



WTO OMC

附件1

WTO/AIR/RO/15

25 MARCH 2022

SUBJECT: COMMITTEE ON RULES OF ORIGIN

THE COMMITTEE ON RULES OF ORIGIN WILL HOLD ITS NEXT FORMAL MEETING ON THURSDAY, 7 APRIL 2022 AT 10:00 A.M.

DELEGATES WILL BE ABLE TO ATTEND THE MEETING EITHER IN-PERSON OR REMOTELY THROUGH INTERPREFY¹. PLEASE NOTE THAT, IN ORDER TO ATTEND THE MEETING IN-PERSON, DELEGATIONS ARE REQUIRED TO REGISTER BEFORE USING THE FOLLOWING LINK: WTO | REGISTRATION FOR ATTENDANCE AT THE MEETING.

IN ADDITION TO THE FORMAL MEETING OF THE COMMITTEE, DELEGATIONS ARE ALSO INVITED TO ATTEND A WEBINAR ON "WHAT DRIVES THE UTILIZATION OF TRADE PREFERENCES?". THIS WEBINAR WILL TAKE PLACE ON 7 APRIL, FROM 13:00 TO 15:00 VIA THE PLATFORM ZOOM. THE PROGRAMME OF THE SESSION AND REGISTRATION INFORMATION IS BEING CIRCULATED SEPARATELY TO DELEGATIONS.

IN RESPECT OF THE FORMAL COMMITTEE MEETING, THE FOLLOWING ITEMS ARE PROPOSED FOR THE AGENDA:

1. PREFERENTIAL RULES OF ORIGIN FOR LEAST DEVELOPED COUNTRIES (WT/L/917 AND WT/L/917/ADD.1):
 - A. REVIEW OF RECENT DEVELOPMENTS IN RELATION TO PREFERENTIAL RULES OF ORIGIN FOR LDCS: REPORT BY PREFERENCE-GRANTING MEMBERS WISHING TO SHARE ANY DEVELOPMENTS
 - B. STATUS OF NOTIFICATIONS OF PREFERENTIAL RULES OF ORIGIN FOR LDCS AND PREFERENTIAL IMPORT DATA (G/RO/W/163/REV.10) - REPORT BY THE SECRETARIAT
 - C. EXAMINATION OF EXISTING ORIGIN-RELATED DOCUMENTARY REQUIREMENTS - (PARAGRAPH 1.8 OF THE BALI DECISION AND

¹ TECHNICAL AND LOGISTICAL DETAILS ON HOW TO NAVIGATE THE INTERPREFY PLATFORM ARE AVAILABLE TO MEMBERS VIA A LINK ON THE RESPECTIVE MEETING TAB ON THE WTO WEBSITE OR AT:

[HTTPS://WWW.WTO.ORG/LIBRARY/EVENTS/INTERPREFY TECHNICAL NOTE/WTO INTERPREFY DELEGATE GUIDE E.PDF](https://www.wto.org/library/events/interprefy_technical_note/wto_interprefy_delegate_guide_e.pdf)

22-2531

.1.

PARAGRAPH 3.1 OF THE NAIROBI DECISION) - SUBMISSION BY THE LDC GROUP (G/RO/W/211)

- D. STOCKTAKING OF IMPLEMENTATION OF THE BALI AND NAIROBI DECISIONS ON PREFERENTIAL RULES OF ORIGIN FOR LEAST DEVELOPED COUNTRIES (PARAGRAPH FOR THE MINISTERIAL CONFERENCE) - REPORT BY THE VICE-CHAIRPERSON
2. NOTIFICATIONS UNDER ARTICLE 5 AND UNDER PARAGRAPH 4 OF ANNEX II OF THE AGREEMENT ON RULES OF ORIGIN (G/RO/N/228-238 AND G/RO/N/232/REV.1)
 3. ACTIVITIES OF THE WCO TECHNICAL COMMITTEE ON RULES OF ORIGIN (TCRO) IN 2021 - REPORT BY A REPRESENTATIVE OF THE WCO
 4. WEBINAR ON "WHAT DRIVES THE UTILIZATION OF TRADE PREFERENCES?" - ANNOUNCEMENT BY THE VICE-CHAIRPERSON
 5. ELECTION OF CHAIRPERSON
 6. DATES OF NEXT MEETINGS OF THE COMMITTEE
 7. OTHER BUSINESS

MEMBERS OF THE WTO, OTHER GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS WITH OBSERVER STATUS ARE REQUIRED TO INFORM THE SECRETARIAT OF THE NAMES OF THEIR REPRESENTATIVES AS SOON AS POSSIBLE.

NGOZI OKONJO-IWEALA

25 March 2022

(22-2530)

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Committee on Rules of Origin

STATUS OF NOTIFICATIONS OF PREFERENTIAL RULES OF ORIGIN FOR LDCS AND PREFERENTIAL IMPORT DATA

Note by the Secretariat¹

Revision

1 INTRODUCTION

1.1 Paragraph 4.3 of the 2015 (Nairobi) Ministerial Decision on preferential rules of origin for least developed countries (LDCs) reiterates Members' commitment to notify their preferential rules of origin for LDCs as well as data concerning their preferential imports from LDCs. This note summarizes the latest status of notifications submitted to the Secretariat.

2 REQUIREMENT TO NOTIFY PREFERENTIAL RULES OF ORIGIN AND PREFERENTIAL IMPORTS

2.1 The following WTO instruments require Members to notify their preferential rules of origin for LDCs under non-reciprocal trade preferences as well as their preferential imports from LDCs:

- Paragraph 4 of Annex II of the Agreement on Rules of Origin requires Members to notify "promptly" "to the Secretariat" any preferential rules of origin. Notifications are circulated under the G/RO/N/ document series and are examined by the Committee on Rules of Origin (CRO);
- The Transparency Mechanism for Preferential Trade Arrangements (WT/L/806 of 14 December 2010) requires Members to provide detailed and product-specific rules of origin "to the Secretariat". Annex 1 of the Decision enumerates the specific information which should be submitted. The Decision also requires Members to notify, at the tariff line level, import data under their PTAs. Notifications of PTAs under the Transparency Mechanism are circulated as documents of the Committee on Trade and Development (CTD). Notifications are considered by the CTD in Dedicated Session (CTD-DS), on the basis of a "factual presentation" prepared by the Secretariat. Only PTAs notified after the adoption of the Decision in 2010 have been examined under these procedures. In addition, a "guide" for each PTA is prepared in consultation with the Member implementing the PTA, and is placed in the Database on PTAs (<http://ptadb.wto.org>) after its approval by the implementing Member. Annex 2 of document G/MA/367 contains the format that Members have agreed to be used in the preparation of their notifications of tariffs and import data;
- The 2013 (Bali) Ministerial Decision on Preferential Rules of Origin for LDCs (WT/L/917) and the 2015 (Nairobi) Decision (WT/L/917/Add.1) reiterate these obligations. In addition, the CRO agreed on a template to be used by all WTO preference-granting Members (G/RO/84) when notifying their preferential rules of origin. These notifications are circulated under the G/RO/LDC/N/ document series.

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

3 STATUS OF NOTIFICATIONS AND IMPORT DATA RECEIVED TO DATE

3.1 The following table enumerates, for each preference-granting Member, the latest information available concerning preferential trade arrangements in favour of LDCs, namely:

- The references of the latest notifications submitted to the CTD describing the coverage of preferential schemes, their date of entry into force, edibility criteria and list of beneficiary countries;
- The references of the latest notifications submitted to the CRO describing the preferential rules of origin and origin requirements applicable to LDCs as required under the notification template adopted by the Committee (G/RO/84) and;
- The availability of tariff and import statistics for each scheme:
 - A full listing of preferential duties under the PTA per beneficiary partner and other data, where applicable (e.g., tariff-rate quotas, seasonal restrictions, special safeguards and, if available, *ad valorem* equivalents for non-*ad valorem* duties); and
 - Import data at the tariff line level from each beneficiary Member, in value for total imports, imports under MFN rates and imports under PTA benefits.

3.2 It should be noted that some of the data received most recently may still be subject to review, correction and validation by the WTO Secretariat.

Preference-granting Member(l)	Notifications (CTD)	Notifications (CRO)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
19. Chinese Taipei	WT/COMTD/N/40 28 October 2011 and Corr.1 28 February 2012	G/RO/LDC/N/TPKM/1/Rev.1 22 July 2020	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes*	Yes*
20. Tajikistan	-	G/RO/LDC/N/TJK/1 20 May 2019	n.a. n.a.	n.a. n.a.	n.a. n.a.	Yes -	Yes -	Yes -	Yes -	Yes -	Yes -	Yes -	Yes -	Yes -	Yes -
21. Thailand	WT/COMTD/PTA5/N/1 15 July 2021	G/RO/LDC/N/THA/1 7 August 2017	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes
22. Turkey	-	G/RO/LDC/N/TUR/1 18 September 2019	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes Yes*	Yes*
23. United Kingdom	WT/COMTD/PTA4/N/1.2 February 2021	G/RO/LDC/N/GBR/1 23 February 2021	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	Yes -
24. USA - GSP	WT/COMTD/N/1/Add.12 4 February 2022	G/RO/LDC/N/USA/1 11 July 2017	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes*
USA - CBERA/Haiti	WT/L/1115 16 September 2021	G/RO/LDC/N/USA/2 11 July 2017	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes*
USA - AGOA	WT/L/1117 22 October 2021	G/RO/LDC/N/USA/3 11 July 2017	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes Yes	Yes*
USA - Nepal	WT/COMTD/N/52 23 January 2017	G/RO/LDC/N/USA/4 30 November 2017	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	n.a. n.a.	Yes -

Note: (i) Some Members joined the WTO and/or PTA schemes entered into force after the adoption of the PTA transparency mechanism, i.e. Armenia; Chile; Kazakhstan; Montenegro; Tajikistan; Thailand; and the United States' Trade Preferences for Nepal.

(ii) Information provided by the European Union on the period since 1 January 2021 covers its current 27 Member States. For the period until 31 December 2020, tariff information provided by the European Union also covers the United Kingdom.

Yes submission received and disseminated;
 Yes* submission received but not yet disseminated;
 - no submission received;
 n.a. PTA not yet in force.

Status of submissions: 21 March 2022.

EXAMINATION OF EXISTING ORIGIN-RELATED DOCUMENTARY REQUIREMENTS

(Paragraph 1.8 of the Bali Decision and Paragraph 3.1 of the Nairobi Decision)

SUBMISSION OF THE LEAST DEVELOPED COUNTRIES

The following submission, dated 22 March 2022, is being circulated at the request of Tanzania, on behalf of the LDC Group.

1 INTRODUCTION

1.1. As pointed out in a previous submission by the LDC Group more than six years have now passed from the adoption of the Nairobi Ministerial Decision on preferential rules of origin for LDCs. Some progress has been recorded in achieving better transparency through the adoption of a notification template and the notification of data for the calculation of utilization rates of the Duty Free and Quota Free schemes.

1.2. However, progress in implementing the substantive part of the Nairobi Decision, and more precisely the paragraphs concerning substantial transformation and certification requirements could be accelerated by establishing a constructive dialogue in the Committee on Rules of Origin (CRO). In this sense, it is of paramount importance to focus the debate in the CRO on how to effectively identify and share best practices and lessons learned that could serve to implement the substantive aspects of the Nairobi Ministerial Decision.

1.3. As previously stated, the LDC Group has progressively brought to the attention of the CRO the substantive aspects of rules of origin of preference granting Members that need reform by contrasting them with the relevant paragraphs of the Nairobi Decision and possible best practices. The ultimate goal is to achieve better utilization of the Duty-Free Quota Free (DFQF) and the attainment of the Sustainable Development Goals (SDG), namely SDG 17 target 17.12: "Ensuring that preferential rules of origin applicable to imports from least developed countries are transparent and simple and contribute to facilitating market access".

1.4. In order to focus the debate, the LDC Group is submitting this technical note on the elements related to *documentary requirements and certification* to analyze whether: (a) existing documentary requirements are simple and transparent and whether (b) Members are allowing for self-certification of origin. In the future, technical notes may be submitted on whether (c) Members are providing technical assistance to LDCs on mutual cooperation and risk assessment on rules of origin administration as well as other (d) issues related to documentary requirements and proofs of origin.

