



Council of the
European Union

Brussels, 16 December 2014
(OR. en)

16968/14

Interinstitutional File:
2014/0349 (NLE)

EEE 80
UD 285

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	15 December 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2014) 728 final
Subject:	Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 4 of the EEA Agreement on rules of origin (Croatia Enlargement)

Delegations will find attached document COM(2014) 728 final.

Encl.: COM(2014) 728 final



EUROPEAN
COMMISSION

Brussels, 11.12.2014
COM(2014) 728 final

2014/0349 (NLE)

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
in the EEA Joint Committee concerning an amendment to Protocol 4 of the EEA
Agreement on rules of origin
(Croatia Enlargement)**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In order to ensure the requisite legal security and homogeneity of the Internal Market, the EEA Joint Committee is to integrate all the relevant EU legislation into the EEA Agreement as soon as possible after its adoption.

In this context, it is needed to amend Protocol 4 to the EEA Agreement on rules of origin

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

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend Protocol 4 to the EEA Agreement on rules of origin in order to reflect that the Republic of Croatia became a party to the EEA Agreement. The EEA Enlargement Agreement was signed on 11 April 2014 and has been applicable on a provisional basis since 12 April 2014.

Certain transitional arrangements concerning the application of the rules of origin after the provisional application of the EEA Enlargement Agreement need to be reflected in the EEA Agreement.

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission.

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
in the EEA Joint Committee concerning an amendment to Protocol 4 of the EEA
Agreement on rules of origin
(Croatia Enlargement)**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area² ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 4 to the EEA Agreement ('Protocol 4').
- (3) Protocol 4 contains provisions and arrangements concerning rules of origin.
- (4) Certain transitional arrangements concerning the application of the rules of origin after the provisional application of the EEA Enlargement Agreement need to be reflected in the EEA Agreement.
- (5) Protocol 4 should therefore be amended.
- (6) The position of the Union within the EEA Joint Committee should be based on the attached draft Decision.

¹ OJ L 305, 30.11.1994, p. 6.

² OJ L 1, 3.1.1994, p. 3.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, within the EEA Joint Committee on the proposed amendment to Protocol 4 to the EEA Agreement, on rules of origin, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels,

*For the Council
The President*