

NASLOV: OBAVJEŠTENJE - Primjena Regionalne konvencije o Pan-Euro- Mediteranskim preferencijalnim pravilima o porijeklu robe - VAŽNO

U Službenom listu Evropske Unije serije C broj 158 od 10.05.2019.g., objavljeno je Obavještenje Evropske komisije o primjeni dijagonalne kumulacije porijekla, shodno članu 3 Priloga I Regionalne konvencije o Pan-Euro-Mediterskim preferencijalnim pravilima o porijeklu robe ("Sl.list CG-Međunarodni ugovori", br.7/12).

Uz Obavještenje objavljene su i nove matrice dijagonalne kumulacije, koje na jednostavan način daju prikaz sadašnjeg stanja primjene dijagonalne kumulacije u Pan-Euro-Med zoni.

Matrica je rezultat dosadašnjih promjena u odnosu na pravna vezivanja sporazuma o slobodnoj trgovini na PEM Konvenciju.

U konkretnom, dijagonalna kumulacija može se primjenjivati samo ako su strana gdje se obavlja konačna proizvodnja i strana konačnog odredišta sklopile sporazume o slobodnoj trgovini, koji sadrže ista pravila porijekla, sa svim stranama koje učestvuju u sticanju statusa proizvoda sa porijeklom, tj. sa svim stranama iz kojih potiču upotrijebljeni materijali. Materijali sa porijeklom iz strane koja sa stranom gdje se obavlja konačna proizvodnja i stranom konačnog odredišta nije sklopila sporazume o slobodnoj trgovini, smatraju se materijalima bez porijekla.

Pregled Matrica dajemo kako slijedi:

Matrica 1. Pojednostavljeni prikaz mogućnosti kumulacije u Pan-euro-med zoni, na dan 01.03.2019.g.

U ovoj matrici oznakom "X" potvrđuje se da je između 2 strane sklopljen sporazum o slobodnoj trgovini koji sadrži pravila porijekla koja omogućavaju kumulaciju na osnovu pan-euro-mediteranskog modela pravila porijekla. Da bi se primijenila dijagonalna kumulacija i sa 3. stranom, oznaka "X" treba da bude upisana u sva polja koja se međusobno ukrštaju između sve tri strane.

Matrice 2. Datum primjene pravila o porijeklu kojima se omogućava dijagonalna kumulacija u Pan-Euro-Med zoni i 3. Datum primjene protokola o pravilima porijekla kojima se omogućava dijagonalna kumulacija porijekla između Evropske Unije, Albanije, Bosne i Hercegovine, Kosoca, Sjeverne Makedonije, Crne Gore, Srbije i Turske

Datumi navedeni u matrici 2. odnose se na sledeće:

- datum početka primjene dijagonalne kumulacije na osnovu člana 3 Priloga I PEM Konvencije ako određeni sporazum o slobodnoj trgovini upućuje na Konvenciju. U tom slučaju se oznaka "C" stavlja ispred datuma;
- datum početka primjene protokola o pravilima porijekla kojima se predviđa dijagonalna kumulacija uz određeni sporazum o slobodnoj trgovini, koji ne upućuje na Konvenciju.

Datumi navedeni u matrici 3 odnose se na:

- datum početka primjene dijagonalne kumulacije porijekla, vezano za sporazume o slobodnoj trgovini između EU, Turske i zemalja učesnica u procesu stabilizacije i pridruživanja EU (Albanija, Bosna i Hercegovina, Sjeverna Makedonija, Crna Gora, Srbija i

Kosovo). Svaki put kada se upućuje na Konvenciju u sporazumu o slobodnoj trgovini između strana iz ove tabele, za koje je Konvencija stupila na snagu, u matrici 2. dodat je datum ispred kojeg je oznaka "C".

Podsjećamo da se materijali porijeklom iz Turske, obuhvaćeni carinskom unijom između EU i Turske (svi proizvodi osim poljoprivrednih, uglja i proizvoda od čelika), mogu uključiti kao materijali sa porijeklom u svrhu dijagonalne kumulacije između EU i zemalja učesnica u procesu stabilizacije i pridruživanja EU.

