

DECISION OF THE UKRAINE-EFTA JOINT COMMITTEE

NO. 1 OF 2025

AMENDING THE PROTOCOL ON RULES OF ORIGIN REFERRED TO IN
ARTICLE 2.2 OF THE FREE TRADE AGREEMENT BETWEEN UKRAINE AND
THE EFTA STATES

THE UKRAINE - EFTA JOINT COMMITTEE,

Taking into account the Free Trade Agreement between Ukraine and the EFTA States (the Agreement), signed in Reykjavik on June 24, 2010;

Recalling the Parties' intention to participate actively in the process of economic integration in the Euro-Mediterranean region, and expressing their readiness to cooperate in seeking ways and means to strengthen this process;

Recalling that the pan-Euro-Mediterranean system of cumulation of origin established by the European Union, the EFTA States, the People's Democratic Republic of Algeria, the Arab Republic of Egypt, the State of Israel, the Hashemite Kingdom of Jordan, the Republic of Lebanon, the Kingdom of Morocco, the Syrian Arab Republic, the Republic of Tunisia, the PLO for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, the Republic of Turkey and the Faroe Islands, consists of a network of Free Trade Agreements that set out identical rules of origin allowing for diagonal cumulation of origin among the member countries of the system;

Noting that the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (Convention) aims at replacing the protocols on rules of origin currently in force among the member countries of the pan-Euro-Mediterranean system of cumulation of origin;

Considering that the Republic of Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Montenegro, the Republic of Serbia, the Republic of Kosovo, as well as the Republic of Moldova, Georgia and Ukraine are Contracting Parties of the Convention and that the pan-Euro-Mediterranean system is thus extended to these countries;

Noting that the Convention entered into force in relation to Liechtenstein, Norway and Switzerland on 1 January 2012, to Iceland on 1 May 2012, and to Ukraine on 1 February 2018;

Acknowledging that the Contracting Parties to the Convention on 7 December 2023 agreed on the amendment of the Convention in order to provide for a new set of modernised and more flexible rules of origin, which entered into force on 1 January 2025;

Considering that the Convention shall not lead to any less favourable situation than previously under the Agreement;

Having regard to paragraph 7 of Article 8 of the Agreement, empowering the Joint Committee to amend the Annexes and Protocols to the Agreement,

DECIDES that:

1. The text of the Protocol on Rules of Origin to the Agreement and its Appendices shall be replaced by the text set out in the Annex to this Decision.
2. This Decision shall enter into force on 1 January 2026, however, in case not all Parties have completed their internal requirements by 1 January 2026, this Decision will enter into force on the first day of the second month after the last Party has notified the Depositary of the completion of its internal requirements relating to it.
3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary referred to in Article 10.9 of the Agreement.

DONE at Kyiv, this 8th day of April in 2025, in one original in English.

For Ukraine

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For Iceland

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For the Principality of Liechtenstein

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For the Kingdom of Norway

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For the Swiss Confederation

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ANNEX TO DECISION NO. 1 OF 2025
OF THE UKRAINE-EFTA JOINT COMMITTEE

PROTOCOL ON RULES OF ORIGIN REFERRED TO IN ARTICLE 2.2
CONCERNING THE DEFINITION OF THE CONCEPT OF ‘ORIGINATING
PRODUCTS’ AND METHODS OF ADMINISTRATIVE COOPERATION

ARTICLE 1

Applicable Rules of Origin

1. For the purpose of implementing the Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the Convention), as it may be subsequently amended, shall apply and are hereby incorporated into and made part of the Agreement, *mutatis mutandis*.
2. All references to the 'relevant agreement' in Appendix I and in the relevant provisions of Appendix II to the Convention shall be construed so as to mean the Agreement.

Article 2

Dispute settlement

1. Chapter 9 of the Agreement shall apply with respect to the settlement of any disputes concerning the interpretation or application of Appendix I and the relevant provisions of Appendix II to the Convention, including their Annexes. For greater certainty, where disputes arise in relation to the verification procedures of Article 32 of Appendix I to the Convention which cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out that verification, they shall be submitted to the Sub-Committee on Rules of Origin, Customs Procedures and Trade Facilitation and then to the Joint Committee, as provided for in Article 8 of the Agreement.
2. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

ARTICLE 3

Withdrawal from the Convention

1. Should one of the Parties give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention according to Article 9 thereof, the Parties shall immediately enter into negotiations on rules of origin for the purpose of implementing the Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention, applicable at the moment of withdrawal, shall continue to apply to the Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation only between the withdrawing Party and each of the other Parties.

ARTICLE 4

Electronically issued proofs of origin

1. The Parties agree that the proofs of origin may be issued and/or submitted electronically.
2. The Parties shall accept movement certificates issued electronically when submitted at importation provided that:
 - (a) The movement certificates issued electronically have a similar form as the specimen described in the Convention;
 - (b) The customs authorities of the exporting Party provide for a secured online internet-based system to verify the authenticity of movement certificates issued electronically;
 - (c) The movement certificates issued electronically bear a unique serial number, and, if available, security features by which they can be identified; and
 - (d) The date from which a Party starts the issuance of electronic movement certificates is specified in the notices published in the Official Journal of the European Union (C series) and it is published by the Party according to its own procedure. The acceptance of the movement certificates issued electronically shall apply from the date indicated in those notices.
3. A Party may decide to suspend the acceptance of movement certificates issued electronically where the conditions listed under paragraph 2 are not fulfilled, and shall, in

that case, inform the other Party thereof in advance. In that case, notices as referred to under paragraph 2(d), shall indicate the starting date of the suspension.

4. For the purpose of administrative cooperation, the Parties may decide to assist each other through electronic means.

5. The Parties shall notify the European Commission concerning the date of application of this Article. Notices indicating the application of this Article shall be published in an official publication by the Parties, in accordance with their own procedures.

6. The provisions of paragraphs 1 to 5 shall remain applicable until the Parties may agree to use a pan-Euro-Mediterranean digital environment for proofs of origin developed with the other Contracting Parties that allows proofs of origin to be issued and/or submitted electronically.

7. Paragraphs 1 to 6 of this Article shall apply until equivalent provisions are adopted under the Convention.

ARTICLE 5

Transitional provisions

Until the application of the revised rules of the Convention and notwithstanding Articles 16 (5) and 21 (3) of Appendix I to the Convention, where cumulation involves only the EFTA States, the Faroe Islands, the European Union, Turkey, the participants in the Stabilisation and Association Process, the Republic of Moldova, Georgia and Ukraine, the proof of origin may be a movement certificate EUR.1 or an origin declaration.