1.5. Issues related to documentary evidence and proof of origin are contained in the 2013 Bali Ministerial Decision listing the requirements and direction to be undertaken by preference-granting countries towards simple and transparent documentary requirements - proof of non-manipulation, certification of origin, self-certification and customs cooperation and monitoring - and have been reiterated in the Nairobi Ministerial Decision which provides concrete actions for preference-granting countries to implement simpler and more transparent documentary requirements.

1.6. This note, without being exhaustive, examines the use of simple and transparent documentary requirements on product origin by preference-giving countries contrasting them with the relevant

paragraphs of the Nairobi Decision and lists some best practices and area of improvement of the existing rules of origin. The intention of this note is to promote a discussion about possible best practices related to proofs of origin and the identification of possible trade-simplification and trade-facilitation measures in this area, in line with the spirit of the Ministerial Decisions.

2 RECALLING THE TEXT OF THE MINISTERIAL DECISIONS ON DOCUMENTARY REQUIREMENTS AND CERTIFICATION

2.1 Preferential Rules of Origin for Least-Developed Countries, Ministerial Decision of 7 December 2013 (Bali)

2.1.1 Paragraph 1.8 of the Decision

2.1. For the documentary requirements to be "simple and transparent, and contribute to facilitating market access" the Bali Decision provides that preference-granting Members may undertake the following actions:

2.2. The documentary requirements regarding compliance with the rules of origin should be simple and transparent. For instance, requirement to provide "proof of non-manipulation" or any other prescribed form for a "certification of origin" for products shipped from LDCs across other Members may be avoided. Additionally, regarding "certification of rules of origin", whenever possible, "self-certification" may be recognized. Finally, mutual customs cooperation and monitoring could be used to complement compliance and risk-management measures.

2.2 Preferential Rules of Origin for Least Developed Countries, Ministerial Decision of 19 December 2015 (Nairobi)

2.2.1 Paragraph 3 on Documentary requirements

2.3. For preferential rules of origin applicable to imports from LDCs under non-reciprocal preferential trade arrangements, the documentary requirements should be "simple and transparent and contribute to facilitating market access". As such, the Nairobi Decision provides that preference-granting Members shall:

3.1. With a view to reducing the administrative burden related to documentary and procedural requirements related to origin, Preference-granting Members shall: (a) As a general principle, refrain from requiring a certificate of non-manipulation for products originating in a LDC but shipped across other countries unless there are concerns regarding transshipment, manipulation, or fraudulent documentation; (b) Consider other measures to further streamline customs procedures, such as minimizing documentation requirements for small consignments or allowing for self-certification. 3. Situation and questions regarding the application of origin documentary requirements that are "simple and transparent, and contribute to facilitating market access"

2.4. Paragraph 3 of the Nairobi Decision calls for improvements in the current practices concerning the proof of evidence, non-manipulation requirements, and provisions concerning small consignments and self-certification. It may be noted that preference-granting Members currently have different requirements on such issues. Similarly, there are different practices that have been adopted by preference-granting Members on the treatment of small consignments and self-certification.

2.5. The following questions may be discussed: What are the most trade-facilitating options related to self-certification and to small consignments? Would it be possible to envisage best practices in these areas?

2.2.2 QUAD Administrative requirements and CO issuance

Table 1: Are WTO members using documentary requirements that are simple and transparent?

Country/ group of countries	Administrative requirements	CO	Comments/ additional requirements
European Community (EBA)	<ul style="list-style-type: none"> Acceptance by LDC of the establishment of REX system and its administration by LDC authorities 	<ul style="list-style-type: none"> Statement by registered exporters (REX) 	<ul style="list-style-type: none"> System of registered exporters who issue statements of origin progressively established since 2017.
Japan	<ul style="list-style-type: none"> Names of certifying authorities to be communicated to Japan Notification of stamps used 	<ul style="list-style-type: none"> Certificate of origin Form A is required, but Form A is not requested for some products. 	<ul style="list-style-type: none"> Cumulation and donor country content require additional forms
Canada	<ul style="list-style-type: none"> Self-certification admitted with use of Form A or Canada CO Special certificate for Textile and clothing products 	<ul style="list-style-type: none"> Form A - Special entries on criteria and percentage requirement, no need for official stamp Self-declaration Entry with percentage required 	<ul style="list-style-type: none"> For textile and clothing Special certification B255 Entry the specific RoO criteria
United States GSP	<ul style="list-style-type: none"> No certificate of origin required 	<ul style="list-style-type: none"> No CO used: importer-based declaration 	
United States - AGOA	<ul style="list-style-type: none"> Same as above 	<ul style="list-style-type: none"> Same as above 	<ul style="list-style-type: none"> Special visa requirements apply for textiles and clothing

2.6. The European Union, has introduced the REX system¹: General provisions on the statement on origin are set out in Article 92 of the EU Customs Code².

2.7. Canada allows exporter self-certification³ and requires a certificate of origin only for textile and apparel goods (other goods require either an Exporter's Statement of Origin or a Form A Certificate of Origin).

2.8. For the United States' GSP, a certificate of origin is not required⁴, but when the article is not wholly the growth, product, or manufacture of a single beneficiary country, the exporter of the merchandise or other appropriate party having knowledge of the relevant facts shall be prepared to submit a declaration setting forth all pertinent detailed information concerning the production or manufacture of the merchandise.⁵

2.9. For AGOA⁶, a certificate of origin is normally not required, but when the article is not wholly the growth, product, or manufacture of a single beneficiary country, the exporter of the merchandise or other appropriate party having knowledge of the relevant facts shall be prepared to submit a declaration setting forth all pertinent detailed information concerning the production or manufacture of the merchandise. However, a certificate of origin is required for textile and apparel goods.⁷

¹ Document G/RO/LDC/N/EU/1.

² Article 92 - General provisions on the statement on origin (Article 64(1) of the Code): (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R2447&from=EN>)

³ Document G/RO/LDC/N/CAN/2.

⁴ Documents G/RO/LDC/N/USA/1; and G/RO/LDC/N/USA/4.

⁵ See 19 CFR 10.173 (<https://www.ecfr.gov/>).

⁶ Document G/RO/LDC/N/USA/3.

⁷ See 19 CFR 10.214 (<https://www.ecfr.gov/>).

2.2.3 QUAD and other preference-granting Members' certification requirements

Table 2: Are WTO members providing for self-certification of origin?

Country/group of countries	Administrative Requirements	Meets the benchmarks of the Ministerial Decision
European Community (EBA), Norway Switzerland	<ul style="list-style-type: none"> Self-certification allowed (REX) Self-certification by any exporter allowed up to shipment of €6,000 	Yes, Introduction of a new system (REX) since 2017
Japan	<ul style="list-style-type: none"> Form A required. No documentary evidence for a number of products Self-declaration up to JPY 200,000 (approximately USD 1,600) 	Partially
Canada	<ul style="list-style-type: none"> Self-certification allowed with specifications of the rules of origin criteria used 	Yes
United States	<ul style="list-style-type: none"> The declaration is made by the importer on the basis, when requested of a statement of origin by an exporter 	Yes
AGOA	<ul style="list-style-type: none"> Same as above 	Yes

2.10. Regarding self-certification, the EU; Norway; and Switzerland introduced the REX system⁸, which allowed for self-certification for registered exporters only.

2.11. Japan⁹ allowed self-certification for some products up to up to JPY 200,000 (approximately USD 1,600) but still requires the presentation of a "Form A"

2.12. Canada authorizes self-certification by the exporter while US practices shows that normally the entry is made by the importer. In some cases, an exporter statement is required under GSP and specific certificates of origin is requested in the case of AGOA for apparel and garments. Exporter or producer signs such certificate.

Table 3 – continuation: Are WTO members providing for self-certification of origin?

Members	Administrative Requirements	Meets the benchmarks of the Ministerial Decision
China	<ul style="list-style-type: none"> Self-certification is not available as CO stamped by certifying authorities is required No small consignment provision 	No
India	<ul style="list-style-type: none"> Self-certification is not available as CO stamped by certifying authorities is required No small consignment provision 	No
Russian Federation	<ul style="list-style-type: none"> Form A required No CO for small consignments (max. USD 5,000) 	No
Chile	<ul style="list-style-type: none"> Self-certification is not available as CO stamped by certifying authorities is required No small consignment provision 	No
Chinese Taipei	<ul style="list-style-type: none"> Self-certification is not available as CO stamped by certifying authorities is required No small consignment provision 	No
South Korea	<ul style="list-style-type: none"> Self-certification is not available as CO stamped by certifying authorities is required No small consignment provision 	No
Thailand	<ul style="list-style-type: none"> Form DFQF required No small consignment provision 	No

2.13. Self-certification is not provided under the schemes of China; Chile; India; the Russian Federation; Chinese Taipei; Republic of Korea; and Thailand.

2.14. More specifically for China¹⁰, the Certificate of Origin shall: (1) be issued by the bodies authorized by the beneficiary country before exportation, at the time of exportation or within five days after exportation of the goods; (2) be completed in English; (3) contain security features, such

⁸ Document G/RO/M/77.

⁹ Document G/RO/LDC/N/JPN/1.

¹⁰ Document G/RO/LDC/N/CHN/1.

as stamps of issuing bodies conforming to the specimen notified by the beneficiary country to China Customs; (4) contain a unique certificate number; (5) state the basis on which the goods are deemed to qualify as originating goods; (6) be valid for one year from the date of issuance; (7) be signed or stamped by customs or related port competent authorities of the beneficiary country in column 15 at the time of exportation; and (8) cover one or more goods under one consignment.

2.15. While the Declaration of Origin shall: (1) be completed in Chinese; (2) be printed, then completed and correctly signed by importer; (3) be valid for one year from the date of issuance; and (4) cover one or more goods under one consignment.

2.16. For India¹¹, issuance of certificate of origin is required. Beneficiary country is to notify the Government authority/Agency for issuance of certificate of origin. The procedures applied for certificate of origin can be visualized in the notification¹² No. 29/2015 - Customs (N.T.). Any exporter or producer seeking grant of a certificate of origin under these rules shall apply to the issuing authority of the exporting beneficiary country as per format (Annexure B) to these rules and follow the prescribed form of certificate of origin (Annexure C).

2.17. For the Russian Federation¹³, rules of origin for developing and LDCs, were adopted by the Decision No. 60 of the Council of the Eurasian Economic Commission dated 14 June 2018.¹⁴ (Section V. Special cases, section VI. Direct consignment and direct purchase and section VII. Documentary proof of origin)

2.18. There is the need for prior notification of the customs authority of the importing country about unassembled or disassembled goods. In order to confirm the origin of goods from beneficiary countries, the carrier shall submit a combined declaration and certificate of origin (Form "A"), adopted under the Generalized System of Preferences. The certificate shall be submitted to the customs authorities in a hard copy in Russian or English languages.

2.19. The certificate is not required in order to confirm the origin of small consignments where the customs value does not exceed the amount of USD 5,000 or the equivalent amount. In this case, the exporter can declare the country of origin in commercial or other shipping documents. In case of reasonable doubt about the authenticity of declared information the customs authority may be required to provide the certificate of origin.

2.20. For Chile¹⁵, Article 11 of Decree No. 1432 indicates that "For the originating goods to qualify for the preferential tariff treatment, importers shall submit a certificate of origin to the National Customs Service, containing at the very least the information specified in the Annex to this Decree¹⁶". LDCs wishing to benefit from preferential treatment under the DFQF scheme must first submit the name and official seal of the certifying authority, as well as the name(s) of officer(s) authorized to issue Certificates of Origin¹⁷.

2.21. For Chinese Taipei¹⁸, the Article 11 of Regulations Governing the Determination of Country of Origin of Imported Goods¹⁹ informs that the Certificate of Origin shall be issued and certified by the government of the exporting country, or the agency/institute authorized by the government of the exporting country²⁰.

