

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

(2021/C 418/12)

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 August 2021.

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. However, there are some exceptions to diagonal cumulation. For such cases, either (1), (2) or an (*) next to the 'X' will point out the exceptions to consider.

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.

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

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

⁽³⁾ OJ C 83, 17.4.2007, p. 1.

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
— 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 2020/C 322/03 (OJ C 322, 30.9.2020, p. 3).

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

* 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.

Table 1

Simplified overview of diagonal cumulation possibilities in the pan-Euro-Med zone on 1 August 2021

	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			
EU		X	X	X	X	X	X	X	X		X	X		X	X ⁽¹⁾	X	X	X	X	X	X	X	X	X		
CH (+LI)	X		X	X	X		X	X	X	X	X	X		X	X	X	X		X	X	X		X	X		
IS	X	X		X	X		X	X	X	X	X	X		X	X	X	X		X	X	X		X	X		
NO	X	X	X		X		X	X	X	X	X	X		X	X	X	X		X	X	X		X	X		
FO	X	X	X	X										X												
DZ	X																									
EG	X	X	X	X					X		X			X	X											
IL	X	X	X	X					X						X											
JO	X	X	X	X				X	X		X			X												
LB		X	X	X																						
MA	X	X	X	X				X		X				X	X											
PS	X	X	X	X											X											
SY															X											
TN	X	X	X	X				X		X					X											
TR	X ⁽¹⁾	X	X	X	X			X	X					X		X ^(*)	X ^(*)	^(*)	X ^(*)	X ^(*)	X ^(*)	X ^(*)	X	X ⁽²⁾		
AL	X	X	X	X											X ^(*)		X	X	X	X	X	X	X			
BA	X	X	X	X											X ^(*)	X		X	X	X	X	X	X			
KO	X															^(*)	X	X		X	X	X	X			
ME	X	X	X	X												X ^(*)	X	X	X		X	X	X			
MK	X	X	X	X												X ^(*)	X	X	X	X		X	X			

RS	X	X	X	X											X (*)	X	X	X	X	X		X		
MD	X														X	X	X	X	X	X	X			
GE	X	X	X	X											X (?)									X
UA	X	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.

(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(cumulation is not applicable with MD and GE).
 For coal and steel products, the date of application is 1 March 2009(cumulation is not applicable with MD and GE)

(²) For the products:
 — under Chapters 1 to 24 of the Harmonised Commodity Description and Coding System; and
 — covered by the Annex 1 to the FTA between the Republic of Turkey and Georgia cumulation of origin can be applied only when originating in the Republic of Turkey and Georgia

Table 2

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

	FO	NO	IS	CH (+L)	EU	EFTA states		Participants in the Barcelona Process										Participants in the EU's Stabilisation and Association Process									
						CH(+LI)	IS	NO	FO	DZ	EG	IL	JO	LB	MA	PS	SY	TN	TR	AL	BA	KO	ME	MK	RS	MD	GE
1.12.2005 (C) 12.5.2015		1.1.2006 (C) 1.5.2015	1.1.2006 (C) 1.5.2015	1.1.2006 (C) 1.2.2016	EU			1.1.2006 (C) 1.2.2016		1.1.2006 (C) 1.2.2016																	
1.1.2006		1.8.2005 (C) 1.7.2013	1.8.2005 (C) 1.7.2013					1.8.2005 (C) 1.7.2013		1.1.2006 (C) 1.2.2015																	
1.11.2005		1.8.2005 (C) 1.7.2013		1.8.2005 (C) 1.7.2013				1.8.2005 (C) 1.7.2013		1.1.2006 (C) 1.5.2015																	
1.12.2005			1.1.2005	1.1.2006				1.1.2006		1.1.2006 (C) 12.5.2015																	
										1.11.2007																	
		1.8.2007	1.8.2007	1.8.2007				1.8.2007		1.3.2006 (C) 1.2.2016																	
		1.7.2005	1.7.2005	1.7.2005				1.7.2005		1.1.2006																	
		17.7.2007	17.7.2007	17.7.2007				17.7.2007		1.7.2006																	
		1.1.2007	1.1.2007	1.1.2007				1.1.2007																			
		1.3.2005	1.3.2005	1.3.2005				1.3.2005		1.12.2005																	
		1.5.2016	1.5.2016	1.5.2016				1.5.2016		1.7.2009 (C) 1.3.2016																	
		1.8.2005	1.3.2006	1.6.2005				1.6.2005		1.8.2006																	
(C) 1.10.2017		1.9.2007 (C) 1.12.2019	1.9.2007 (C) 1.12.2019	1.9.2007 (C) 1.12.2019				1.9.2007 (C) 1.12.2019		(¹)																	
		(C) 1.5.2015	(C) 1.5.2015	(C) 1.5.2015				(C) 1.5.2015		(C) 1.5.2015																	
		(C) 1.1.2015	(C) 1.1.2015	(C) 1.1.2015				(C) 1.1.2015		(C) 9.12.2016																	
										(C) 1.4.2016																	
		(C) 1.11.2012	(C) 1.10.2012	(C) 1.9.2012				(C) 1.9.2012		(C) 1.2.2015																	
		1.5.2015	1.5.2015	1.2.2016				1.2.2016		(C) 1.5.2015																	
		(C) 1.5.2015	(C) 1.5.2015	(C) 1.5.2015				(C) 1.5.2015		(C) 1.2.2015																	
		(C) 1.9.2017	(C) 1.9.2017	(C) 1.5.2018				(C) 1.5.2018		(C) 1.12.2016																	
		1.6.2012	1.6.2012	1.6.2012				1.6.2012		(C) 1.1.2019																	

ME	KO	BA	AL	TR	TN	SY
(C) 1.2.2015	(C) 1.4.2016	(C) 9.12.2016	(C) 1.5.2015	(¹)	1.8.2006	
(C) 1.9.2012		(C) 1.1.2015	(C) 1.5.2015	1.9.2007 (C) 1.12.2019	1.6.2005	
(C) 1.10.2012		(C) 1.1.2015	(C) 1.5.2015	1.9.2007 (C) 1.12.2019	1.3.2006	
(C) 1.11.2012		(C) 1.1.2015	(C) 1.5.2015	1.9.2007 (C) 1.12.2019	1.8.2005	
				(C) 1.10.2017		
				1.3.2007	6.7.2006	
				1.3.2006		
					6.7.2006	
				1.1.2006	6.7.2006	
				(C) 26.03.2021		
				1.1.2007		
				1.7.2005		
(C) 1.06.2021	1.9.2019	(C) 1.08.2021	(C) 3.05.2021		1.7.2005	1.1.2007
(C) 1.4.2014	(C) 1.4.2014	(C) 1.2.2015		(C) 3.05.2021		
(C) 1.2.2015	(C) 1.4.2014		(C) 1.2.2015	(C) 1.08.2021		
(C) 1.4.2014		(C) 1.4.2014	(C) 1.4.2014	1.9.2019		
	(C) 1.4.2014	(C) 1.2.2015	(C) 1.4.2014	(C) 1.06.2021		
(C) 1.4.2014	(C) 1.4.2014	(C) 1.2.2015	(C) 1.4.2014	(C) 1.8.2018		
(C) 1.4.2014	(C) 1.4.2014	(C) 1.2.2015	(C) 1.4.2014	(C) 1.6.2019		
(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.4.2014	(C) 1.10.2017		
				(C) 29.04.2021		

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	1.9.2019
MK	1.1.2007	26.7.2007	22.11.2007	1.4.2014		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	1.9.2019	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. Not applicable for agricultural products and for coal and steel products.