Prilog: matrice dijagonalne kumulacije porijekla na dan 01.03.2019.g. (na engleskom jeziku)

Commission notice concerning the application of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin or the protocols on rules of origin providing for diagonal cumulation between the Contracting Parties to this Convention

(2019/C 158/06)

For the purpose of the application of diagonal cumulation of origin among the Contracting Parties⁽¹⁾ to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin⁽²⁾ (hereafter referred to as 'the Convention'), the Parties concerned notify each other, through the European Commission, of the origin rules in force with the other Parties.

It is recalled that diagonal cumulation can only be applied if the Parties of final manufacture and of final destination have concluded free trade agreements, containing identical rules of origin, with all the Parties participating in the acquisition of originating status, i.e. with all the Parties from which the materials used originate. Materials originating in a Party which has not concluded an agreement with the Parties of final manufacture and/or of final destination shall be treated as non-originating. Specific examples are given in the Explanatory Notes concerning the pan-Euro-Mediterranean protocols on rules of origin⁽³⁾.

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

Table 1 – a simplified overview of cumulation possibilities on 1 March 2019.

Tables 2 and 3 – 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 pan-Euro-Mediterranean model 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 3 of Appendix I to the Convention where the free trade agreement concerned refers to the Convention. In that case the date is preceded by '(C)';
- The date of application of the protocols on rules of origin providing for diagonal cumulation attached to the free trade agreement concerned, in other cases.

In Table 3 the dates mentioned refer to the date of application of the protocols on rules of origin providing for diagonal cumulation attached to the free trade agreements between the EU, Turkey and the participants to the EU's Stabilisation and Association Process. Each time a reference to the Convention is made in a free trade agreement between Parties in this table, a date preceded by '(C)' has been added in Table 2.

It is also recalled that materials originating in Turkey covered by the EU-Turkey customs union can be incorporated as originating materials for the purpose of diagonal cumulation between the European Union and the countries participating in the Stabilisation and Association Process with which an origin protocol is in force.

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

— European Union	EU
— EFTA States:	
— Iceland	IS
— Switzerland (including Liechtenstein) ⁽⁴⁾	CH (+ LI)
— Norway	NO
— The Faroe Islands	FO

⁽¹⁾ The Contracting Parties are the European Union, Albania, Algeria, Bosnia and Herzegovina, Egypt, Faroe Islands, Iceland, Israel, Jordan, Kosovo (under Resolution 1244(1999) of the United Nations Security Council), Lebanon, North Macedonia, Montenegro, Morocco, Norway, Serbia, Switzerland (including Liechtenstein), Syria, Tunisia, Turkey and West Bank and Gaza Strip.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

⁽³⁾ OJ C 83, 17.4.2007, p. 1.

⁽⁴⁾ Switzerland and the Principality of Liechtenstein form a customs union.

- The participants in the Barcelona Process:
 - Algeria DZ
 - Egypt EG
 - Israel IL
 - Jordan JO
 - Lebanon LB
 - Morocco MA
 - West Bank and Gaza Strip PS
 - Syria SY
 - Tunisia TN
- Turkey TR
- The participants in the EU's Stabilisation and Association Process:
 - Albania AL
 - Bosnia and Herzegovina BA
 - North Macedonia MK
 - Montenegro ME
 - Serbia RS
 - Kosovo (*) KO
- The Republic of Moldova MD
- Georgia GE
- Ukraine UA

This notice replaces notice 2018/C 325/06 (OJ C 325, 14.9.2018, p. 6).

(*) This designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

	EFTA states				Participants in the Barcelona Process												Participants in the EU's Stabilisation and Association Process							
	EU	CH (+LI)	IS	NO	FO	DZ	EG	IL	JO	LB	MA	PS	SY	TN	TR	AL	BA	KO	ME	MK	RS	MD	GE	UA
KO	X															X	X		X	X	X			
ME	X	X	X	X										(*)	X	X	X			X	X	X		
MK	X	X	X	X										X	X	X	X		X			X		
RS	X	X	X	X										(*)	X	X	X	X	X			X		
MD	X													X	X	X	X	X	X					
GE	X	X	X	X										X	X	X	X	X	X					
UA	X	X	X	X																				

(*) Diagonal cumulation between Turkey, Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia is possible. However, please see Table 3 for the possibility of diagonal cumulation between the European Union, Turkey, Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia.