2.22. For Direct shipment, a good imported from a least-developed country applying for the preferential tariff rate shall be accompanied by a CO, and its transportation shall satisfy one of the following requirements:

¹¹ Document G/RO/LDC/N/IND/1.

¹² <https://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2015/cs-nt2015/csnt29-2015.pdf>.

¹³ Document G/RO/LDC/N/RUS/2.

¹⁴ [Agreement on Rules of Origin for Developing and Least Developed Countries.](#)

¹⁵ Document G/RO/LDC/N/CHL/1/Rev.1.

¹⁶ <https://www.leychile.cl/Navegar?idNorma=1059781>.

¹⁷ <http://www.aduana.cl/ley-20-690-eliminacion-arancelespma/aduana/2014-03-07/092144.html>.

¹⁸ Document G/RO/LDC/N/TPKM/1/Rev.1.

¹⁹ <https://law.moj.gov.tw/Eng/LawClass/LawAll.aspx?PCode=G0350047>.

²⁰ https://eweb.customs.gov.tw/cp.aspx?n=0546649C8F2_D44B4.

- (1) it was shipped directly from the exporting country to the Chinese Taipei; or
- (2) it has been shipped through a third country for the purpose of transit or temporary storage, provided it did not undergo operations other than unloading or reloading in the country of transit.

2.23. The Certificate of Origin referred to in subparagraph 1 shall be issued and certified by the government of the exporting country. Format of the certificate shall be established and announced by the Ministry of Finance. The exporters from LDCs could present the self-proof documentary of direct shipment to Customs.

2.24. For the Republic of Korea²¹, the paragraph 4, Article 5 of Rules on Preferential Tariff for Least Developed Countries (Presidential Decree No. 27759)²² informs that those who wish to receive preferential tariffs should submit a Certificate of Origin (Annex III) issued by the government of the exporting country or an authority designated by the government of the exporting country.

2.25. For Thailand²³, a Certificate of Origin (Form DFQF) is required. The original Certificate of Origin (Form DFQF) shall be forwarded from the exporting DFQF beneficiary country to the importer in the Kingdom of Thailand for submission to the customs authority of Thailand. The duplicate Certificate of Origin (Form DFQF) shall be retained by the issuing authority of the exporting DFQF beneficiary country. The triplicate Certificate of Origin (Form DFQF) shall be retained by the producer or exporter of the exporting DFQF beneficiary country.

3 CONCLUSIONS

3.1. During the period under review the EU; Norway; and Switzerland have adopted self-certification by establishing the REX procedure. Under the Canadian GSP, the US GSP and AGOA self-certification is also adopted by importer/exporter in most cases. Japan also authorizes self-certification in some instances.

3.2. All remaining preference-giving Members should make efforts to introduce self-certification as an option or for certain goods and simplify related certification procedures.

3.3. The LDC Group will further elaborate this document at the next CRO to allow a more informed debate on origin certification requirements.

²¹ Document G/RO/LDC/N/KOR/1.

²² National Law Information Center. Rules on Preferential Tariff for Least-Developed Countries (Presidential Decree No. 27759) Attached Sheet: National Law Information Center (see Annex).

²³ Document G/RO/LDC/N/THA/1.

**The Statements of the Separate Customs Territory of Taiwan,
Penghu, Kinmen and Matsu at the formal meeting of CRO on 7
April**

**Item 1.C: Examination of existing origin-related documentary
requirements—submission by the LDC group**

Thank you, Chair, for giving me the floor.

We would like to thank LDC group for today's presentation and their efforts on the work of "examination of existing origin-related documentary requirement" circulated in document G/RO/W/211.

In accordance with paragraph 2.21 of the communication, regarding our documentary requirement, we do acknowledge that the accepted origin certificates include not only those issued or certified by LDC authorities, but also by their authorized agencies based on the article 11 of our "Regulations Governing the Determination of Country of Origin of Imported Goods".

In the meantime, we would like to share our views with members that the current administrative measure has been relaxed by our customs to be applied to both LDC authorities and their authorized agencies. The aim of this measure is to make the origin certificates that apply to imports from LDCs more flexible, so as for importers to get these certificates conveniently from LDCs and then be accepted by our customs.

Currently, we are unable to adopt self-certification in view of the management by our customs, but we believe the aforementioned relaxing measure is absolutely beneficial for LDCs exports to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

In this regard, we don't think the current measures we have taken are not compatible with the language of the Ministerial Decisions.

We welcome the LDC group to reach out to us if there are anything that needs our clarification.

Thank you, Chair.

Item 4: "What drives the utilization of trade preference (2)"

Thank you, Chair, for giving me the floor.

We would like to thank the Secretariat for organizing the Second webinar, "what drives the utilization of trade preference".

As free trade agreements continue to expand in quantity, origin requirements also become more and more complex. I am happy to register to join the webinar to hear and learn from experts on these issues. I believe it will be helpful and useful not just for policy makers, but also for the private sectors to gain knowledge from such webinar. I very much appreciate the Secretariat's efforts in this regard.

As for the issue of "information sessions", we would like to encourage the secretariat to continue to do it.

Thank you, Chair.

**TAKING NOTE OF THE IMPLEMENTATION OF THE BALI AND NAIROBI MINISTERIAL
DECISIONS AT MC-12**

SUBMISSION BY THE LDC GROUP

The following submission, dated 6 October 2021, is being circulated at the request of Tanzania, on behalf of the LDC Group.

The LDC Group would like to submit the draft text below for discussion in the next CRO meeting on 14 October 2021. The text would be inserted in the MC12 Ministerial Declaration. The text emanates from our previous submissions on the implementation of the Nairobi Decision.

"Members reaffirm their commitment and shared responsibility to identifying and addressing the specific challenges that LDCs face in complying with rules of origin and origin requirements to effectively use trade preferences.

Towards that end, we instruct the Committee on Rules of Origin to redouble its efforts to implement the Nairobi Ministerial Decision with a view to facilitating export growth from LDCs, further explore the linkages between existing origin requirements and the utilization of trade preferences, adopt best practices on preferential rules of origin and related administrative requirements. The result of such work program should be reported to the next Ministerial Conference."

7 October 2021

(21-7538)

Page: 1/6

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

PREFERENTIAL RULES OF ORIGIN APPLIED IN THE CONTEXT OF FREE TRADE AGREEMENTS CONCLUDED BY THE UNITED KINGDOM

1. ALBANIA

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	3 May 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable
4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Partnership, Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Albania
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	Republic of Albania
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-albania-partnership-trade-and-cooperation-agreement

1)	Location of the Rules of Origin	Protocol 4
2)	Definition of wholly obtained products	See Article 5
3)	Criteria for not-wholly produced products	See Article 6
4)	Product Specific Rules	See Incorporated Annex II
5)	List of insufficient working process, if any	See Article 7
6)	Rules for application of cumulation and related procedures if any	See Articles 3, 4 and 37
7)	Documentary Requirements	See Title V
8)	Additional information	None

2. CAMEROON

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	30 April 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable
4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Interim Agreement establishing an Economic Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part and the Republic of Cameroon, of the other part
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	Republic of Cameroon
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-cameroon-economic-partnership-agreement

1)	Location of the Rules of Origin	To establish UK origin: Interim protocol 2B concerning the definition of the concept of "originating products" and methods of administrative cooperation with respect to products imported to Cameroon from the United Kingdom To establish Cameroonian origin: Interim protocol 2A concerning the definition of the concept of "originating products" and methods of administrative cooperation with respect to products imported to the United Kingdom from the Republic of Cameroon
2)	Definition of wholly obtained products	To establish UK origin: See Article 4 of Interim Protocol 2B To establish Cameroonian origin: See Article 3 of Interim Protocol 2A
3)	Criteria for not-wholly produced products	To establish UK origin: See Article 5 of Interim Protocol 2B To establish Cameroonian origin: See Article 4 of Interim Protocol 2A
4)	Product Specific Rules	To establish UK origin: See Appendix II To establish Cameroonian origin: See Appendix 2 and Appendix 2A
5)	List of insufficient working process, if any	To establish UK origin: See Article 6 of Interim Protocol 2B To establish Cameroonian origin: See Article 5 of Interim Protocol 2A

6)	Rules for application of cumulation and related procedures if any	To establish UK origin: See Article 7 of Interim Protocol 2B To establish Cameroonian origin: See Article 6 of Interim Protocol 2A
7)	Documentary Requirements	To establish UK origin: See Chapter IV of Interim Protocol 2B To establish Cameroonian origin: See Title IV of Interim Protocol 2A
8)	Additional information	There are two separate rules of origin protocols to this agreement. Interim Protocol 2A sets out the rules which determine the origin of Cameroonian goods imported into the UK and Interim Protocol 2B sets out the rules which determine the origin of UK goods imported into Cameroon.

3. CANADA

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	1 April 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable
4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Agreement on Trade Continuity between the United Kingdom of Great Britain and Northern Ireland and Canada
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	Canada
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-canada-trade-continuity-agreement

1)	Location of the Rules of Origin	Incorporated Protocol on rules of origin and origin procedures
2)	Definition of wholly obtained products	See Article 4
3)	Criteria for not-wholly produced products	See Article 5
4)	Product Specific Rules	See Annex 5
5)	List of insufficient working process, if any	See Article 7
6)	Rules for application of cumulation and related procedures if any	See Article 3
7)	Documentary Requirements	See Section C
8)	Additional information	None

4. GHANA

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	4 March 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable

4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Interim Trade Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part and the Republic of Ghana, of the other part
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	Republic of Ghana
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-ghana-interim-trade-partnership-agreement

1)	Location of the Rules of Origin	Protocol No. 1 concerning the definition of the concept of "originating products" and methods of administrative cooperation
2)	Definition of wholly obtained products	See Article 3
3)	Criteria for not-wholly produced products	See Article 4
4)	Product Specific Rules	See Annex II and Annex II-A to Protocol No. 1
5)	List of insufficient working process, if any	See Article 5
6)	Rules for application of cumulation and related procedures if any	See Articles 7 and 8
7)	Documentary Requirements	See Title IV
8)	Additional information	None

5. JORDAN

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	1 May 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable
4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Hashemite Kingdom of Jordan
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	The Hashemite Kingdom of Jordan
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-jordan-association-agreement

1)	Location of the Rules of Origin	Protocol 3 Concerning the definition of the concept of originating products and methods of administrative cooperation
2)	Definition of wholly obtained products	See Article 5

3)	Criteria for not-wholly produced products	See Article 6
4)	Product Specific Rules	See Incorporated Annex II
5)	List of insufficient working process, if any	See Article 7
6)	Rules for application of cumulation and related procedures if any	See Articles 3 and 4
7)	Documentary Requirements	See Title V
8)	Additional information	None

6. MEXICO

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	1 June 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable
4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Trade Continuity Agreement between the United Kingdom of Great Britain and Northern Ireland and the United Mexican States
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	United Mexican States
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-mexico-trade-continuity-agreement

1)	Location of the Rules of Origin	Incorporated Annex III to Decision 2/2000
2)	Definition of wholly obtained products	See Article 4
3)	Criteria for not-wholly produced products	See Article 2
4)	Product Specific Rules	See Appendix II and Appendix II(a)
5)	List of insufficient working process, if any	See Article 6
6)	Rules for application of cumulation and related procedures if any	See Article 3 and Article 3a
7)	Documentary Requirements	See Title V
8)	Additional information	None

7. SERBIA

1)	Notifying member	United Kingdom of Great Britain and Northern Ireland
2)	Date of entering into force of Rules of origin and any substantive modification thereof	20 May 2021
3)	Date of expiration of Rules of origin if applicable	Not applicable

4)	Title of the preferential trade agreement for which legislation on Rules of origin is applicable	Partnership, Trade and Cooperation Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Serbia
5)	Authority(ies) granting the preferential treatment	Her Majesty's Treasury Department for International Trade Her Majesty's Revenue and Customs (HMRC)
6)	National authorities in charge of Rules of origin administration	Her Majesty's Revenue and Customs (HMRC) Department for International Trade
7)	List of Beneficiaries	Republic of Serbia
8)	Link to agreement text	https://www.gov.uk/government/collections/uk-serbia-partnership-trade-and-cooperation-agreement

1)	Location of the Rules of Origin	Protocol 3
2)	Definition of wholly obtained products	See Article 5
3)	Criteria for not-wholly produced products	See Article 6
4)	Product Specific Rules	See Incorporated Annex II
5)	List of insufficient working process, if any	See Article 7
6)	Rules for application of cumulation and related procedures if any	See Articles 3, 4 and 37
7)	Documentary Requirements	See Title V
8)	Additional information	None

Specific arrangements may apply in Northern Ireland including by virtue of the Protocol on Ireland/Northern Ireland. The full text of the Protocol on Ireland/Northern Ireland can be accessed via: <https://www.gov.uk/government/publications/new-withdrawal-agreement-and-political-declaration>

Further details on the operation of the Protocol on Ireland/Northern Ireland can be found at: <https://www.gov.uk/government/publications/the-northern-ireland-protocol>.

