Council Decision (EU) 2020/2058 of 7 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the European Economic Area, as regards the amendment of Protocol 4 (on rules of origin) to that Agreement

COUNCIL DECISION (EU) 2020/2058

of 7 December 2020

on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the European Economic Area, as regards the amendment of Protocol 4 (on rules of origin) to that Agreement

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

(1) The Agreement on the European Economic Area ('the EEA Agreement') was concluded by the Union by Decision 94/1/ECSC, EC of the Council and the Commission[(1)] and entered into force on 1 January 1994.

(2) Protocol 4 to the EEA Agreement lays down the rules of origin. Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee established by Article 92 of the EEA Agreement ('the Joint Committee') may decide to amend Protocol 4.

(3) The Joint Committee will adopt a decision amending Protocol 4 ('decision') during its next meeting, before the end of 2023.

(4) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee, as the decision will have binding legal effects in the Union.

(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. It lays down provisions on the origin of goods traded under relevant bilateral free trade agreements concluded between the Contracting Parties to the Convention, which apply without prejudice to the principles laid down in those bilateral agreements.

(6) Discussions on amending the Convention have resulted in a new set of modernised and more flexible rules of origin to be incorporated into the Convention. Pending the conclusion and entry into force of the amendment of the Convention, the EEA Parties have agreed to apply as soon as possible an alternative set of rules of origin based on those of the amended Convention, which may be used bilaterally as alternative rules of origin to those laid down in the Convention ('Transitional rules'). To that effect, the decision will also provide for the Transitional rules.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/2058. (See end of Document for details)*

(7) The position of the Union within the Joint Committee should therefore be based on the draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Joint Committee established by the Agreement on the European Economic Area as regards the amendment of Protocol 4 to that Agreement, shall be based on the draft decision of the Joint Committee[(3)].

Article 2

This Decision shall enter into force on the date of its adoption and shall expire on 31 December 2023.

Done at Brussels, 7 December 2020.

For the Council

The President

M. ROTH