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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 1 April 2026

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: COM(2026) 141 annex

Subject: ANNEX to the Recommendation for a COUNCIL DECISION authorising the opening of negotiations with the Republic of Korea for an agreement on mutual recognition in relation to conformity assessments, certificates and markings

Delegations will find attached document COM(2026) 141 annex.

Encl.: COM(2026) 141 annex



Brussels, 1.4.2026
COM(2026) 141 final

ANNEX

ANNEX

to the

Recommendation for a Council Decision

authorising the opening of negotiations with the Republic of Korea for an agreement on mutual recognition in relation to conformity assessments, certificates and markings

ANNEX

DIRECTIVES FOR THE NEGOTIATION OF A MUTUAL RECOGNITION AGREEMENT WITH THE REPUBLIC OF KOREA REGARDING CONFORMITY ASSESMENTS

Nature and scope of the Agreement

1. The Agreement should contain provisions ensuring that each party accepts, as sufficient proof of compliance with the applicable laws specified in the relevant Sectoral Annex, the results of conformity assessment procedures conducted by the registered conformity assessment bodies of the other party. This includes, among others, certificates and markings of conformity.
2. The Agreement should be fully consistent with World Trade Organization (WTO) rules and obligations.
3. The Agreement should provide for reciprocal commitments on mutual recognition regarding conformity assessments.

Objectives

4. The objective of the negotiation is to facilitate trade between the EU and the Republic of Korea and facilitate market access by enabling each party to accept test reports, certificates and conformity markings issued by the other's designated conformity assessment bodies (CABs) for specified sectors, thereby avoiding duplication of testing and certification procedures.

Content

5. The Agreement should require the parties to accept attestations of conformity, including test reports, certificates, authorisations and markings of conformity, as required by legislation and regulations specified in the Sectoral Annexes to the Agreement and as such attestations are issued by designated CABs in the other party's territories.
6. The Agreement should provide a sectoral and territorial scope of application, specifying the products and sectors covered and each party's entire territory to ensure the free movement of certified products.
7. Each Sectoral Annex to the Agreement should contain, among other things, the following elements:
 - a statement of its scope and coverage;
 - the legislative, regulatory and administrative requirements pertaining to the conformity assessment procedures;
 - a list of the designated CABs;
 - the designating authorities;
 - a set of procedures for the designation of CABs.
8. The Agreement should require parties to make their designated CABs available for verification of technical competence and compliance, while granting the other party the right to contest such bodies only in exceptional circumstances.

9. The Agreement should contain a clause that mutual recognition agreements (MRAs) with non-EU countries would not require the parties to accept conformity assessments from those non-EU countries, unless a formal agreement is concluded.
10. The parties should establish a Joint Committee for amending annexes, resolving disputes, verifying CAB competence, and expanding coverage.
11. The Agreement may require the parties to exchange information on the following elements, among other things:
 - the implementation of the legislative, regulatory and administrative provisions specified in the Sectoral Annexes;
 - the legislative, regulatory and administrative changes they envisage in line with the WTO Members' notification obligations under the Technical Barriers to Trade Agreement;
 - the suspension of a designation of a CAB or the removal of such a suspension;
 - the procedures used to ensure that the designated CABs of the parties comply with the legislative, regulatory and administrative requirements outlined in the Sectoral Annexes and with the competence requirements specified in the Annex.
12. The agreement should, as appropriate, state its relationship with the EU-South Korea Free Trade Agreement.
13. The agreement should contain a clause specifying that it must not be construed to entail mutual acceptance of the parties' standards or technical regulations.

Final provisions

14. The Agreement should provide provisions on the termination of the Agreement and on the suspension of the obligations provided for in the Agreement.
15. The Agreement should be equally authentic in all official EU languages and include a language clause to that effect.