16 November 2021

(21-8650)

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Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

THE ASEAN TRADE IN GOODS AGREEMENT (ATIGA)¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet links:

1. <http://agreement.asean.org/media/download/20140119034633.pdf>;
2. <https://asean.org/asean-trade-in-goods-agreement-atiga/>; and
3. <https://asean.org/asean2020/wp-content/uploads/2020/12/The-First-Protocol-to-Amend-the-ATIGA-Hanoi-Viet-Nam-22-January-2019.pdf>.

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in documents WT/REG457/N/1 and WT/REG457/N/1/Add.1 of 21 September 2021.

24 November 2021

(21-8867)

Page: 1/4

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

ALBANIA

A. PREFERENTIAL RULES OF ORIGIN

The Republic of Albania has enforced preferential rules of origin, as below:

1. Law No. 98/2021 dated 7 July 2021 "On the ratification of Decision No. 1/2021, of the Stabilization and Association Council European Union-Albania, amending the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, replacing Protocol 4 thereof, regarding the definition of the concept 'originating products' and methods of administrative cooperation"; and
2. Law No. 82/2020 dated 2 July 2020 "On the ratification of the amendment of the FTA protocol II between the Republic of Albania and the Republic of Turkey, ratified by Law No. 9733 dated 14 May 2007, regarding the definition of the concept "originating products" and "method of administrative cooperation"".

Below is a short explanation of each of the above laws.

Summary of Law No. 98/2021 dated 7 July 2021 "On the Ratification of Decision No. 1/2021, of the Stabilization and Association Council European Union-Albania, Amending the Stabilization and Association Agreement Between the European Communities and their Member States, of the One Part, and the Republic of Albania, of the Other Part, Replacing Protocol 4 Thereof, Regarding the Definition of the Concept 'Originating Products' and Methods of Administrative Cooperation"

The European Union, the countries of the European Free Trade Association (EFTA), Turkey, European countries part of the Stabilization and Association process (including the Republic of Albania and the Republic of Kosovo) and the Mediterranean countries part of the Barcelona Process, the Faroe Islands, Moldova, Ukraine and Georgia, a total of 54 countries, together have about 60 free trade agreements between them. Each of these agreements has specific regimes in terms of preferential origin and administrative cooperation. The existence of these different rules or the same rules based on different legal instruments has been assessed as an obstacle to the development of trade between these states.

The PEM Convention allows the implementation of cumulation between the European Union, the EFTA countries, Turkey, the countries that have signed the Barcelona Declaration, the countries part of the Stabilization and Association process, the Faroe Islands, Moldova, Ukraine and Georgia. For cumulation to take effect, free trade agreements between the parties must have identical protocols of origin. Aiming at modernizing, unifying and simplifying the rules of origin, and to use a single set of rules, those of the PEM Convention, under the direction of the European Commission, since 2013, the process of reviewing the relevant protocols of origin for to replace them with the PEM Convention and in parallel the process of reviewing the rules of origin of the Convention began.

The process of adopting the revised preferential rules of origin, in the framework of the PEM Convention, on the replacement of the Protocol on the definition of the concept of "originating products" and methods of administrative cooperation, in bilateral or multilateral free trade agreements, has continued. In parallel with the approvals of: (i) the decision of the EFTA - Albania Joint Committee; (ii) the decision of the Albania - CEFTA Joint Committee; and (iii) the decision of the Albania - Turkey Joint Committee.

Through the letter ref. No. 8569183/20 dated 15 December 2020, DG TAXUD informs the participating countries in the PAN-EURO-MED area, on the approval on 7 December 2020, by the Council of the European Union of the decision package to introduce the new rules of origin in the protocols of the agreements between the EU and the partner countries of the pan-Euro-Mediterranean area.

According to this decision, the existing Protocol of the Stabilization and Association Agreement European Union-Albania, regarding the definition of the concept of "originating products" and methods of administrative cooperation, will be replaced by Annex A which contains the rules of preferential, transitional, alternative origin, until the entry into force of the amendment to the PEM Convention.

These common and unique rules will facilitate and further develop the mutual trade between the countries participating in the Convention and with which our country implements a free trade agreement, as:

- The new rules are simpler and more flexible;
- They allow the application of full cumulation of origin;
- They allow for easier review and change of rules of origin and other related rules;
- Include all Western Balkan countries, including the Republic of Albania and the Republic of Kosovo, in the pan-Euro-Mediterranean zone of diagonal and full cumulation; and
- The Businesses will have the choice of either using the current rules of the PEM Convention or the "alternative" transitional rules, whichever is more beneficial to them.

Introducing the same text in all bilateral agreements will ensure the creation of a cumulation zone based on the revised rules of origin on a transitional basis, applicable in parallel with the rules of the current PEM Convention.

Once this Convention is amended, approved by its parties and published in the Official Journal of the European Union and Albania, it will ensure the automatic transition from the application of the transitional rules of origin to the application of the revised Convention, without interrupting the possibilities of applying the cumulation, and without having to re-amend the relevant bilateral FTA protocols.

Decision of the Stabilization and Association Council No. 1/2021 amending the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, by replacing Protocol 4 concerning the definition of "originating products" and methods of administrative cooperation, was approved by the Council of the European Union, according to the document EU-ALB 4952/21, notified by the note of the General Secretariat of the Council SGS No. 21/002783, dated 18 June 2021, sent to the Mission of the Republic of Albania at European Union in Brussels.

The purpose of the draft act is the ratification of Decision No. 1/2021 of the Stabilization and Association Council European Union - Albania amending the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, by replacing Protocol 4 concerning the definition of the concept of "originating products" and the methods of administrative cooperation.

Stabilization and Association Agreement signed in Luxembourg on 12 June 2006 and ratified by Law No. 9590, dated 27 July 2006 "On the ratification of the Stabilization and Association Agreement between the Republic of Albania and the European Communities and their member states" regulates, inter alia, trade relations between the Republic of Albania and the European Union and its member states, where an important place for the realization of free trade is occupied by the rules of origin.

The European Union and the Republic of Albania have become parties to the Regional Convention on the Rules of Preferential Origin pan-Euro-Mediterranean. The Republic of Albania has ratified this Convention with Law No. 1/2012, dated 26 January 2012 "On the ratification of the Regional Convention on Pan-Euro-Mediterranean Preferential Rules of Origin". Protocol 4 to the Rules of Origin under the Pan-Euro-Mediterranean Convention, which have been amended, is part of the free trade agreements of the countries party to the PEM Convention.

Summary of Law No. 82/2020 dated 2 July 2020 "On the Ratification of the Amendment of the FTA Protocol II Between the Republic of Albania and the Republic of Turkey, Ratified by Law No. 9733 dated 14 May 2007, Regarding the Definition of the Concept "Originating Products" and "Method of Administrative Cooperation""

Albania has a free trade agreement with Turkey which became effective by the Law No. 9733 of 14 May 2007 "On the Ratification of the Free Trade Agreement between the Republic of Albania and the Republic of Turkey". Albania applies diagonal cumulation of the rules of origin with the Law No. 10199 dated 17 December 2009 "On ratification of Additional protocol 2 "On definition of the concept of 'originating product' and methods of administrative cooperation, that replace the protocol with the same number of the Free Trade Agreement between Republic of Albania and Republic of Turkey" which became effective in August 2012; Albania has finalized its internal procedures to amend the Free Trade Agreement with Turkey with the focus implementation of the rules of origin under the Pan-Euro-Med Convention. By the Law No. 82/2020, on 9 July 2020, the Albanian Parliament has ratified the changes of the Protocol II of the Free Trade Agreement between Albania and Turkey, concerning the Definition of the Concept of "Originating Products" and "methods of administrative cooperation".

18 January 2022

(22-0382)

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Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER ARTICLE 5 AND PARAGRAPH 4 OF
ANNEX II TO THE AGREEMENT ON RULES OF ORIGIN**

NON-PREFERENTIAL AND PREFERENTIAL RULES OF ORIGIN

1. According to Article 5.1 of the Agreement on Rules of Origin, each Member shall provide to the Secretariat, within 90 days after the date of entry into force of the WTO Agreement for it, its rules of origin, judicial decisions, and administrative rulings of general application relating to rules of origin in effect on that date. If, by inadvertence, a rule of origin has not been provided, the Member concerned shall provide it immediately after this fact becomes known. Article 5.2 of the Agreement stipulates, moreover, that during the period referred to in Article 2, Members introducing modifications, other than *de minimis* modifications, to their rules of origin or introducing new rules of origin, shall publish a notice to that effect at least 60 days before the entry into force of the modified or new rule in such a manner as to enable interested parties to become acquainted with the intention to modify a rule of origin or to introduce a new rule of origin, unless exceptional circumstances arise or threaten to arise for a Member.

2. Furthermore, paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall promptly provide to the Secretariat their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. In this respect, the Committee on Rules of Origin (CRO) further agreed that notifications made to the Committee on Regional Trade Agreements (CRTA) or the Committee on Trade and Development (CTD) could also suffice to discharge Members' notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had been initially received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. Information regarding such notifications, including related to preferential rules of origin, can also be obtained through the WTO database on regional trade agreements (<http://rtais.wto.org>) or the WTO database on preferential trade agreements (<http://ptadb.wto.org>).

3. In accordance with these rules, the following notification has been received:

UNITED ARAB EMIRATES

- Federal Law ON THE RULES AND CERTIFICATES OF ORIGIN, Federal Law No. 11, Issued on 19 December 2019.

A non-official translation of the law is reproduced below.

Federal Law ON THE RULES AND CERTIFICATES OF ORIGIN

Federal Law No. 11
Issued on 19/12/2019
Corresponding to 22 Rabi' Al-Akhar 1441 H.

ON THE RULES AND CERTIFICATES OF ORIGIN

We, Khalifa Bin Zayed Al Nahyan, President of the United Arab Emirates State, After perusal of the Constitution,

Federal Law No. (1) of 1972 on the Competencies of Ministries and Powers of Ministers, and its amendments;

Federal Law No. (5) of 1975 on the Commercial Register;

Federal Law No. (1) of 1979 on the Regulation of Industrial Affairs;

Federal Law No. (18) of 1981 on the regulation of commercial agencies, and its amendments; Federal Law No. (6) of 1983 on the determination of fees imposed on the certificates of origin of the national Products of the United Arab Emirates;

Federal Law No. (3) of 1987 promulgating the Penal Code, and its amendments;

Federal Law No. (11) of 1992 promulgating the Civil Procedure Law, and its amendments; Federal Law No. (35) of 1992 promulgating the Penal Procedure Law and its amendments; Federal Law No. (37) of 1992 on Trademarks, and its amendments;

Federal Law No. (18) of 1993 on the promulgation of the Commercial Transactions Law; Federal Law No. (18) of 1995 on simple crafts;

Federal Law No. (22) of 2000 on the Federation of the Chambers of Commerce and Industry; Federal Law No. (17) of 2002 on the regulation and protection of industrial property rights for patents and industrial designs and models, and its amendments;

Federal Law No. (17) of 2004 on Anti-Commercial Concealment;

Federal Law No. (1) of 2006 on electronic transactions and commerce; Federal Law No. (2) of 2015 on Commercial Companies and its amendments; Federal Law No. (8) of 2015 on the Federal Customs Authority;

Federal Law No. (19) of 2016 on Combating Commercial Fraud;

Federal Law No. (1) of 2017 on Anti-dumping and Compensatory and Countervailing Measures; And according to the suggestion of the Minister of Economy, the approval of the Cabinet and the Federal National Council and the ratification of the Federal Supreme Council,

Issued the following Law:

CHAPTER 1

Article 1- Definitions

In the implementation of the provisions of this Law, the following words and expressions shall have the meanings stated beside them unless the context requires otherwise:

State: The United Arab Emirates. Ministry: Ministry of Economy. Minister: Minister of Economy.

