



2024/2990

3.12.2024

COUNCIL DECISION (EU) 2024/2990

of 21 November 2024

on the position to be adopted on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, with regard to a decision establishing the general requirements for proofs of origin issued electronically under Article 17(4) of Appendix A to Protocol 2 to that Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part (the 'Agreement'), was concluded by the Union by Council and Commission Decision (EU, Euratom) 2015/998⁽¹⁾ and entered into force on 1 June 2015.
- (2) Pursuant to Article 117 of the Agreement, the Stabilisation and Association Council, established under Article 115 of the Agreement (the 'Stabilisation and Association Council') may take decisions within the scope of the Agreement.
- (3) At its next meeting, the Stabilisation and Association Council is to take a decision establishing the general requirements for proofs of origin issued electronically.
- (4) It is appropriate to establish the position to be adopted on the Union's behalf within the Stabilisation and Association Council as the decision of the Stabilisation and Association Council will have legal effects.
- (5) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the 'Convention') was concluded by the Union by Council Decision 2013/94/EU⁽²⁾ and entered into force in relation to the Union on 1 May 2012. By Decision (EU) 2019/2198⁽³⁾, the Council supported the amendment of the Convention providing for a new set of modernised and more flexible rules of origin (the 'amendment of the Convention'). The amendment of the Convention will enter into force on 1 January 2025.
- (6) At the technical meeting held in Brussels on 5 February 2020, the majority of the Contracting Parties to the Convention agreed to implement an alternative set of rules of origin, based on the amendment of the Convention on a transitional bilateral basis (the 'Transitional rules'). The Transitional rules apply in parallel with the rules of the Convention, pending the entry into force of the amendment of the Convention.
- (7) The application of the Transitional rules ensures the adaptation of the trade flows and customs practices pending the entry into force of the amendment of the Convention.

⁽¹⁾ Council and Commission Decision (EU, Euratom) 2015/998 of 21 April 2015 on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part (OJ L 164 30.6.2015, p. 548).

⁽²⁾ Council Decision 2013/94/EU of 26 March 2012 on the conclusion of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (OJ L 54, 26.2.2013, p. 3).

⁽³⁾ Council Decision (EU) 2019/2198 of 25 November 2019 on the position to be taken on behalf of the European Union within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the amendment of the Convention (OJ L 339, 30.12.2019, p. 1).

(8) Since 1 September 2021, a number of bilateral protocols on rules of origin among several Contracting Parties to the Convention (⁴) have entered into force, rendering the Transitional rules applicable pending the entry into force of the amendment of the Convention. As regards Bosnia and Herzegovina, Protocol 2 to the Agreement was replaced by a new Protocol 2 by Decision No 1/2023 of the EU-Bosnia and Herzegovina Stabilisation and Association Council (⁵). The Transitional rules are set out in Appendix A to that new Protocol 2.

(9) The two main objectives of the Transitional rules are: firstly, to provide for less strict rules, making it easier for goods to qualify for preferential originating status and, secondly, to enable the use of proofs of origin that have been issued electronically and/or submitted electronically.

(10) The Union and Bosnia and Herzegovina have agreed to apply Article 17(4) of Appendix A to Protocol 2 to the Agreement, as regards proofs of origin issued electronically. Therefore, a framework of general requirements for proofs of origin issued electronically should be determined.

(11) The position of the Union within the Stabilisation and Association Council should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part (the 'Agreement') at its next meeting, with regard to a decision establishing the general requirements for proofs of origin issued electronically under Article 17(4) of Appendix A to Protocol 2 to the Agreement, shall be based on the draft decision of the Stabilisation and Association Council attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption and shall expire on 31 December 2025.

Done at Brussels, 21 November 2024.

For the Council
The President
SZIJJÁRTÓ P.

(⁴) 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.

(⁵) Decision No 1/2023 of the EU-Bosnia and Herzegovina Stabilisation and Association Council of 11 December 2023 amending the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, by replacing Protocol 2 thereto concerning the definition of the concept of originating products and methods of administrative cooperation [2024/245] (OJ L, 2024/245, 18.1.2024, ELI: <http://data.europa.eu/eli/dec/2024/245/oj>).