



**RECOMMENDATION 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 use of movement certificates issued electronically [2024/243]

THE JOINT COMMITTEE,

Having regard to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, and in particular Article 4(1) and Article 4(2)(b) thereof,

Whereas:

- (1) At the beginning of the year 2020, the Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ ('the Convention') ('the Contracting Parties') were informed by the Commission of the impossibility faced by a majority of free trade partners to provide movement certificates for preferential origin purposes in due form (namely signed by hand, stamped in wet ink or in the right paper format), as due to the COVID-19 pandemic, contacts between the customs authorities of the Contracting Parties and economic operators had been suspended in a number of Contracting Parties.
- (2) A vast majority of Contracting Parties considered it appropriate to adopt exceptional measures to ensure the full implementation of the preferential trade arrangements covered by the Convention ('the arrangements'). Those exceptional measures were applicable on a reciprocal basis by the free trade partners that were interested, making use of the relevant provisions in the rules of origin of the arrangements.
- (3) During the COVID-19 pandemic, some Contracting Parties developed or adapted existing electronic systems issuing certificates electronically to balance the need for flexibility with the need for compliance with the requirements on the format of the movement certificates described in Appendix I to the Convention, in particular in Article 16(2) and in Annexes III a and III b to that Appendix.
- (4) The customs authorities of the Contracting Parties were invited to accept movement certificates for preferential origin purposes, issued electronically with a digital signature, stamp or cachet of the competent authorities, or a copy in paper or electronic form (scanned or available online).
- (5) Such practice was based on the flexibility provided for in Article 24 of Appendix I to the Convention concerning the submission of proofs of origin that are to be submitted to the customs authorities of the importing Contracting Party in accordance with the procedures applicable in that country.
- (6) One Contracting Party requested to maintain the good practices introduced under the exceptional measures adopted during the COVID-19 pandemic in order for the economic operators to benefit from a digitalisation of movement certificates.
- (7) The Joint Committee was informed of that request during its meeting held on 16 June 2022.
- (8) The Contracting Parties acknowledge that the experience of preferential trade under the exceptional measures adopted due to the COVID-19 pandemic was positive.
- (9) The Contracting Parties affirm their commitment to keep up the good practices introduced under such exceptional measures during the COVID-19 pandemic, and recognise the importance of introducing electronic means and of working together towards a common system based on electronic proofs of origin and electronic administrative cooperation within the pan-Euro-Mediterranean (PEM) region.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

- (10) Systems designed for the electronic issuance of movement certificates should offer the possibility for the customs authorities of the Contracting Parties to check their authenticity instantly.
- (11) The Contracting Parties consider that moving to a system that issues movement certificates electronically and provides for electronic administrative cooperation under the framework of the Convention constitutes the first steps towards a full digitalisation of proofs of origin at the scale of the PEM zone, especially in view of the forthcoming adoption of the amendment of the Convention ('the revised Convention').
- (12) Since 1 September 2021, a network of bilateral protocols on rules of origin among the Contracting Parties has already entered into force, rendering the Transitional rules applicable. The Transitional rules allow for the use of movement certificates issued electronically. Pending the adoption of the revised Convention among all Contracting Parties, the Transitional rules are applicable in parallel with the Convention.
- (13) To ensure consistency among the two sets of rules of origin applicable in parallel, and pending the adoption of the revised Convention which will replace both sets of rules of origin, it is appropriate to recommend the acceptance of movement certificates issued electronically under the framework of the Convention,

HEREBY RECOMMENDS THAT:

1. The Contracting Parties accept movement certificates issued electronically when submitted at importation, provided that:
 - (a) the movement certificates issued electronically have a similar form as the specimens described in Annexes III a and III b of Appendix I to the Convention;
 - (b) the customs authorities of the exporting Contracting Party provide for a secured online internet-based system to verify the authenticity of movement certificates issued electronically where the printing instructions described in Annexes III a and III b are not fulfilled (for example, lack of printed green guilloche pattern background, wet ink stamp, handwritten signature);
 - (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 Contracting Party starts the issuance of electronic movement certificates is specified in notices published in the *Official Journal of the European Union* (C series) and according to Contracting Parties' own procedures.
2. A Contracting Party may decide to suspend the acceptance of movement certificates issued electronically where the conditions listed above are not fulfilled and shall in that case inform the other Contracting Parties thereof in advance, through the secretariat of the Joint Committee. In case of suspension, notices as referred to under point 1(d) shall indicate the starting date of the suspension.

Done at Brussels, 7 December 2023.

For the Joint Committee
The Chair
Marko LÄTTI