



DECISION OF THE EEA JOINT COMMITTEE No 310/2024

of 6 December 2024

**establishing the general requirements for proofs of origin issued electronically under Article 17(4) of
Appendix A to Protocol 4 to the Agreement on the European Economic Area [2025/574]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 98 thereof,

Whereas:

- (1) Article 9 of the Agreement on the European Economic Area (the 'EEA Agreement') refers to Protocol 4 to the EEA Agreement, which lays down the rules of origin.
- (2) The COVID-19 pandemic has increased the urgency for a paperless customs environment in the field of rules of origin and a vast majority of Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ (the 'Convention' and the 'Contracting Parties', respectively) have decided to accept electronic copies of movement certificates.
- (3) Pending the entry into force of the amendment of the Convention providing for a new set of modernised and more flexible rules of origin (the 'amendment of the Convention') adopted by the Joint Committee established by the Convention by virtue of its Decision No 1/2023 ⁽³⁾, some Contracting Parties have agreed to implement an alternative set of rules of origin based on the amendment of the Convention, (the 'applying Contracting Parties') on a transitional, bilateral basis (the 'Transitional rules'). Since 1 September 2021, a number of bilateral protocols on rules of origin among the applying Contracting Parties have entered into force, rendering the Transitional rules applicable. As regards the European Economic Area ('EEA'), Protocol 4 to the EEA Agreement was replaced by a new Protocol 4 by Decision of the EEA Joint Committee No 163/2022 ⁽⁴⁾. The Transitional rules are set out in Appendix A to that new Protocol 4.
- (4) The applying Contracting Parties have developed electronic systems or have adapted existing systems, to balance the need for digitalisation with the requirements for the movement certificate form described in the Transitional rules.
- (5) Considering the development of customs electronic systems, the Contracting Parties to the EEA Agreement acknowledge that the issuance, submission and verification of proofs of origin in the form of movement certificates should be modernised.
- (6) The Contracting Parties to the EEA Agreement affirm their commitment to continue the good practices introduced under the exceptional measures that were put in place during the COVID-19 pandemic, recognise the importance of introducing electronic tools and affirm their commitment to continue working together towards a common system based on electronic proofs of origin and electronic administrative cooperation within the pan-Euro Mediterranean zone (the 'PEM zone') ⁽⁵⁾.

⁽¹⁾ OJ L 1, 3.1.1994, p. 3.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

⁽³⁾ 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 (OJ L, 2024/390, 19.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/390/oj>).

⁽⁴⁾ Decision of the EEA Joint Committee No 163/2022 of 29 April 2022 amending Protocol 4 to the EEA Agreement, on rules of origin (OJ L 246, 22.9.2022, p. 133).

⁽⁵⁾ The European Union, Iceland, the Swiss Confederation (including Liechtenstein), the Kingdom of Norway, the Faroe Islands, the State of Israel, the Hashemite Kingdom of Jordan, Palestine (this designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue), the Republic of Albania, Bosnia and Herzegovina, Kosovo (this designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence), the Republic of North Macedonia, the Republic of Serbia, Montenegro, Georgia, the Republic of Moldova and Ukraine.

- (7) The Contracting Parties to the EEA Agreement consider that moving to electronic proofs of origin and digitalised administrative cooperation under the framework of the Transitional rules constitutes the first steps towards full digitalisation of proofs of origin on the scale of the PEM zone, especially in view of the forthcoming entry into force of the amendment of the Convention.
- (8) Decision of the EEA Council No 1/95 ⁽⁶⁾ lays down the rules for the application of Protocol 4 to the EEA Agreement to the Principality of Liechtenstein.
- (9) The Contracting Parties to the EEA Agreement have agreed to implement Article 17(4) of Appendix A to Protocol 4 to the EEA Agreement as regards proofs of origin issued electronically so that originating products benefit from those provisions,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 17(4) of Appendix A to Protocol 4 to the Agreement on the European Economic Area (the 'EEA Agreement'), the Contracting Parties to the EEA Agreement agree that the proofs of origin referred to in Article 17(1), point (a), of that Appendix may be issued electronically.

Article 2

1. The date from which a Contracting Party to the EEA Agreement starts to issue electronic movement certificates shall be specified in the notices published in the Official Journal of the European Union (C series) and in accordance with that Party's own procedures.
2. From the date specified in the notices referred to in paragraph 1, the Contracting Parties to the EEA Agreement shall accept movement certificates issued electronically, when submitted at importation, provided that all of the following conditions are fulfilled:
 - (a) the movement certificates issued electronically have a similar form to that of the specimen set out in Annex IV to Appendix A to Protocol 4 to the EEA Agreement;
 - (b) the customs authorities of the exporting Contracting Party to the EEA Agreement provide for a secure online internet-based system to verify the authenticity of movement certificates issued electronically; and
 - (c) the movement certificates issued electronically bear a unique serial number, and, if available, security features by which they can be identified.

Article 3

A Contracting Party to the EEA Agreement may decide to suspend the acceptance of movement certificates issued electronically where any of the conditions listed under Article 2(2) is not fulfilled and shall inform the other Contracting Parties to the EEA Agreement thereof in advance. The starting date of the suspension shall be specified in a notice published in accordance with that Party's own procedures.

Article 4

For the purposes of administrative cooperation under Articles 34 and 35 of Appendix A to Protocol 4 to the EEA Agreement, the Contracting Parties to the EEA Agreement may decide to assist each other through electronic means.

⁽⁶⁾ Decision of the EEA Council No 1/95 of 10 March 1995 on the entry into force of the Agreement on the European Economic Area for the Principality of Liechtenstein (OJ L 86, 20.4.1995, p. 58).

Article 5

The date from which a Contracting Party to the EEA Agreement applies this Decision shall be published in a notice in accordance with that Party's own procedures.

Article 6

Articles 1 to 5 shall apply until the date of entry into force of the agreement between the Contracting Parties to the EEA Agreement to use a pan-Euro-Mediterranean digital environment for proofs of origin developed with the other applying Contracting Parties to the Convention that allows proofs of origin to be issued and/or submitted electronically.

Article 7

As the Transitional rules of origin shall cease to apply on the date of entry into force of the amendment of the Convention, Articles 1 to 6 of this Decision shall continue to apply between the Contracting Parties to the EEA Agreement within the framework of the Convention until the entry into force of the Decision of the Joint Committee established by the Convention providing the general requirements for proofs of origin issued and/or submitted electronically.

Article 8

This Decision shall enter into force once all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 9

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 Brussels, 6 December 2024.

For the EEA Joint Committee
The President
Anders H. EIDE

(*) No constitutional requirements indicated.