and Herzegovina, 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 the 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 after the later of the two Parties has notified the other Party of the completion of its internal requirements.

Done at…

For the Stabilization and Association Council

The Chair

The Secretaries