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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	27 March 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2014) 193 final
Subject:	Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the adoption of its rules of procedure

Delegations will find attached document COM(2014) 193 final.

Encl.: COM(2014) 193 final



EUROPEAN
COMMISSION

Brussels, 27.3.2014
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Proposal for a

COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the adoption of its rules of procedure

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The Regional Convention on pan-Euro-Mediterranean preferential rules of origin¹ (hereafter 'the Convention') lays down provisions on the origin of goods traded under relevant Agreements concluded between the Contracting Parties.

Article 3 of the Convention established a Joint Committee in which each Contracting Party shall be represented and which shall adopt its own rules of procedure. Article 3 of Council Decision 2013/94/EU² provides that the Commission shall represent the EU in the Joint Committee.

The position to be taken by the EU within the Joint Committee at the adoption of its rules of procedure should be established by the Council.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Member States have been informed on the draft rules of procedure at the meeting of the Customs Code Committee – Origin Section of 15 and 16 July 2013. The Contracting Parties to the Convention were consulted at the meetings of the pan-Euro-Mediterranean Working Group of 30 and 31 October 2012 and 14 and 15 May 2013 and finalised informal discussion on the draft rules of procedure at the first meeting of the Joint Committee of the Convention of 29 October 2013.

3. LEGAL ELEMENTS OF THE PROPOSAL

The legal basis for the Council Decision is the first subparagraph of Article 207(4) in conjunction with Article 218(9) of the Treaty on the Functioning of the European Union.

The proposal falls under the exclusive competence of the Union. The principle of subsidiarity does therefore not apply.

Proposed instrument: Council Decision.

¹ OJ L 54, 26.2.2013, p. 4.

² OJ L 54, 26.2.2013, p. 3.

Proposal for a

COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the adoption of its rules of procedure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin¹,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the "Convention") entered into force on 1 December 2012.
- (2) Article 3(1) of the Convention established a Joint Committee in which each Contracting Party is to be represented.
- (3) Article 3 of Council Decision 2013/94/EU² provides that the Commission is to represent the Union in the Joint Committee.
- (4) Pursuant to Article 3(4) of the Convention the Joint Committee is to adopt its own rules of procedure.
- (5) The position of the Union within the Joint Committee should be to vote in favour of the rules of procedure,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted by the European Union within the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, as regards the adoption of its rules of procedure, shall be based on the draft rules of procedure attached to this Decision.

¹ OJ L 54, 26.2.2013, p. 4.

² Council Decision 2013/94/EU of 26 March 2012 on the conclusion of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (OJ L 54, 26.2.2013, p. 3).

Minor changes to the draft Decision may be agreed to by the representatives of the Union in the Joint Committee without further decision of the Council.

Article 2

After its adoption, the Decision of the Joint Committee shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at Brussels,

For the Council
The President