

Newsletter January 2023

1. Vietnam leaves the GSP scheme by 1 January 2023

Starting from the 1st of January 2023, Vietnam left the Generalised System of Preferences (GSP) due to beginning of the enforcement of the EU-Vietnam trade agreement on 1 August 2020.

This shift towards the trade agreement impacts the use of proof of origin.

Under the GSP scheme, economic operators used the REX to prove the preferential origin of the imported and exported goods and then could benefit from reduced duties.

However, under the trade agreement, proof of origin for goods imported into the EU must be provided as follows:

- The use of an EUR.1 certificate
- An origin declaration by any exporter for consignments the total value of which does not exceed EUR 6000

For more information, please consult the following links:

- [Document 32021R0114](#)
- [Document 22020A0612\(01\)](#)



2. The Ivory Coast applies the REX since 2 December 2022

2022 The EU and the Ivory Coast signed an Economic Partnership Agreement (EPA) on the 26th of November 2008 and ratified it in August 2016.

On the 2nd of December 2019, a new origin protocol entered into force which replaced the Market Access Regulation (MAR) which was applicable to the West African Community, East African Community, and Cameroon. This protocol implies that the EU and Ivory Coast have their definition of "originating products" and administrative cooperation. In the future, the EPA is to be replaced by the regional economic partnership with West Africa.

Since the 2nd of December 2022, the preferential origin for goods originating from the Ivory Coast must be claimed by a registered exporter (REX). The registered exporter must provide an origin declaration on an invoice, delivery note, or any other commercial document. The preferential origin for shipments whose value is below EUR 6000 can be claimed by any exporter based on an origin declaration on an invoice.

The protocol does not allow for a transition period during which old and new proof of origin could be used. It implies that EUR.1 and the origin declaration issued by approved exporters are no longer acceptable since the 2nd of December 2022.

However, the EU accepts origin certificates and origin declarations issued before the 2nd of December 2022 under the condition that:

- Shipments may be released only with a deposit covering the difference between the erga omnes duty and the preferential duty;
- EU importers must request a valid origin declaration from their exporter in lieu of the replacement for the proof submitted and, submit it to the customs authorities within three months from the date of the request for preferential tariff treatment;
- If no valid declaration of origin is submitted by the end of this three month period, preferential tariff treatment shall be denied.

This transitional provision is in place for a period from the 2nd of December 2022 to the 2nd of March 2023.

For more information, please consult the following links:

- [FR version](#)
- [NL version](#)

3. The EU Commission deletes union code “N865” for form A origin certificates

Since the 1st of January 2023, the union code „N865” cannot be used in box 44 of the SAD to declare form A's. It implies that no form A origin certificates can be used to prove the origin of the goods under the GSP scheme.

This withdrawal also applies to goods originating in the beneficiary countries placed in a customs warehouse and, for which the validity of the form A certificate has been “frozen” to allow a late deposit. Economic operators in this situation should take this into account if they still wish to use GSP tariff preferences.

For more information, please consult the following links:

FR version:

- [FR D.D. 016.089](#)
- [Communications concernant l'origine préférentielle](#)

NL version:

- [Mededelingen inzake preferentiële oorsprong](#)
- [Stelsel van Algemene Preferenties](#)

4. Ninth package of sanctions against Russia

On the 16th of December 2022, the Council of the EU adopted the ninth package of sanctions against Russia in the context of the aggression against Ukraine.

The EU extended the list of restricted items which might contribute to Russia's military and technological enhancement or the development of its defence and security sector. The list includes drone engines, further chemical and biological equipment, riot control agents and electronic components such as: generators, toy drones, laptops, hard drives, IT components, night-vision and radio-navigation equipment, cameras and lenses. Goods and technology suited for use in aviation and the space industry to include aircraft engines and their parts are also part of the export ban. This prohibition as well as the prohibition to land, take off from, or overfly the territory of the Union applies to both manned and unmanned aircrafts.

An even wider array of business services can no longer be provided to Russia with the introduction of bans on market research and public opinion polling services, technical testing and analysis services, and advertising services.

The Council of the EU also took measures against individuals, entities, the financial sector and media outlets.

In doing business with our clients, please be aware of those sanctions and sensitive destinations, since non-compliance to these measures represents a significant risk for Ziegler.

For more information, please consult the following links:

- [ENG version](#)
- [FR version](#)
- [NL version](#)
- <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R2474&from=EN>

The logo for ZIEGLER, featuring the word "ZIEGLER" in a bold, yellow, sans-serif font with a registered trademark symbol (®) to the upper right of the letter 'R'. The text is centered within a dark green rectangular background.

Dirk R. Pottilius

Head customs & fiscal representation Belgium
dirk.pottilius@zieglergroup.com

Daria Maslova

Customs & Compliance Manager
daria.maslova@zieglergroup.com

Laura Herman

Customs Representative / Executive Assistant
Customs Department Ziegler Customs
laura.herman@zieglergroup.com

www.zieglergroup.com