Department: Competent Department at the Ministry.

Customs Departments: Local customs departments in every Emirate. Chamber: Chambers of Commerce and Industry at the State.

Commodities: Materials and Products:

Materials: Any items, raw materials, components, parts, etc. used in the manufacture of the Product.

Products: Manufactured Products, even if they are intended for use in other Manufacturing processes.

Manufacturing: All operating or preparation processes, including assembly processes or specific processes.

Customs Value: Value of the Commodity determined according to the Customs Law at the State.

Rules of Origin: Basics that determine the Country of Origin of the Commodity, according to this Law or the Conventions.

Certificate of Origin: Document proving the Country of Origin of the Commodity.

Preferential Origin: Country of Origin specified based on the Conventions in order to give Preferential Treatment to the Commodity upon import or export.

Non-Preferential Origin: Country of Origin specified based on the general application of the Rules of Origin, without giving Preferential Treatment to the Commodity upon import or export.

Indication of Origin: Any expression indicating or stating that the goods were manufactured or produced in a country, whether stated on the Commodity itself or on its packaging in a non-removable manner.

Conventions: International, regional or bilateral Conventions to which the State is a party.

Country of Origin: Country where the Commodity is produced, manufactured or extracted according to the Rules of Origin.

Preferential Treatment: Granting the Commodities exemption or reduction of customs duties or granting them other advantages upon import or export, as determined by the provisions of the Conventions.

CHAPTER 2 - RULES OF DETERMINATION OF THE COUNTRY OF ORIGIN

Article 2- Fully Acquired Commodities

The Commodity shall be considered of the Country of Origin where it is fully acquired in any of the following cases:

1. Mineral Products extracted from its territory or seafloor.
2. Agricultural Products harvested therein.
3. Live animals born and raised therein.
4. Products of live animals raised therein.
5. Hunting or fishing Products therein.
6. Fishing Products and other Products obtained outside the country's territorial waters through the vessels of such country, and the Products manufactured on board such vessels, according to the rules determined by the Implementing Regulation of this Law.
7. Used Commodities collected therein and only suitable for the recovery of the raw materials therefrom.
8. Waste of Products resulting from the Manufacturing process therein.
9. Products extracted from the marine soil or soil outside the territorial waters of that country, provided that it alone has the right to exploit such soil.
10. Commodities produced therein of the Products referred to in paragraphs (1) to (9) hereof.

Article 3- Commodities Fully Prepared, Operated or Manufactured

The Products shall be considered of the origin of the country where they were obtained, containing Materials not fully obtained from that country, provided that sufficient preparation, operating or Manufacturing processes were conducted inside that country, according to the standards and rules determined by the Implementing Regulation of this Law.

Article 4- Insufficient Operating Cases

The operating processes are considered insufficient or secondary, whether conducted individually or jointly, in order to give the Commodity the capacity of the Country of Origin in any of the following cases:

1. Processes carried out to ensure that the Products are kept in good condition during transportation and storage, such as ventilation, deployment, drying, cooling, removal of damaged parts and other similar secondary processes.
2. Simple processes carried out on the Products such as the removal of dust, sifting, arranging, sorting, washing, painting, cutting, changing the packages, disassembling and assembling them, simple packaging in bottles, flasks, bags or boxes, pasting trademarks on the Products and their packages, simple mixing, animal slaughter and other similar simple processes.

CHAPTER 3 - PROOF OF COUNTRY OF ORIGIN

Article 5- Cases of Proof of Country of Origin

1. The Commodities imported to the State are subject to the proof of Country of Origin, by submitting a Certificate of Origin or any other documents issued by the competent entity of the country of export, or the presence of a non-removable proof of origin on the Product, according to the rules agreed upon within the framework of Conventions and cases determined by the Implementing Regulation of this Law.
2. Notwithstanding the provisions of paragraph (1) of this Article, the Commodities imported to the State may be exempt from the submittal of a Certificate of Origin or documents proving the Country of Origin, according to the cases determined by the Implementing Regulation of this Law.

Article 6- Issuance of Certificates of Origin

1. The Ministry shall issue preferential certificates of origin to the national Commodities exported abroad, according to the rules and forms determined by the Conventions, and the procedures determined by the Implementing Regulation of this Law.
2. The Ministry shall issue non-preferential certificates of origin to the national Commodities exported abroad, and the Chamber shall issue them in coordination with the Ministry according to the general rules, forms and procedures determined by the Implementing Regulation of this Law.
3. The Chamber shall issue certificates of origin to the re-exported foreign Commodities according to the rules and procedures approved by it.

Article 7- Validity Period of the Certificate of Origin

The validity of the preferential and non-preferential Certificate of Origin shall be according to the periods determined by the Implementing Regulation of this Law, unless the Conventions stipulate otherwise.

Article 8- Record of the Certificates of Origin

1. The Department shall establish a record to register all the preferential and non-preferential certificates of origin and shall keep a copy thereof for a period not less than three years.
2. The Implementing Regulation of this Law shall determine the rules and controls on how to establish and maintain such records.

CHAPTER 4 - CONTROL OF VALIDITY OF THE COUNTRY OF ORIGIN

Article 9- Verification of Validity of the Country of Origin

1. The Customs Departments may, in coordination with the Department and in exceptional cases based on the presence of serious doubts about the validity of the Certificate of Origin or origin of the concerned Products, in case of duplication of origin between the certificate and the indication or in the presence of more than one indication of the origin of goods, refuse to grant Preferential Treatment to the Products imported to the State, until the Department confirms the validity of the Country of Origin or the true origin of the imported Products.
2. The Department shall, in case of refusal to grant Preferential Treatment to the Products imported to the State, return the Certificate of Origin and the documents related thereto to the competent entity at the country of export, stating the reasons of request of verification of the Certificate of Origin or origin of the imported Products. The Implementing Regulation shall determine the reasons and procedures of verification of the validity of the certificates of origin.
3. Taking in consideration clause (1) of this Article, the Customs Departments shall offer the importer to release such Products according to the customs procedures set forth in the Customs Laws at the State.

Article 10- Review of the Documents of Country of Origin

1. The Department may carry out a subsequent selective review of the proof documents of the Country of Origin upon presence of serious doubts in the validity of such documents, the origin of the concerned Products or the data and information submitted to prove the Country of Origin or other related reasons.
2. The Customs Departments shall, sua sponte and periodically or upon the request of the Department, provide the Ministry with copies of the preferential certificates of origin upon import to the State, to carry out a subsequent selective review of the validity of the Certificate of Origin or the real Country of Origin of the imported Products.
3. The Department may, in coordination with the Customs Departments, stop granting Preferential Treatment to the Products subject of verification, during the period of verification, provided that the importer is offered the release of such Products according to the customs procedures set forth in the Customs Laws at the State.
4. The Implementing Regulation of this Law shall determine the rules and procedures of subsequent review set forth in paragraphs (1), (2) and (3) of this Article.

Article 11- Minor and Formal Differences

1. The discovery of minor differences between the data stated in the Certificate of Origin and the customs clearance documents, shall not lead to the Certificate of Origin being automatically considered null, whenever it is proved that such documents are related to the submitted Products. The Implementing Regulation of this Law shall state the rules of determination of minor differences between the data stated in the Certificate of Origin and the customs clearance documents.
2. The typing or formal errors in the Certificate of Origin or the customs declaration shall not be considered a justification to reject the document, if such errors do not lead to serious doubts in the validity of the data stated in such documents.

Article 12 – Obligations of the Ministry towards the Country of Origin

1. The Ministry shall respond to the subsequent verification requests received by the competent entity at the country of import concerning the preferential certificates of origin issued for the national Products.
2. The Ministry shall settle the disputes that may arise with the importing or exporting States concerning the application of the Rules of Origin or other related cases.
3. The Ministry shall cooperate and coordinate with the competent entity at the country of import to better implement the Rules of Origin and shall provide it with the forms of seals used in the preferential certificates of origin.

CHAPTER 5 - OBJECTION, GRIEVANCE AND APPEAL

Article 13

1. Those who were rejected by the Department to be granted preferential Certificate of Origin, may object to the Director of the Department within (7) seven working days from the date of notification thereof. Their objection shall be settled within a period not exceeding (10) ten working days from the date of submittal of the request. In case of rejection of the request, it shall be notified to the concerned person in writing and shall be justified.
2. Those whose objection was rejected or whose request was left unanswered may file a grievance to the Minister within (10) ten working days from the date of rejection of the request. Their grievance shall be settled within a period not exceeding (20) twenty working days from the date of filing thereof. In case of rejection of the request, it shall be notified to the concerned person in writing and shall be justified.
3. Those whose grievance was rejected by the Minister may appeal before the competent Courts at the State according to the said Code of Civil Procedure.

CHAPTER 6 - PENAL AND ADMINISTRATIVE SANCTIONS

Article 14- Penal Sanctions

Without prejudice to any other more severe sanction stipulated in any other Law, whoever forges the data of the Commodities imported into the State or exported outside the State or whoever provides misleading information with the intention of fraud in the Certificate of Origin or the Indication of Origin, shall be punished by temporary imprisonment and/or a fine not less than AED (100,000) one hundred thousand and not exceeding AED (500,000) five hundred thousand.

The sanction shall be doubled in case of recidivism.

Article 15- Administrative Sanctions

The Minister or his representative may impose on the exporter, whether a physical or moral person, upon violating any of the provisions set forth in this Law and its Implementing Regulation and the decisions issued in implementation thereof, any of the following administrative sanctions:

1. Warning.
2. Temporary suspension of granting the preferential or non-preferential Certificate of Origin for a period not exceeding one year.
3. Permanent suspension of granting the preferential or non-preferential Certificate of Origin.

CHAPTER 7 - FINAL PROVISIONS

Article 16- Judicial Officers

The Ministry's employees specified by a decision from the Minister of Justice, under agreement with the Minister, shall have the capacity of judicial officers in proving what occurs in violation to the provisions of this Law and the decisions issued in implementation thereof, within the jurisdiction of each.

Article 17- Fees

The Cabinet shall issue, upon the suggestion of the Minister of Finance, a decision specifying the fees of the preferential and non-preferential certificates of origin issued by the Ministry.

Article 18- Implementing Regulation

The Cabinet shall, upon the Minister's suggestion, issue the Implementing Regulation of this Law within six months from the date of issuance thereof.

Article 19- Abrogation

1. The Federal Law no. (6) of 1983 on the determination of fees imposed on the certificates of origin of the national Products of the United Arab Emirates and its implementing decisions shall be abrogated, provided that it remains applicable along with its implementing decisions until issuance of the Cabinet decision referred to in Article (17) of this Law.
2. Any provision contrary to or inconsistent with the provisions of this Law shall be abrogated.

Article 20- Publication and Entry into Force

This Law shall be published in the Official Gazette and shall enter into effect one month after the date of publication thereof.

Issued by Us at the Presidential Palace in Abu Dhabi: On: 22 Rabi' Al-Akhar 1441 HCorresponding to: 19 December 2019

Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates State

This Federal Law was published in the Official Gazette no. 669, p. 99.

