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*Changes to legislation:* There are currently no known outstanding effects for the Council Decision (EU) 2019/2249, ANNEX. (See end of Document for details)

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## ANNEX

### **Enhancing Transparency in Non-preferential Rules of Origin**

*Members of the World Trade Organization,*

*Desiring* to ensure that rules of origin themselves do not create restrictive, distorting or disruptive effects on international trade;

*Desiring* to ensure that rules of origin are prepared and applied in an impartial, transparent, predictable, consistent and neutral manner;

*Recognizing* that clear and predictable rules of origin and their application facilitate the flow of international trade;

*Recognizing* that it is desirable to provide transparency of laws, regulations, and practices regarding rules of origin;

*Desiring* to complement the notifications obligations of Article 5 of the Agreement on Rules of Origin;

*Affirming* that enhancing transparency of laws, regulations, and practices regarding rules of origin contribute to mitigate compliance costs of economic operators wishing to integrate global value chains, notably micro, small and medium enterprises;

*Decide*, with respect to rules of origin, as follows:

1. That it is desirable to maintain and promote a high level of transparency and mutual understanding about existing rules of origin and related documentary requirements used by WTO Members. Rules of origin are understood as those falling under the scope of Article 1 of the Agreement on Rules of Origin.
2. In order to enhance transparency and promote a better understanding of rules of origin, Members shall notify the WTO Secretariat, pursuant to Annex 1 of this Decision, the rules of origin that they use in the application of most-favoured-nation treatment under Articles I, II, III, XI and XIII of GATT 1994.
3. Members are encouraged to complete the notification template in Annex 1 when notifying the WTO Secretariat of any other rules of origin that they use for the application of other non-preferential commercial policy instruments as provided for in Article 1.2 of the Agreement on Rules of Origin.
4. In addition, Members shall describe, according to Annex 2, their practices with respect to certification of origin and other mandatory documentary proofs of origin for non-preferential purposes that have been notified according to Annex 1<sup>(1)</sup>. Members that report that they do not implement rules of origin according to Annex 1 shall, nonetheless, complete Annex 2.
5. Notifications pursuant to paragraphs 2 and 4 of this Decision shall be submitted no later than one year after the adoption of this Decision.
6. The information notified pursuant to this decision shall be made publicly available by the WTO Secretariat.
7. Each Member shall, within its available resources, establish or maintain one or more enquiry points to answer reasonable enquiries of governments, traders and other interested parties on matters regarding rules of origin and related documentary requirements as well as to provide the required forms and documents<sup>(2)</sup>. Members

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shall communicate the contact details of their respective enquiry points to the WTO Secretariat pursuant to Annex 1. Least-developed country Members shall have two years to communicate this information to the WTO Secretariat.

8. Members shall endeavour to provide legal references, websites, explanatory documents, or any other documents, in an official WTO language.
9. Members introducing substantive changes to their rules of origin and related documentary requirements that have been notified according to this Decision, shall notify such changes promptly to the WTO Secretariat according to this Decision.
10. The Committee on Rules of Origin (CRO) shall examine existing rules of origin and related documentary requirements based on the information notified according to this Decision, with a view to identifying trade-facilitating practices and to promoting their international diffusion.
11. Assistance by the WTO Secretariat should be provided upon request to help developing and least-developed country Members implement the provisions of this Decision.
12. Nothing in this Decision shall be construed as affecting the rights and obligations of Members contained in Article 5 of the Agreement on Rules of Origin or in Article 1 of the Trade Facilitation Agreement.
13. This Decision, in particular paragraphs 2 and 3, shall be reviewed three years after its adoption, and thereafter when necessary, with a view to further enhancing transparency on non-preferential rules of origin as appropriate.

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- (1) This is without prejudice to other proofs of origin that may be required by the competent authorities for control purposes.
- (2) It is understood that this enquiry point can be the same as established or maintained pursuant to Article 1.3 (*Enquiry points*) of the Trade Facilitation Agreement (TFA) and Members are not required to provide more information or provide more forms and documents than covered by the TFA.

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