

UDENRIGSMINISTERIET

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Medlemmerne af Folketingets Europaudvalg
og deres stedfortrædere

Asiatisk Plads 2
DK-1448 København K
Tel. +45 33 92 00 00
Fax +45 32 54 05 33
E-mail: um@um.dk
Telex 31292 ETR DK
Telegr. adr. Etrangeres
Girokonto 300-1806



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Til underretning for Folketingets Europaudvalg vedlægges kopi af brev til
EU-kommissær Bolkestein fra skatteminister Svend Erik Hovmand.

Svend Erik Hovmand

Mr. Bolkestein
Member of the Commission
Rue de la Loi 200
B-1049 Bruxelles

5. maj 2004
J. nr. 99/03-230-76

Dear Mr. Bolkestein.

I would like to use the opportunity regarding the Commission Green Paper on the future of rules of origin in preferential trade arrangements to highlight some issues in relation to these rules and particularly the GSP-rules as such which the Danish government find important.

The Ministry of Taxation
Nicolai Eigtveds Gade 28
DK 1402 Copenhagen K

The major current international trade issue is the Doha Development Agenda negotiation. Several developing countries have expressed concern that these negotiations will have a negative impact on their preferences due to reduced EU tariffs. A positive and real response to these concerns would be to substantially improve the efficiency of the EU preferential rules of origin (PRO).

Tlf +45 33 92 33 92
Fax +45 33 92 42 58
www.skat.dk
skm@skm.dk
CVR-nr 16 14 68 15

At several occasions in the past years we have pointed out the need for making these rules easier to understand and use. We now feel that it is high time to start an in-depth review of PRO on the basis of agreed policy objectives in order to achieve PRO that are simple, clear and transparent and reflecting the basic trade policy of the EU which is to promote multilateral liberalisation and promoting market access globally.

One of the major reasons for this urgency is the upcoming extension of the EU's GSP scheme. If the rules of origin are not comprehensively reviewed the utility rate of the GSP scheme – which is very low – will not increase and there will be no or little consistency between the EU policy objectives and the effects of the PROs.

The Danish Government would like to stress the importance of increased legal security for the parties involved which is also related to the way the system of certification, declaration and control of the PRO works. It is essential to avoid – to the extent possible – the previous years many unfortunate instances where importers in the EU has suffered from mistakes and inherent weaknesses in the system of certification by authorities in the exporting countries. We very much agree with the European Court that the principle of legal certainty is a basic one. Especially in situations involving economic obligations the parties involved should have exact knowledge of the extent of their obligations. This is often not the case with the existing PRO. It is also

our view that increased legal certainty would mean greater use of the preferential regimes as such.

We also feel that simple, clear and transparent PRO would ease the bureaucratic burden of not only the authorities but also the traders making room for better and more precise information and guidance by the authorities.

I would like to draw your attention to the reply sent to the Commission from the Central Customs and Tax Administration on the questions raised in the Questionnaire relating to the Green Paper on the future of the rules of origin in preferential arrangements for further comments.

Yours sincerely

Svend Erik Hovmand

cc. Members of the Commission Mr. Lamy and Mr. Nielsson