15 February 2022

(22-1422)

Page: 1/2

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER ARTICLE 5 AND PARAGRAPH 4 OF
ANNEX II TO THE AGREEMENT ON RULES OF ORIGIN**

NON-PREFERENTIAL AND PREFERENTIAL RULES OF ORIGIN

1. According to Article 5.1 of the Agreement on Rules of Origin, each Member shall provide to the Secretariat, within 90 days after the date of entry into force of the WTO Agreement for it, its rules of origin, judicial decisions, and administrative rulings of general application relating to rules of origin in effect on that date. If, by inadvertence, a rule of origin has not been provided, the Member concerned shall provide it immediately after this fact becomes known. Article 5.2 of the Agreement stipulates, moreover, that during the period referred to in Article 2, Members introducing modifications, other than *de minimis* modifications, to their rules of origin or introducing new rules of origin, shall publish a notice to that effect at least 60 days before the entry into force of the modified or new rule in such a manner as to enable interested parties to become acquainted with the intention to modify a rule of origin or to introduce a new rule of origin, unless exceptional circumstances arise or threaten to arise for a Member.

2. Furthermore, paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall promptly provide to the Secretariat their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. In this respect, the Committee on Rules of Origin (CRO) further agreed that notifications made to the Committee on Regional Trade Agreements (CRTA) or the Committee on Trade and Development (CTD) could also suffice to discharge Members' notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had been initially received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. Information regarding such notifications, including related to preferential rules of origin, can also be obtained through the WTO database on regional trade agreements (<http://rtais.wto.org>) or the WTO database on preferential trade agreements (<http://ptadb.wto.org>).

3. In accordance with these rules, the following notification has been received:

NORWAY

The texts of can be found in the following internet links:

1. Chapter 8 of the Act on Customs Duties and Movement of Goods 2007: <https://www.toll.no/en/services/regulations/law-and-regulations/the-act-on-customs-duties-and-movement-of-goods/>;
2. Chapter 8 of the Act on Customs Duties and Movement of Goods 2008: <https://www.toll.no/en/services/regulations/law-and-regulations/regulations-to-the-act-on-customs-duties-and-movement-of-goods-customs-regulations/>;
3. Information concerning free trade and preferential treatment by importation:
 - <https://www.toll.no/en/corporate/import/free-trade/>;
 - <https://www.toll.no/en/corporate/export/duty-free-status-or-lower-duties-when-exporting-to-other-countries/>;

4. Parliamentary Decree for Customs Duty:
[https://www.toll.no/en/services/regulations/parliamentary-decree-on-customs-duties/;](https://www.toll.no/en/services/regulations/parliamentary-decree-on-customs-duties/)
 5. Regulation on Safeguard Mechanism for Imports of Agricultural Products of 7 March 2008:
[https://lovdata.no/dokument/SFE/forskrift/2008-03-07-228.](https://lovdata.no/dokument/SFE/forskrift/2008-03-07-228)
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14 March 2022

(22-2246)

Page: 1/1

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN THE EURASIAN ECONOMIC UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF SERBIA, OF THE OTHER PART¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet link:

http://docs.eaeunion.org/docs/ru-ru/01423625/iatc_28102019.

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG458/N/1 of 3 November 2021.



**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN THE UNITED KINGDOM AND NORWAY¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet link:

<https://www.gov.uk/government/publications/free-trade-agreement-between-iceland-the-principality-of-liechtenstein-and-the-kingdom-of-norway-and-the-united-kingdom-of-great-britain-and-northern>.

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG459/N/1 of 3 December 2021.



14 March 2022

(22-2245)

Page: 1/1

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN TURKEY AND KOSOVO¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet links:

Turkey: <https://www.trade.gov.tr/free-trade-agreements/kosovo>

Kosovo: <https://mint.rks-gov.net/>

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG461/N/1 of 22 December 2021.

14 March 2022

(22-2253)

Page: 1/1

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN TURKEY AND SERBIA¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet links:

The Republic of Turkey: <https://www.trade.gov.tr/free-trade-agreements/serbia>

The Republic of Serbia: <http://www.parliament.gov.rs/upload/archive/files/lat/pdf/zakoni/2018/1167-18-lat.pdf>

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG288/N/1/Add.1 of 11 January 2022.

14 March 2022

(22-2247)

Page: 1/1

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN TURKEY AND THE EFTA STATES (ICELAND, LIECHTENSTEIN, NORWAY AND SWITZERLAND)¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet links:

Turkey: <https://www.trade.gov.tr/free-trade-agreements/efta>

The EFTA States: <https://www.efta.int/free-trade/Free-Trade-Agreement/Turkey>

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG462/N/1 of 15 February 2022.



14 March 2022

(22-2248)

Page: 1/1

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER PARAGRAPH 4 OF ANNEX II
OF THE AGREEMENT ON RULES OF ORIGIN**

PREFERENTIAL RULES OF ORIGIN

1. Paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall provide to the Secretariat as soon as possible their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. Lists of information received and available within the Secretariat shall be circulated to Members by the Secretariat under the G/RO/N/ series.

2. The Committee on Rules of Origin further agreed that, with respect to preferential rules of origin, notifications made to the Committee on Regional Trade Agreements (CRTA) or to the Committee on Trade and Development (CTD) could also suffice to discharge their notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had initially been received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. The information regarding such notifications, including related to preferential rules of origin, can, in addition, be retrieved through the WTO database of regional trade agreements (<http://rtais.wto.org>) or in the WTO database of preferential trade agreements (<http://ptadb.wto.org>).

3. Accordingly, the following notification has been received:

FREE TRADE AGREEMENT BETWEEN ECUADOR AND THE EFTA STATES (ICELAND, LIECHTENSTEIN, NORWAY AND SWITZERLAND)¹

A. PREFERENTIAL RULES OF ORIGIN

The texts of the Agreement can be found in the following internet links:

The EFTA States: <https://www.efta.int/free-trade/Free-Trade-Agreement/Ecuador>

Ecuador: <https://www.produccion.gob.ec/acuerdo-comercial-efta/>

¹ Originally notified to the Committee on Regional Trade Agreements (CRTA) and circulated in document WT/REG463/N/1 of 22 February 2022.

23 February 2022

(22-1758)

Page: 1/2

Committee on Rules of Origin

Original: English

**NOTIFICATION UNDER ARTICLE 5 AND PARAGRAPH 4 OF
ANNEX II TO THE AGREEMENT ON RULES OF ORIGIN**

NON-PREFERENTIAL AND PREFERENTIAL RULES OF ORIGIN

Revision

1. According to Article 5.1 of the Agreement on Rules of Origin, each Member shall provide to the Secretariat, within 90 days after the date of entry into force of the WTO Agreement for it, its rules of origin, judicial decisions, and administrative rulings of general application relating to rules of origin in effect on that date. If, by inadvertence, a rule of origin has not been provided, the Member concerned shall provide it immediately after this fact becomes known. Article 5.2 of the Agreement stipulates, moreover, that during the period referred to in Article 2, Members introducing modifications, other than *de minimis* modifications, to their rules of origin or introducing new rules of origin, shall publish a notice to that effect at least 60 days before the entry into force of the modified or new rule in such a manner as to enable interested parties to become acquainted with the intention to modify a rule of origin or to introduce a new rule of origin, unless exceptional circumstances arise or threaten to arise for a Member.
2. Furthermore, paragraph 4 of Annex II to the Agreement on Rules of Origin envisages that Members shall promptly provide to the Secretariat their existing or new preferential rules of origin, including a listing of the preferential arrangements to which they apply, judicial decisions, and administrative rulings of general application relating to their preferential rules of origin. In this respect, the Committee on Rules of Origin (CRO) further agreed that notifications made to the Committee on Regional Trade Agreements (CRTA) or the Committee on Trade and Development (CTD) could also suffice to discharge Members' notification obligations under the Agreement on Rules of Origin (G/RO/M/59). As a result, the Committee agreed that notifications which had been initially received by the CRTA or the CTD should also be circulated by the Secretariat to the CRO. Information regarding such notifications, including related to preferential rules of origin, can also be obtained through the WTO database on regional trade agreements (<http://rtais.wto.org>) or the WTO database on preferential trade agreements (<http://ptadb.wto.org>).
3. In accordance with these rules, the following notification has been received:

NORWAY

Notified information from Norway according to Article 5 of the Agreement on Rules of Origin can be found in the following links:

1. Chapter 8 of the Act on Customs Duties and Movement of Goods 2007: <https://www.toll.no/en/services/regulations/law-and-regulations/the-act-on-customs-duties-and-movement-of-goods/>;
2. Chapter 8 of the Regulations to the Act on Customs Duties and Movement of Goods 2008: <https://www.toll.no/en/services/regulations/law-and-regulations/regulations-to-the-act-on-customs-duties-and-movement-of-goods-customs-regulations/>;
3. Information concerning free trade and preferential treatment by importation and exportation:
- <https://www.toll.no/en/corporate/import/free-trade/>;

- <https://www.toll.no/en/corporate/export/duty-free-status-or-lower-duties-when-exporting-to-other-countries/>;
 - 4. Parliamentary Decree for Customs Duty:
<https://www.toll.no/en/services/regulations/parliamentary-decree-on-customs-duties/>;
 - 5. Regulation on Safeguard Mechanism for Imports of Agricultural Products of 7 March 2008:
<https://lovdata.no/dokument/SFE/forskrift/2008-03-07-228>.
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Committee on Rules of Origin

MINUTES OF THE MEETING OF 7 APRIL 2022

VICE-CHAIRPERSON: MS LAURA GAUER (SWITZERLAND)

Subjects Discussed

1 PREFERENTIAL RULES OF ORIGIN FOR LEAST DEVELOPED COUNTRIES (WT/L/917 AND WT/L/917/ADD.1)	2
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The Committee on Rules of Origin (hereafter "the Committee", or "CRO") adopted the agenda (WTO/AIR/RO/15). Delegations attended the meeting either in person or remotely via the "Interprefy" platform.

1 PREFERENTIAL RULES OF ORIGIN FOR LEAST DEVELOPED COUNTRIES (WT/L/917 AND WT/L/917/ADD.1)

1.1 Review of Recent Developments in Relation to Preferential Rules of Origin for Least Developed Countries (LDCs): Report by Preference-Granting Members Wishing to Share Any Developments

1.1. The Vice-Chairperson reminded delegations that the Bali and the Nairobi Ministerial Decisions had instructed the Committee to monitor preference-granting Members' efforts to implement both Decisions. In this regard, she invited preference-granting Members to take the floor to report on any recent developments in this area.

1.2. The representative of the European Union reported that improvements had been made to the Rules of Origin Self-Assessment (ROSA) tool, an integral part of the European Union's "Access2Markets portal".¹ He reported that a warning had been added to the portal informing users about sanctions in place as a response to the Russian Federation's invasion of Ukraine. As the Russian aggression in Ukraine was still ongoing, the EU sanctions had been stepped up, with further import and export bans, and restrictions on Russian banks and maritime vessels. These sanctions aimed at restoring peace and the international legal order of which the WTO was an integral part.

1.3. The representative of Canada condemned the Russian Federation's unjustified and unprovoked invasion of Ukraine. She said that the attacks were causing widespread humanitarian consequences and the senseless death of innocent people. This was not an attack on Ukraine only, but also on international law, including the United Nations (UN) Charter, democracy, freedom, and human rights.

1.4. The representative of Switzerland condemned the Russian Federation's military aggression against Ukraine as a flagrant violation of international law, including the prohibition on the use of force, and a violation of the principle of the territorial integrity of states. He called on Russia to respect its international obligations, withdraw its troops, and de-escalate. Moreover, he called on all actors to respect international law, including international humanitarian law.

1.5. The representative of the United States reiterated strong US support for Ukraine and called upon the Russian Federation immediately to cease its use of force against Ukraine, and refrain from any further unlawful threat or use of force against any UN Member State.

1.6. The representative of Japan condemned the Russian Federation's aggression in the strongest terms, as it clearly infringed Ukraine's sovereignty and territorial integrity, constituted a serious violation of international law, and was a grave breach of the UN Charter. He strongly urged Russia to cease its attack and withdraw its forces back to Russian territory. He stated that Japan stood in solidarity with Ukraine and its people, together with the international community.

1.7. The representative of the Republic of Korea strongly condemned the Russian Federation's armed invasion of Ukraine, it being a violation of the principles of the UN Charter, and called on Russia to respect Ukraine's sovereignty, territorial integrity, and political independence. He reaffirmed Korea's commitment to a rules-based global trade order under the WTO and expressed concern over the serious impact of Russia's actions on the humanitarian situation in Ukraine, on global supply chains, and on food security. He called on Russia to suspend all military action in Ukraine.

