COUNCIL DECISION (EU) 2020/1495

of 13 October 2020

on the position to be taken on behalf of the European Union within the Customs Committee established under the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, as regards a recommendation on the application of Article 27 of the Protocol concerning the definition of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

(1) The Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part ([1]) ('the Agreement') has been applied on a provisional basis since 1 July 2011 and entered into force on 13 December 2015.

(2) Article 27 of the Protocol of the Agreement, concerning the definition of 'originating products' and methods of administrative cooperation ('the Protocol'), lays down the procedure for the verification of proofs of origin and the tasks and responsibilities of the customs authorities of the importing and exporting Parties.

(3) The Customs Committee, established pursuant to point (c) of Article 15.2(1) of the Agreement, is empowered by Article 6.16(5) of the Agreement to formulate recommendations which it considers necessary for the attainment of the common objectives and sound functioning of the mechanisms established in the Protocol.

(4) The Union and the Republic of Korea have identified a need for a common understanding of the main characteristics of the verification procedure laid down in Article 27 of the Protocol and of the different steps in that procedure. Such a common understanding should be in the interests of the customs authorities that are in charge of ensuring compliance with the rules of origin and of ensuring the equal treatment of the economic operators subject to such verification, on the territory of each Party.

(5) The Union and the Republic of Korea consider it appropriate for the Customs Committee to formulate a recommendation for a common understanding and the sound implementation of the verification procedure laid down in Article 27 of the Protocol.

(6) It is appropriate to establish the position to be taken on the Union's behalf in the Customs Committee, as that recommendation will have legal effects in the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the Customs Committee established under the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, shall be based on the draft recommendation of that Customs Committee ([2]).

([1]) OJ L 127, 14.5.2011, p. 6.

([2]) See document ST 10586/20 on http://register.consilium.europa.eu

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 13 October 2020.

For the Council
The President
M. ROTH