



Council of the  
European Union

194377/EU XXVII. GP  
Eingelangt am 31/07/24

Brussels, 31 July 2024  
(OR. en)

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Interinstitutional File:  
2024/0202(NLE)

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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) 343 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, as regards the amendment of Protocol 4 on rules of origin to that Agreement, 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) 343 final ANNEX.

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Encl.: COM(2024) 343 final ANNEX



EUROPEAN  
COMMISSION

Brussels, 30.7.2024

COM(2024) 343 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, as regards the amendment of Protocol 4 on rules of origin to that Agreement, 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 EEA JOINT COMMITTEE**

**of XX XX 2024**

#### **amending 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<sup>1</sup> (the Agreement) and in particular Article 98 thereof,

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)<sup>2</sup> agreed to implement the revised rules of the Convention (the Transitional rules of origin<sup>3</sup>) 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<sup>4</sup> 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.
- (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 4 between the Convention and the Transitional rules of origin, Article 8 of Appendix A to Protocol 4 should therefore be amended,

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<sup>1</sup> OJ EC L 1, 03.01.1994, p. 3.

<sup>2</sup> OJ L 54, 26.2.2013, p. 4.

<sup>3</sup> OJ L 246, 22.9.2022, p. 133–221

<sup>4</sup> OJ C, C/2024/1637, 20.2.2024.

HAS ADOPTED THIS DECISION

*Article 1*

In Article 8 of Appendix A to Protocol 4 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 [ ], provided that all the notifications under Article 103(1) of the EEA Agreement have been made<sup>5</sup>.

*Article 3*

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*

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<sup>5</sup> No constitutional requirements indicated.