1.8. The representative of the Russian Federation explained that global security concerns and UN Charter compliance did not fall under the Committee's mandate and went far beyond the agenda. He called on the Vice-Chairperson to moderate the discussion, accordingly, including by disallowing interventions from delegations that neglected this basic consideration. In addition, he requested that statements not corresponding to the Committee's mandate be excluded from the meeting's minutes. He urged delegates to exercise self-restraint in this regard.

¹ <https://trade.ec.europa.eu/access-to-markets/en/content/presenting-rosa>

1.9. The representative of Australia echoed the concerns of others in relation to the Russian Federation's unjustified invasion of Ukraine, which Australia considered to be a breach of international law, the UN Charter, and the sovereignty and territorial integrity of a neighbouring state. Australia strongly supported Ukraine in opposing Russia's hostilities and called on Russia to withdraw its forces from the Ukrainian territory and to seek a diplomatic solution. Russia's war in Ukraine was exacting a catastrophic humanitarian toll and Australia supported collective action by the international community to impose costs and increase leverage on Russia and those in Russia who bore responsibility.

1.10. The representative of New Zealand stated that her government could not deny the impact of the Russian Federation's invasion both on Ukraine and on multilateral trade, which was relevant to the WTO's Committees. Therefore, New Zealand stood with the international community in condemning Russia's unjustified and illegal attack on Ukraine. Moreover, New Zealand was alarmed at the human rights abuses inside Ukraine, the worsening humanitarian crisis, and the targeting of humanitarian corridors, densely populated areas, and civilian infrastructure. Indeed, she was deeply saddened to see reports of mounting casualties and widespread damage. New Zealand was united alongside the international community in support of Ukraine's sovereignty and territorial integrity and, in this sense, had been applying tough sanctions on Russia as a means of crippling Russia's ability to continue waging war on Ukraine and harming its civilians, at the same time noting that there was no victor in an unjustified and unprovoked aggression. Finally, New Zealand noted that it had been assisting international humanitarian efforts as the scale of the civilian impact of Russia's aggression became apparent.

1.11. The representative of Chinese Taipei joined other Members in raising serious concerns about the war, which had led to a large number of civilian losses, including women and children. A timely end to the war was also important to allow the WTO to move forward and prepare the upcoming Ministerial Conference in a smooth and successful manner. He condemned the unjustified military attacks and called on them to be immediately stopped.

1.12. The representative of Albania strongly condemned the Russian Federation's aggression against Ukraine, which was a blatant breach of international law and the UN Charter, upon whose principles the international rules-based system had been built. In contrast, Albania supported the sovereignty and territorial integrity of Ukraine within its internationally recognized borders, including its territorial waters. Furthermore, Albania stood in full solidarity with Ukraine and remained concerned by the exponentially deteriorating humanitarian situation there.

1.13. The representative of Georgia condemned, in the strongest possible terms, the Russian Federation's unprovoked, unjustified, and premeditated military aggression against Ukraine, leading to death, destruction, and humanitarian disaster. Russia's attacks on Ukraine's civilian infrastructure were a flagrant violation of the key principles of the UN Charter. Georgia called upon the Russian Federation immediately to cease, without any preconditions, its military aggression against Ukraine, and to withdraw its military forces from a sovereign and democratic state. He reiterated Georgia's unwavering support for Ukraine's independent sovereignty and territorial integrity within its internationally recognized borders.

1.14. The Committee took note of the statements made.

1.2 Status of Notifications of Preferential Rules of Origin for LDCs and Preferential Import Data (G/RO/W/163/Rev.10) – Report by the Secretariat

1.15. The Secretariat (Mr Darlan F. Martí) reported that most preference-granting Members had already notified their preferential rules of origin used for LDCs, except for Armenia, Iceland, and Morocco. In this respect, there had been no change since the update that had been given in 2021. In addition, since it had already been a few years since most notifications had been received, he invited preference-granting Members to verify that the information that they had submitted, particularly internet links, were correct and up to date.

1.16. In relation to preferential tariffs and import statistics, he emphasized the importance of having complete datasets so that the Secretariat could monitor the utilization of preferences. In this regard, he reported that a comprehensive notification had been submitted by India (2015-2020), which had already been incorporated into the WTO Integrated Database (IDB). The

Secretariat had also received notifications from China (2010-2020), Iceland (2013-2020), and Turkey (2010-2020). These recent notifications were still being verified prior to their integration into the IDB. In addition, notifications from the Russian Federation and the United Kingdom were also being analysed by the Secretariat. Finally, the Secretariat noted that some Members had not yet provided information regarding their preferential imports from LDCs (namely, Armenia; Kazakhstan; the Kyrgyz Republic; Montenegro; Morocco; New Zealand; and Tajikistan).

1.17. The representative of the United Kingdom mentioned that this agenda item concerned a shared priority to support the rules-based international trading system. He stated that the Russian Federation's invasion of Ukraine could not be ignored when considering the rules-based international order. The UK and its international partners stood united in condemning the Russian government's reprehensible actions, which were an egregious violation of international rules and norms. As a Permanent Member of the UN Security Council, Russia had a particular responsibility to uphold international peace and security. Instead, Russia was violating the borders of another country and its actions were causing widespread suffering. Moreover, he stated that the Russian government had shown that it had never been serious about engaging in diplomacy – and that it had deliberately worked to mislead the world, in order to mask its carefully planned aggression. As the UN Secretary-General had said, such unilateral measures conflicted directly with the UN Charter: the use of force by one country against another was the repudiation of the principles that every country had committed to uphold. He called on Russia to urgently de-escalate and withdraw its troops from Ukrainian territory. He also mentioned that the United Kingdom had submitted preferential import data for 2020 and tariff data for 2022.

1.18. The representative of New Zealand thanked the Secretariat for the report and confirmed that New Zealand's information systems did not yet allow for the collection of data concerning the utilization of preferences by LDCs. However, her government was exploring possible solutions to notify the necessary information to the Secretariat.

1.19. The representative of India thanked the Secretariat for reflecting its notification made in 2021 in its revised report.

1.20. The representative of Australia commended the delegations of China, Iceland, India, and Turkey for having submitted comprehensive notifications. In addition, he noted that Australia's import data had been submitted in late March and would be reflected in future reports.

1.21. The Vice-Chairperson requested delegations that had not yet submitted all the necessary information to prepare their notifications as soon as possible and, if necessary, to seek the assistance of the Secretariat to do so.

1.22. The Committee took note of the report and statements made.

1.3 Examination of Existing Origin-Related Documentary Requirements (Paragraph 1.8 of the Bali Decision and Paragraph 3.1 of the Nairobi Decision) – Submission by the LDC Group (G/RO/W/211)

1.23. The representative of Senegal presented the paper on behalf of the LDC Group.² He recalled that more than six years had passed from the adoption of the Nairobi Ministerial Decision and noted that good progress had been made in relation to transparency and preference utilization. However, implementation of the substantive paragraphs of the Decision could be accelerated and would benefit from a more constructive and proactive dialogue in the Committee. In this regard, the LDC Group urged preference-granting Members to step up their engagement in the CRO to share best practices and lessons learned. The LDC Group had been bringing to the attention of the CRO information about national practices that could be considered best practices, as well as other practices that did not meet the objectives of the Ministerial Decision and which, as a result, could be improved upon. The goal was to enable fuller utilization of the Duty-Free Quota-Free (DFQF) schemes and to contribute to the attainment of the Sustainable Development Goals (SDGs). In this regard, Target 17.12 required that preferential rules of origin applicable to imports from LDCs be transparent, simple, and contribute to facilitating market access. He explained that document G/RO/W/211 assessed existing practices in relation to self-certification of origin in light

² The presentation was circulated in document RD/RO/98.

of these objectives. In addition, the note reviewed the availability of flexibilities for small consignments. Finally, as highlighted in the note, some preference-granting Members already accepted self-certification as a proof of origin (Canada; the EU; Norway; Switzerland; and the US), while others did so only partly (Japan), or not at all (Chile; China; India; the Republic of Korea; the Russian Federation; Chinese Taipei; and Thailand).

1.24. The representative of Canada pointed out that Canada's preferential rules of origin for LDCs fully met the commitments set out in the Bali and Nairobi Ministerial decisions and that Canada had implemented a trade-facilitative approach to documentary requirements: it allowed for the self-certification of exporters (without prior exporter registration) and did not require proof of non-manipulation. Certificates of origin were only required for certain goods (namely, textiles and apparel) and, under special circumstances, the bill of lading could also be required by customs authorities.

1.25. The representative of New Zealand said that New Zealand did not rely on certificates of origin to substantiate claims of preference; nevertheless, in certain cases supporting commercial documents could be required to verify compliance. The Generalized System of Preferences (GSP) and respective rules of origin had been under review over the past few years to align them with best practices and recent approaches adopted in New Zealand's Free Trade Agreements (FTAs). The major changes would relate to the origin criteria, which would be based on a liberal interpretation of the Change in Tariff Classification (CTC) criterion, as well as an alternative to the Regional Value Content (RVC) criterion.

1.26. The representative of Chinese Taipei referred to Article 11 of the "Regulations Governing the Determination of Country of Origin of Imported Goods" and acknowledged that Chinese Taipei accepted certificates issued or certified not only by the LDC authorities, but also by their authorized agencies. At that time, Chinese Taipei did not implement a self-certification regime and expressed its readiness to provide further clarification to LDCs if requested to do so. He mentioned that Chinese Taipei's practices in this regard were fully compatible with the language of the Ministerial Decisions.

1.27. The representative of Australia noted that Australia's practice had not been covered in the paper, and noted that, under the Australian Systems of Tariff Preferences (ASTP), the main documentary requirement was a declaration of origin (self-certification), whereas certificates of origin were accepted as an alternative. In addition, a GSP Form A was equally acceptable (but not required). The main requirement was the exporter's declaration and a normal commercial invoice. There was no prescribed format for the declaration, but a set of minimum information was prescribed: the name of the person signing the certificate or declaration, their position, and the company or entity they represented. The relevant requirements were available on the website of the Australian Border Force.³

1.28. The representative of the European Union thanked the LDC Group for its contribution to the discussion, as well as for its presentation and note.

1.29. The representative of China said that the LDC paper did not accurately reflect China's practices and noted that the language of the Ministerial Decisions was not mandatory. In 2017, China had issued "Measures of the Customs of the People's Republic of China for the Administration of the Origin of Imported Goods under Special Preferential Tariff Treatment to the Least Developed Countries" (Order No. 231 of the General Administration of Customs). Article 17 of the Order stipulated that if the consignee or its agent had obtained an advance ruling of origin made by the Customs of China, the consignee had the possibility to use a self-declaration of origin. The validity period of the advance ruling was three years, and within that period, the consignee or its agent could issue unlimited self-declarations for the same kind of goods. In addition, the signature and seal of the certifying authorities were not required. Regarding small consignments, he referred to Article 20 of the same Order, and clarified that goods with a dutiable value below RMB 6,000 were exempted from the obligation to present a certificate of origin or self-declaration. Finally, he indicated that his delegation would be ready to work with the LDC Group to revise the paper so that it correctly reflected China's legislation.

³ <https://www.abf.gov.au/>.

1.30. The representative of Senegal, on behalf of the LDC Group, thanked the Members for their comments and statements. He requested a copy of Chinese Taipei's regulations and expressed the LDC Group's readiness to work with China to further improve the document.

1.31. In conclusion, the Vice-Chairperson encouraged all preference-granting Members to review their requirements relating to proof of origin and to consider simplifying them, whenever possible, bearing in mind the objectives of the Ministerial Decisions. Moreover, she encouraged LDCs and preference-granting Members to meet together to clarify any requirements that seemed unclear.