Table 2

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

	EFTA states				Participants in the Barcelona Process												Participants in the EU's Stabilisation and Association Process							
	EU	CH (+LI)	IS	NO	FO	DZ	EG	IL	JO	LB	MA	PS	SY	TN	TR	AL	BA	KO	ME	MK	RS	MD	GE	UA
EU	1.1. 2006	1.1. 2006	1.1. 2006	1.1. 2006	1.1. 2005	1.1. 2007	1.1. 2006	1.1. 2006	1.7. 2006	1.7. 2006	1.12. 2005	1.7. 2009	1.8. 2006	(1)	(C) 1.5. 2015	(C) 9.12. 2016	(C) 1.4. 2016	(C) 1.2. 2015	(C) 1.5. 2015	(C) 1.2. 2015	(C) 1.5. 2015	(C) 1.12. 2016	(C) 1.6. 2018	(C) 1.1. 2019
CH (+LI)	1.1. 2006	1.8. 2005	1.7. 2013	1.7. 2013	1.1. 2006	1.8. 2007	1.7. 2005	17.7. 2007	1.1. 2007	1.3. 2005	1.3. 2005	1.6. 2005	1.9. 2007	1.9. 2007	(C) 1.5. 2015	(C) 1.1. 2015	(C) 1.1. 2015	(C) 1.9. 2012	(C) 1.2. 2016	(C) 1.5. 2015	(C) 1.5. 2015	(C) 1.5. 2018	(C) 1.6. 2018	(C) 1.6. 2012

	EFTA states				Participants in the Barcelona Process										Participants in the EU's Stabilisation and Association Process										
	EU	CH (+LI)	IS	NO	FO	DZ	EG	IL	JO	LB	MA	PS	SY	TN	TR	AL	BA	KO	ME	MK	RS	MD	GE	UA	
RS	(C) 1.2.2015	(C) 1.5.2015	(C) 1.5.2015	(C) 1.5.2015											(C) 1.4.2014	(C) 1.2.2015	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014		
MD	(C) 1.12.2016														(C) 1.10.2017	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014				
GE	(C) 1.6.2018	(C) 1.5.2018	(C) 1.9.2017	(C) 1.9.2017																					
UA	(C) 1.1.2019	(C) 1.6.2012	(C) 1.6.2012	(C) 1.6.2012																					

(¹) For goods covered by the EU-Turkey customs union, the date of application is 27 July 2006.

For agricultural products, the date of application is 1 January 2007.

For coal and steel products, the date of application is 1 March 2009.

Table 3

Date of application of the protocols on rules of origin providing for diagonal cumulation between the European Union, Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, Serbia and Turkey

	EU	AL	BA	KO	MK	ME	RS	TR
EU		1.1.2007	1.7.2008	1.4.2016	1.1.2007	1.1.2008	8.12.2009	(¹)
AL	1.1.2007		22.11.2007	1.4.2014	26.7.2007	26.7.2007	24.10.2007	1.8.2011
BA	1.7.2008	22.11.2007		1.4.2014	22.11.2007	22.11.2007	22.11.2007	14.12.2011
KO	1.4.2016	1.4.2014	1.4.2014		1.4.2014	1.4.2014	1.4.2014	
MK	1.1.2007	26.7.2007	22.11.2007	1.4.2014	26.7.2007	26.7.2007	24.10.2007	1.7.2009
ME	1.1.2008	26.7.2007	22.11.2007	1.4.2014	26.7.2007		24.10.2007	1.3.2010
RS	8.12.2009	24.10.2007	22.11.2007	1.4.2014	24.10.2007	24.10.2007		1.9.2010
TR	(¹)	1.8.2011	14.12.2011		1.7.2009	1.3.2010	1.9.2010	

(¹) For goods covered by the EU-Turkey customs union, the date of application is 27 July 2006.