

**DECISION No 1/2016 of the JOINT COMMITTEE**

**established by the Free Trade Agreement between the  
Republic of Turkey and Georgia**

**Replacing Protocol II to the Free Trade Agreement between the Republic of Turkey  
and Georgia concerning the definition of the concept of "originating products" and  
methods of administrative cooperation**

THE JOINT COMMITTEE,

Having regard to the Free Trade Agreement between the Republic of Turkey and Georgia entered into force on 1 November 2008, hereinafter referred to as "*this Agreement*", and in particular Article 18 thereof,

Having regard to Protocol II to this Agreement concerning the definition of the concept of "originating products" and methods of administrative co-operation (hereinafter referred to as "*Protocol II*"),

Pursuant to Article 27 of this Agreement, empowering the Joint Committee to take decisions,

Taking into account Article 34 of this Agreement concerning the amendments of the Annexes and Protocols to this Agreement,

Pursuant to Article 35 of this Agreement, empowering the Joint Committee to make amendments to this Agreement,

Whereas;

- (1) Article 18 of this Agreement refers to Protocol II which lays down the definition of the concept of originating products and methods of administrative co-operation, and provides for cumulation of origin between the Republic of Turkey and Georgia,
- (2) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin<sup>1</sup> (hereinafter referred to as "*the Convention*"), aims at replacing the protocols on rules of origin currently in force among the countries which are Parties to the Convention with a single legal act,

Agreeing that Protocol II should be replaced by a new protocol making reference to the Convention,

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<sup>1</sup> The European Union Official Journal L 54, 26.2.2013, p.4.

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HAS DECIDED AS FOLLOWS:

**Article 1**

Protocol II of this Agreement, concerning the definition of the concept of “originating products” and methods of administrative cooperation, shall be replaced by the text set out in the Annex to this Decision, provided that all procedures are completed for accession of Georgia to the Convention in accordance with Articles 5, 10(3) and 10(4) of the Convention.

**Article 2**

The Decision shall enter into force in accordance with Article 34 of this Agreement.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Decision.

Done at Ankara on 28 October 2016, in two authentic copies in the English language.

On behalf of the Republic of Turkey



Murat YAPICI

Director General for EU Affairs  
Ministry of Economy

On behalf of Georgia



Genadi ARVELADZE

Deputy Minister of Economy and  
Sustainable Development of Georgia

## ANNEX

### Protocol II

#### Concerning the definition of the concept of "originating products" and methods of administrative co-operation

##### Article 1

##### Implementation

1. For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (hereinafter referred to as: "*the Convention*")<sup>1</sup>, shall apply.
2. All references to the "relevant agreement" in Appendix I and in the relevant provisions of Appendix II to the Convention shall be construed so as to mean this Agreement.
3. The bilateral body stipulated in Article 33 of Appendix I to the Convention refers to the Joint Committee provided for in Article 27 of this Agreement.
4. For the purpose of implementing this Agreement, Article 3 of Appendix I to the Convention shall apply to:
  - (i) agricultural products as defined in Article 8 of this Agreement (Chapters 1 to 24 of the Harmonized Commodity Description and Coding System and the products listed in Annex I of this Agreement) only when originating in the Republic of Turkey and Georgia
  - (ii) industrial products as defined in Article 3 of this Agreement (Chapters 25 to 97 of the Harmonized Commodity Description and Coding System with the exception of the products listed in Annex I of this Agreement).

##### Article 2

##### Withdrawal from the Convention

1. Should either the Republic of Turkey or Georgia give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention according to Article 9 of the Convention, the Republic of Turkey and Georgia shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I and the relevant provisions of Appendix II to the Convention, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and the relevant provisions of Appendix II to the Convention shall be construed so as to allow cumulation among the Republic of Turkey, Georgia and the European Union only, subject to conditions laid down in Article 1(4) of Protocol II.

<sup>1</sup> The European Union Official Journal L 54, 26.2.2013, p.4.

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