

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/3172

6 February 1969

Limited Distribution

Original: English/French

## CERTIFICATES OF ORIGIN

### Recommendation Adopted by the Executive Committee of the International Chamber of Commerce

At the request of the Secretary-General of the International Chamber of Commerce the following Recommendation, adopted by the Executive Committee of the ICC at its eighty-sixth session held on 2 December 1968, is distributed for the information of contracting parties.

#### Recommendation

I. The customs authorities in many States require importers to produce documentary proof of the origin of the imported goods. Such proofs of origin consist of either certificates of origin or attestations of the declaration of origin appearing on the commercial invoice. Generally, the Chambers of Commerce and Industry are competent to legalize such documents. On several occasions the IBCC has discussed the principles by which the Chambers should abide in this respect, and recently conducted an inquiry into the form, content, conditions of issuance and procedure for delivering certificates of origin.

On the basis of the results of that inquiry, the Steering Committee of the IBCC makes the following recommendations:

II. The IBCC, recalling previous ICC/IBCC resolutions urging that certificates of origin should not be required except in those cases where an attestation of origin is really indispensable recommends to the governments once again that they reconsider their import regulations in that spirit.

III. Furthermore, the IBCC considering the need:

- to harmonize, in so far as possible, the conditions as to form, contents and procedure to which the delivery of certificates of origin by the Chambers of Commerce and Industry is subject;
- to avoid, in the context of international trade, discrimination against certain countries based on essentially political grounds;
- to limit the number of particulars required in the certificates of origin to the absolute minimum compatible with the justified interests of the authorities of the importing countries and with the safeguard of business secrets;

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- to ensure that certificates of origin cannot be obtained fraudulently on the basis of inaccurate claims and to ensure that disciplinary action is taken against such acts.

A. Recommends

that governments endeavour to achieve greater harmonization with respect to the definition of origin, taking into account in particular the work already undertaken by the GATT, the European Economic Community, the European Free Trade Association and the Benelux countries.

B. Recommends

1. that Chambers of Commerce and Industry should not agree, under any circumstances, to deliver negative attestations of origin or certify negative declarations of origin made by the exporters themselves;
2. that Chambers of Commerce and Industry should not agree, under any circumstances, to certify the name of the manufacturer of the goods when delivering a certificate of origin;
3. that Chambers of Commerce and Industry in so far as they are empowered by national legislation to certify the origin of foreign products, should do so only upon presentation of the original certificate of origin drawn up by a duly authorized body in the country of origin of the goods or on presentation of some other totally satisfactory documentary proof;
4. that in so far as the Chambers are called upon to certify the origin on a separate document, and not on the commercial invoice, they use special and uniform forms for that purpose;
5. that Chambers of Commerce and Industry draw applicants' attention to the penal consequences which would follow if a certificate or attestation of origin were to be obtained fraudulently.