1.32. The Committee took note of the presentation and statements made.

1.4 Stocktaking of Implementation of the Bali and Nairobi Ministerial Decisions on Preferential Rules of Origin for LDCs (Paragraph for the Ministerial Conference) – Report by the Vice-Chairperson

1.33. The Vice-Chairperson reminded Members that, in October 2021, the LDC Group had proposed a paragraph taking stock of the implementation of the Bali and Nairobi Ministerial Decisions (G/RO/W/210). The paragraph, once endorsed by the Committee, would be sent to the General Council so that it could be reflected in the outcome document of the 12th Ministerial Conference. After discussions in the Committee and a series of consultations, the proposed paragraph had been revised, and its most recent version had been circulated in a communication from the Vice-Chairperson dated 23 November 2021. One Member had expressed its reservations over the revised paragraph and, as a result, the paragraph had not been endorsed. With this background in mind, the Vice-Chairperson wished to hear Members' views about the status of the paragraph in question, and possible next steps.

1.34. The representative of Tanzania, on behalf of the LDCs, thanked all Members for their engagement in the discussions. He said that the paragraph in question had been drafted with a view to reinvigorating the work of the Committee towards a full implementation of the Nairobi Decision. He confirmed that the LDC Group still wished to maintain the paragraph for the 12th Ministerial Conference. He also expressed the LDC Group's willingness to continue consultations with any Member that still had concerns regarding the text.

1.35. The representative of India reiterated that India was committed to providing effective market access to LDCs and remained committed to the Hong Kong and Bali Ministerial Decisions. India had introduced its Duty-Free Tariff Preference (DFTP) Scheme for LDCs in 2008, and as of November 2021, 35 LDCs could benefit from the scheme, with Sierra Leone being the latest addition. The DFTP scheme provided duty-free market access on 94.2% of tariff lines, and preferential access on an additional 3.2% of tariff lines. Only 309 tariff lines (2.6%) were on the exclusion list. In addition, India was the fourth biggest export destination for LDCs and remained committed to supporting LDCs in their integration into the global trading system. He also stated that the rate of utilization of India's preferences was adequate and confirmed that India was willing to look into any specific rule of origin with which an LDC Member found it difficult to comply.

1.36. The representative of the European Union noted that the EU continued to support the text, including in its latest version.

1.37. The Vice-Chairperson proposed to circulate the paragraph one more time to give delegations a few additional days to consult and confirm that there were no pending comments. If no objections were received within the prescribed time-period, the text would be considered to have been endorsed and become a decision by the Committee. In case of any objections or comments during the prescribed period, she would inform delegations in writing and instruct the LDC Group to continue with its consultations.

1.38. The Committee agreed to proceed accordingly.

2 NOTIFICATIONS UNDER ARTICLE 5 AND UNDER PARAGRAPH 4 OF ANNEX II OF THE AGREEMENT ON RULES OF ORIGIN (G/RO/N/228-G/RO/N/238 AND G/RO/N/232/REV.1)

2.1. The Vice-Chairperson drew Members' attention to the latest notifications received by the Secretariat: G/RO/N/228-G/RO/N/238, and G/RO/N/232/Rev.1. Considering these notifications, she noted that 22 Members had not yet submitted a notification under Article 5 of the Agreement, 53 Members had notified the Secretariat that they applied non-preferential rules of origin, and 62 Members had informed the Secretariat that they did not apply such rules.

2.2. The Committee took note of this report.

3 ACTIVITIES OF THE WCO TECHNICAL COMMITTEE ON RULES OF ORIGIN (TCRO) IN 2021 – REPORT BY A REPRESENTATIVE OF THE WCO

3.1. The Chairperson recalled that the WTO Agreement on Rules of Origin had established two distinct committees: the Committee on Rules of Origin at the WTO, and a Technical Committee on Rules of Origin (TCRO) at the World Customs Organization (WCO). Given their complementary nature, it was customary to promote an exchange of information concerning the work of each Committee. To this end, she invited Mr Demba Seck, a Technical Officer in charge of origin matters at the WCO Secretariat, to report on the activities of the TCRO in 2021.

3.2. The representative of the World Customs Organization (Mr Demba Seck) explained that the TCRO and the Secretariat of the WCO had been working on non-preferential rules of origin, preferential rules of origin, and technical assistance.

3.3. Regarding non-preferential rules of origin, the TCRO had held its 40th Session virtually, in two phases, in January and February 2022. The meeting had been chaired by Ms Nan Ding (China). The TCRO had adopted the 23rd Periodic Report and the 23rd Annual Review on technical aspects and implementation of the WTO Agreement on Rules of Origin for 2021. The Review had once again been brief since the Agreement on Rules of Origin had not yet been fully implemented in practice and no specific questions had been referred to the TCRO.

3.4. On preferential rules of origin, he noted that the Revenue Package Phase IV Action Plan had been completed in 2021 and consisted of initiatives intended to ensure an effective and efficient collection of revenue by customs administrations. The lack of harmonization of practices remained a major challenge for all stakeholders. For this reason, the WCO had been promoting procedural harmonization through the implementation of various sets of guidelines (such as Guidelines on Origin Certification; Guidelines on Origin Verification; Guidelines on Advance Rulings; Guidelines on Customs Infrastructure for Classification, Origin and Valuation; and a Practical Guide to the Nairobi Ministerial Decision on Rules of Origin for LDCs). These guidelines were intended to help simplify and streamline procedures linked to rules of origin.

3.5. In addition, the WCO Guide for Technical Update of Preferential Rules of Origin had been updated with a new Annex, in two parts, Annex IV-A (Table correlating HS 2017–HS 2022) and Annex IV-B (Impact of HS 2022 Amendments on Rules of Origin (Origin Criteria)).

3.6. Regarding technical assistance, the WCO representative reported that the WCO Secretariat had carried out a number of activities on the harmonization of non-preferential rules of origin as well as on preferential rules of origin. The WCO highlighted two recent programmes in relation to the African Continental Free Trade Area (AfCFTA): the WCO-European Union Programme on the "Implementation and Application of Rules of Origin to Enhance African Trade"; and the WCO/JICA Master Trainer Programme intended to provide increased AfCFTA Rules of Origin implementation capabilities to African Members.

3.7. The representative of Ukraine thanked the WCO for its comprehensive report and recalled that Ukraine had been a fully-fledged member of the WCO since 1992. She recognized the importance of the WCO's work, and its efforts to address challenges relating to the Russian aggression against Ukraine. On 9 March, the WCO Secretary-General, Dr Kunio Mikuriya, had issued a statement announcing that the WCO was monitoring the situation in Ukraine with special attention given to the war's implications for customs administrations. On 1 April, Ukraine had

circulated a communication to all customs administrations of WCO members indicating that the full-scale war launched by Russia, with the involvement of Belarus, had caused unprecedented damage to Ukraine's economy and customs service. As a result of the active hostilities, customs operations had been suspended in Chernihiv, Sumy, Kharkiv, Mykolaiv, Kherson, and the Donetsk and Luhansk oblasts. She thanked the international community for its prompt response and measures taken to preserve peace and border integrity, and to prevent a humanitarian crisis and the illicit trafficking of Ukrainian cultural property. She once again called upon WCO members to implement the necessary WCO instruments and tools that would allow for the efficient and expeditious delivery of humanitarian supplies to the Ukrainian population. She also underlined the importance of the joint communication from the International Narcotics Control Board and the WCO calling for the adoption of the simplified control measures for medicines containing internationally controlled substances. Ukraine was utterly convinced that Russia and Belarus should not have access to the international systems of cooperation and that their membership should be suspended from all international fora, including the WCO customs enforcement network, until the sovereignty and territorial integrity of Ukraine had been restored.

3.8. The representative of Senegal thanked Mr Seck for the quality of his report.

3.9. The Committee took note of the report and statements made.

4 WEBINAR ON "WHAT DRIVES THE UTILIZATION OF TRADE PREFERENCES?" – ANNOUNCEMENT BY THE VICE-CHAIRPERSON

4.1. The Vice-Chairperson drew Members' attention to a second webinar on "What Drives the Utilization of Trade Preferences", taking place immediately after that day's CRO meeting. This would be a follow-up webinar to the event that had taken place in May 2021. She invited delegations to attend this event and to share information about it with their colleagues in capitals.⁴

4.2. She explained that the Secretariat had been organizing information sessions under an "Educational Exercise" since 2015, at the request of Members. The goal of these sessions was to share national experiences and to better understand the impact that existing rules of origin were having on international trade. Such sessions complemented the work of the Committee and benefited from the expertise of Members, the Secretariat, and outside speakers. She invited Members to share their views about the usefulness of such events and future topics and speakers.

4.3. The representative of Australia commended the Secretariat for organizing such events and stated that these were highly relevant to the Organization. He mentioned that the data on preference utilization represented a "health check" on the accessibility of Regional Trade Agreements (RTAs) to businesses. Hence, Australia fully supported the continuation of work in this area and on other topics of interest to the CRO.

4.4. The representative of the United Kingdom mentioned that the CRO had a high value as a forum where Members could share knowledge on a complex area of trade policy. The ability to learn from other Members and experts from across the globe was extremely helpful. The UK had found the information sessions to be informative and supported their continuation.

4.5. The representative of Indonesia appreciated the Secretariat's efforts in organizing the webinar. He said that, in Indonesia, internal research had been conducted to study preference utilization rates and identify issues influencing the utilization of trade preferences. The main issues affecting utilization rates included lack of awareness, complex procedures to obtain certificates, and overlapping rules of origin of competing schemes. A public service agency, namely the "FTA Centre" had been established in 2018 to address those issues. Indonesia was looking forward to the upcoming webinar, especially in respect of lessons learned from other Members' experiences, which would contribute to improving knowledge of preference utilization in Indonesia.

4.6. The representative of Switzerland had found the information sessions to be relevant and comprehensive, and encouraged the Secretariat to continue organizing them. He also proposed the organization of a session on the background to the work of the Committee.

⁴ The programme, presentations and a video recording of the 2021 and the 2022 webinars are available in the "events" section of the Rules of Origin page of the WTO website.

4.7. The representative of Uruguay thanked the Secretariat for organizing the previous year's session, as it had contributed to a better understanding of the impact of rules of origin on international trade. Uruguay supported such events and thought they strengthened the work of the Committee.

4.8. The representative of Japan thanked the Secretariat for organizing the previous year's webinar, as well as for the other information sessions held since 2015. Japan found such events to be very beneficial. To further understand the factors influencing the utilization of trade preferences, he proposed that the Secretariat also organize an information session to consider the possible effects of domestic tax exemption regimes on preference utilization.

4.9. The representative of Chinese Taipei thanked the Secretariat for organizing the second Webinar on "What Drives the Utilization of Trade Preferences". As trade agreements continued to expand in number, origin requirements became more and more complex. He thought that the webinar would be helpful not only for policymakers, but also for the private sector, and he supported the idea of future information sessions.

4.10. The representative of the United States was looking forward to the webinar and encouraged the Secretariat to consult with Members about topics for future sessions with a view to identifying those topics of greatest mutual interest.

4.11. The representative of Chile congratulated the Secretariat for its organization of what promised to be a very interesting webinar and strongly supported the continuation of such activities.

4.12. The representative of the European Union said that the EU would also be delighted to be involved in discussions about topics for future events.

4.13. In conclusion, the Vice-Chairperson encouraged the Secretariat, in consultation with the Committee's chairperson and with input from delegations, to continue organizing similar events in the future.

4.14. The Committee took note of the statements made and agreed to proceed accordingly.

5 ELECTION OF CHAIRPERSON

5.1. The Vice-Chairperson explained that the Committee's rules of procedures envisaged the election of the Committee's new chairperson at the close of the Committee's first meeting of each year. However, consultations were still ongoing on a slate of names of candidates interested in taking up the chairpersonships of the subsidiary bodies of the Council for Trade in Goods. Therefore, she proposed to inform all delegations by email once a nominee had been recommended to chair the CRO. If no objections to the proposed name were received within a prescribed time-frame, the new Chairperson would be deemed to have been elected by acclamation by the Committee as of that date.

5.2. The Committee agreed to proceed accordingly.

6 DATE OF THE COMMITTEE'S NEXT MEETING

6.1. The Vice-Chairperson noted that the CRO's next meeting would take place on 13 October 2022.

6.2. The Committee took note of this date.

7 OTHER BUSINESS

7.1. No items were raised under "Other Business".
