

DECISION No 2/2024
OF THE JOINT COMMITTEE OF THE REGIONAL CONVENTION
ON PAN-EURO-MEDITERRANEAN PREFERENTIAL RULES OF ORIGIN

of 12 December 2024

amending Decision No 1/2023 of the Joint Committee
in order to include transitional provisions
in the amendments of the Regional Convention on pan-Euro-Mediterranean
preferential rules of origin applicable as of 1 January 2025

THE JOINT COMMITTEE,

Having regard to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin¹
and in particular to Article 4(1) and Article 4(3), point (a), thereof,

¹ OJ EU L 54, 26.2.2013, p. 4.

Whereas:

- (1) The Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the 'Convention') agreed on the amendment of the Convention in order to provide for a new set of modernised and more flexible rules of origin. Decision No 1/2023² of the Joint Committee on the amendment of the Convention, which sets out revised rules of origin, was adopted on 7 December 2023 and will enter into force on 1 January 2025 (the 'revised rules of the Convention').
- (2) The Contracting Parties agree that transitional provisions are needed to clarify the preferential treatment to be granted for goods exported from a Contracting Party before the entry into force of the revised rules of the Convention and imported in another Contracting Party after the entry into force of those rules.
- (3) Proofs of origin issued or made out before 1 January 2025 in a Contracting Party in accordance with the rules for optional application to the Convention pending the conclusion and entry into force of the revised rules of the Convention should be accepted for preferential treatment at importation after 1 January 2025.
- (4) Proofs of origin issued or made out in accordance with Appendix I to the Convention, or issued in accordance with the protocols concerning the definition of the concept of 'originating products' and methods of administrative cooperation preceding the Convention, before the date of entry into force of the amendment of the bilateral protocols between the Contracting Parties to include the reference to the Convention as last amended should be accepted for preferential treatment at importation after that date.

² OJ EU L, 2024/390, 19.2.2024, ELI: <https://eur-lex.europa.eu/eli/dec/2024/390/oj>.

- (5) A number of the Contracting Parties have indicated that they will not be in a position to update, before 1 January 2025, their bilateral protocols on rules of origin with a reference to the Convention as last amended, due to the length of their internal procedures.
- (6) The delay by a number of Contracting Parties in updating the bilateral protocols to include a reference to the Convention as last amended could lead to the disruption of current cumulation possibilities.
- (7) The Contracting Parties agree that transitional provisions are needed to preserve trade flows based on current cumulation possibilities, pending the finalisation of the process of aligning all bilateral protocols with a reference to the Convention as last amended. Appendix I to the Convention as applicable prior to the amendments introduced by Decision No 1/2023 of the Joint Committee should be applicable, as a transitional measure, between the Contracting Parties to the Convention in parallel with the revised rules of the Convention and cumulation should be allowed between the different sets of rules where possible.
- (8) The Contracting Parties agree that the transitional provisions are technical in nature and should be applied as soon as possible. Where possible under the Contracting Parties' internal legislation, the provisional application of the transitional provisions should be ensured.

- (9) The Contracting Parties agree to amend Decision No 1/2023 of the Joint Committee to include in the revised rules of the Convention transitional provisions applicable for a period of one year from the date of entry into force of the revised rules of the Convention, namely for the period from 1 January to 31 December 2025.
- (10) Each Contracting Party should take appropriate measures to ensure that the revised rules of the Convention are effectively applied by aligning the bilateral protocols with a reference to the Convention as last amended by 31 December 2025,

HAS ADOPTED THIS DECISION;

Article 1

1. Decision No 1/2023 shall be amended as set out in the Annex to this Decision.
2. The amendments to Decision No 1/2023 shall enter into force on 1 January 2025.

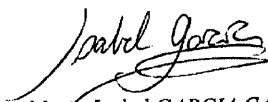
Article 2

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

Done at Brussels, 12 December 2024

For the Joint Committee

The Chair

A handwritten signature in black ink, appearing to read 'Isabel Garcia', with a stylized flourish at the end.

