

Commission notice concerning the application of the transitional rules of origin providing for diagonal cumulation between the applying Contracting Parties ⁽¹⁾ in the pan-Euro-Mediterranean (PEM) zone

(2022/C 405/04)

For the purpose of the application of diagonal cumulation of origin among the applying Contracting Parties, the applying Contracting Parties concerned notify each other, through the European Commission, of the origin rules in force with the other applying Contracting Parties.

It is recalled that diagonal cumulation (of working, processing and/or materials) can only be applied if the applying Contracting Parties of final manufacture and of final destination have concluded free trade agreements, containing identical rules of origin, with all the applying Contracting Parties participating in the acquisition of originating status.

Products originating in an applying Contracting Party which has not concluded an agreement with the applying Contracting Parties of final manufacture and/or of final destination shall be treated as non-originating.

Based on the notifications made by the applying Contracting Parties to the European Commission, the tables attached specify:

Table 1 – a simplified overview of cumulation possibilities on 15 October 2022.

Table 2 – the date from which diagonal cumulation becomes applicable.

In Table 1, an 'X' marks the existence between 2 partners of a free trade agreement containing rules of origin allowing cumulation based on the transitional rules of origin. To use diagonal cumulation with a third partner, an 'X' should be present in all the intersection of the table between the 3 partners.

In Table 2, the dates mentioned refer to the date of application of diagonal cumulation on the basis of Article 8 of Appendix A to each protocol on rules of origin between the applying Contracting Parties. In that case the date is preceded by '(T)'.

A list of applying Contracting Parties having opted to extend the application of Article 7(3) of the transitional rules provided by Appendix A to the bilateral protocols on rules of origin on importation of products falling within Chapters 50 to 63 unilaterally is contained in Annex I

The codes for the applying Contracting Parties listed in the tables are given here below.

— European Union	EU
— EFTA States:	
— Iceland	IS
— Switzerland (including Liechtenstein) ⁽²⁾	CH (+ LI)
— Norway	NO
— The Faroe Islands	FO
— The participants in the Barcelona Process:	
— Jordan	JO
— Palestine ⁽³⁾	PS
— The participants in the EU's Stabilisation and Association Process:	
— Albania	AL

⁽¹⁾ 'applying Contracting Party' means a Contracting Party to the PEM Convention that incorporates the PEM transitional rules of origin in its bilateral preferential trade agreements with another Contracting Party to the PEM Convention

⁽²⁾ Switzerland and the Principality of Liechtenstein form a customs union.

⁽³⁾ 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

— North Macedonia	MK
— Serbia	RS
— Montenegro	ME
— Georgia	GE
— The Republic of Moldova	MD
— Kosovo *	KO

This notice replaces notice 2022/C 202/01 (OJ C 202, 19.5.2022, p. 1).

(*) 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.

Table 1

Simplified overview of diagonal cumulation possibilities under the transitional rules of origin in the pan-Euro-Med zone on 15 October 2022

	EU	CH (+LI)	IS	NO	FO	JO	PS	AL	KO	MK	RS	ME	GE	MD
EU		X	X	X	X	X	X	X	X	X	X	X	X	X
CH (+LI)	X		X	X				X		X	X	X		
IS	X	X		X				X		X	X	X		
NO	X	X	X					X		X	X	X		
FO	X													
JO	X													
PS	X													
AL	X	X	X	X										
KO	X													
MK	X	X	X	X										
RS	X	X	X	X										
ME	X	X	X	X										
GE	X													
MD	X													

Table 2

Date of application of transitional rules of origin providing for diagonal cumulation in the pan-Euro-Med zone

	EU	CH (+LI)	IS	NO	FO	JO	PS	AL	KO	MK	RS	ME	GE	MD
EU		(T) 1.9.2021	(T) 1.9.2021	(T) 1.9.2021	(T) 1.9.2021	(T) 1.9.2021	(T) 1.9.2021	(T) 1.9.2021	(T) 15.10.20- 22	(T) 9.9.2021	(T) 6.12.2021	(T) 9.2.2022	(T) 1.9.2021	(T) 16.11.2021
CH (+LI)	(T) 1.9.2021		(T) 1.11.2021	(T) 1.11.2021				(T) 1.1.2022		(T) 1.4.2022	(T) 1.1.2022	(T) 1.4.2022		
IS	(T) 1.9.2021	(T) 1.11.2021		(T) 1.11.2021				(T) 1.1.2022		(T) 1.4.2022	(T) 1.1.2022	(T) 1.4.2022		
NO	(T) 1.9.2021	(T) 1.11.2021	(T) 1.11.2021					(T) 1.1.2022		(T) 1.4.2022	(T) 1.1.2022	(T) 1.4.2022		
FO	(T) 1.9.2021													
JO	(T) 1.9.2021													
PS	(T) 1.9.2021													
AL	(T) 1.9.2021	(T) 1.1.2022	(T) 1.1.2022	(T) 1.1.2022										
KO	(T) 15.10.2022													
MK	(T) 9.9.2021	(T) 1.4.2022	(T) 1.4.2022	(T) 1.4.2022										
RS	(T) 6.12.2021	(T) 1.1.2022	(T) 1.1.2022	(T) 1.1.2022										
ME	(T) 9.2.2022	(T) 1.4.2022	(T) 1.4.2022	(T) 1.4.2022										
GE	(T) 1.9.2021													
MD	(T) 16.11.2021													

ANNEX I

List of applying Contracting Parties having opted to extend the application of Article 7(3)

- A. List of applying Contracting Parties having opted to extend the application of Article 7(3) towards all their partners applying the Transitional rules
- Iceland
 - Norway
 - Switzerland (Liechtenstein)
- B. List of applying Contracting Parties having opted to extend the application of Article 7(3) towards a limited number of their partners applying the Transitional rules
- Albania – towards EFTA States
 - Montenegro – towards EFTA States
 - North Macedonia – towards EFTA States
 - Serbia – towards EFTA States
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