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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) 344 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 between European Economic Community and the Swiss Confederation as regards the amendment of Protocol 3 to that Agreement concerning the definition of the concept of 'originating products' and methods of administrative cooperation concerning the permeability between the Regional Convention on pan-Euro-Mediterranean preferential rules of origin and the Transitional rules of origin

Delegations will find attached document COM(2024) 344 final ANNEX.

Encl.: COM(2024) 344 final ANNEX

EUROPEAN
COMMISSION

Brussels, 30.7.2024
COM(2024) 344 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 between European Economic Community and the Swiss Confederation as regards the amendment of Protocol 3 to that Agreement concerning the definition of the concept of 'originating products' and methods of administrative cooperation concerning the permeability between the Regional Convention on pan-Euro-Mediterranean preferential rules of origin and the Transitional rules of origin

ANNEX

[Draft] DECISION No … OF THE EU-Switzerland JOINT COMMITTEE

of XX XX 2024

on

amending Protocol 3 to the Agreement between the European Economic Community, and the Swiss Confederation concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EU-SWITZERLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation from 22 July 1972 (the Agreement)[1] and in particular Article 4 of Protocol 3 thereto concerning the definition of the concept of 'originating products' and methods of administrative cooperation (Protocol 3),

Whereas,

(1) During the first technical meeting on Transitional rules of origin held in Brussels on 5 February 2020, the majority of the Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the Convention)[2] agreed to implement the revised rules of the Convention (the Transitional rules of origin[3]) in parallel with the rules of the Convention, on a transitional bilateral basis, pending the adoption of the revised Convention.

(2) 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.

(3) The objective of the Transitional rules of origin is to introduce more relaxed rules in order to facilitate the qualification of the preferential originating status for goods. As the Transitional rules of origin are in general more relaxed than those of the Convention, goods fulfilling these latter could also qualify as originating under the Transitional rules of origin, with the exception of certain agricultural products classified under Chapters 2, 4 to 15, 16 (except for processed fishery products) and Chapters 17 to 24 of the Harmonised System.

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1 OJ L 300, 31.12.1972, p.189.
2 OJ L 54, 26.2.2013, p. 4.
3 OJ L 404, 15.11.2021, p. 1–83.
4 OJ C, C/2024/1637, 20.2.2024.

(4) The Transitional rules of origin are applicable in parallel with the rules of origin of the Convention creating two distinctive zones of cumulation. To facilitate the application of permeability provided for by Article 21(1), point (d) of Appendix A to Protocol 3 between the Convention and the Transitional rules of origin, Article 8 of Appendix A to Protocol 3 should therefore be amended,

HAS ADOPTED THIS DECISION

Article 1

In Article 8 of Appendix A to Protocol 3 to the Agreement, the following paragraph 1a is inserted:

‘1a. Notwithstanding paragraph 1, point (b), the cumulation provided for in Article 7 may be applied for goods classified under Chapters 1, 3, 16 (for processed fishery products) and Chapters 25 to 97 of the Harmonised System that have obtained originating status by the application of rules of origin according to Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, provided that materials and products are originating in the applying Contracting Parties for which cumulation is possible.’.

Article 2

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

Done at…

For the Joint Committee

The President