Maria Isabel GARCIA CATALAN

Sole Article

*Amendment of Decision No 1/2023 of the Joint Committee of the Regional Convention
on pan-Euro-Mediterranean preferential rules of origin*

In Decision No 1/2023 of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin of 7 December 2023 on the amendment of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, the Sole Article of the Annex thereto is amended as follows:

1. in point (5), the following article is added to Appendix I:

'Article

42

Transitional provisions

1. Appendix I to the Convention as published in OJ EU L 54/4 of 26 February 2013 shall be applicable between the Contracting Parties to the Convention until 31 December 2025 in parallel with this Appendix.

2. Proofs of origin issued or made out before 1 January 2025 in accordance with the rules for optional application to the Convention pending the conclusion and entry into force of the amendment of the Convention (the “Transitional rules of origin”) and submitted after that date, within their validity period, shall be accepted for preferential treatment at importation for goods which, on 1 January 2025, are either in transit or placed under a special procedure under customs control. Those goods may be used for cumulation as provided for in Article 7.
3. In cases of belated presentation of proofs of origin issued or made out before 1 January 2025 in accordance with the Transitional rules of origin, Article 23(2) and (3) shall apply to the goods mentioned in paragraph 2 of this Article.
4. Proofs of origin issued or made out in accordance with Appendix I to the Convention as published in OJ EU L 54/4 of 26 February 2013 or issued in accordance with the rules of origin contained in the protocols preceding the Convention before the date of entry into force of the amendment of the bilateral protocols between the Contracting Parties to include the reference to the Convention as last amended, and submitted after that date, shall be accepted within their validity period for preferential treatment at importation for goods which, on that date, are either in transit or placed under a special procedure under customs control. In cases of belated presentation of such proofs, Article 23(2) and (3) shall apply.

5. Proofs of origin issued or made out before 1 January 2026 in accordance with paragraph 1 or in accordance with the rules of origin contained in the protocols preceding the Convention and submitted after that date, within their validity period, shall be accepted for preferential treatment at importation for goods which, on 1 January 2026, are either in transit or placed under a special procedure under customs control. In cases of belated presentation of such proofs, Article 23(2) and (3) shall apply.
6. For the purpose of verification, Article 33(2), Article 34 and, where applicable, Article 35 shall also apply to proofs of origin issued or made out in accordance with the Transitional rules of origin and proofs of origin issued or made out according to the protocols preceding the Convention applicable before 1 January 2025.
7. For the purpose of verification, Article 33(2) and Article 34 shall also apply if the verification request is submitted after 1 January 2026 or after the date of entry into force of the amendment of the bilateral protocols between the Contracting Parties to include the reference to the Convention as last amended, for proofs of origin issued or made out in accordance with Appendix I to the Convention as published in OJ EU L 54/4 of 26 February 2013 and the protocols preceding the Convention.
8. The Contracting Parties shall notify each other every four months, through the European Commission, of the state of play in updating their bilateral protocols to include the reference to the Convention as last amended and of the measures taken to ensure that the rules of the Convention as amended by Decision No 1/2023 of the Joint Committee are effectively applied from 1 January 2026.

9. The movement certificates EUR.1 issued in accordance with this Appendix shall include the statement in English “REVISED RULES” in box 7. That statement shall also be added at the end of the text of the origin declaration made out in accordance with this Appendix. That statement shall be included in the proofs of origin until 31 December 2025.’;

2. in point (5), the following paragraph is inserted in Article 8 in Appendix I:

‘1a. The cumulation provided for in Article 7 may be applied for goods classified under Chapters 1, 3, 16 (for processed fishery products) and 25 to 97 of the Harmonised System that have obtained originating status by the application of the rules of origin under Article 42(1) and the relevant provisions of Appendix II as well as by the application of the rules of origin included in the protocols concerning the definition of the concept of “originating products” and methods of administrative cooperation preceding the Convention provided that materials and products are originating in the Contracting Parties for which cumulation is possible, as notified in the “Commission notice concerning the application of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin or the protocols on rules of origin providing for diagonal cumulation between the Contracting Parties to this Convention”, as last published in the *Official Journal of the European Union*.

This paragraph shall apply for the period provided in Article 31(1) to goods covered by the proofs of origin mentioned in Article 42(4) and (5).’
