

**Question for written answer E-007328/2011  
to the Commission**

Rule 117

**Kyriacos Triantaphyllides (GUE/NGL), Proinsias De Rossa (S&D), Margrete Auken (Verts/ALE),  
Malika Benarab-Attou (Verts/ALE) and Alexandra Thein (ALDE)**

Subject: EU-Israel technical arrangement concerning customs checks

Under EU law, preferential treatment must not be granted to settlement products exported by Israel under the EU-Israel Association Agreement. With the conclusion of the technical arrangement in December 2004, Israel undertook to indicate the actual place of production (and the corresponding postal code) for the products covered by each proof of origin it issues under the EU-Israel Association Agreement. The Commission then set out 'the conduct to be taken' by EU customs authorities:

'If the place indicated on the proof of origin is a settlement (included in the list), then the preference has to be refused immediately and there is no need for a request for subsequent verification.'

In its answer to Written Question E-6035/2009 the Council stated that the EU '[...] has taken [...] measures [...] to ensure that products originating in these territories can be identified and subjected to non-preferential tariffs by Member States' national tax authorities. It is the responsibility of those authorities to implement this regime to its fullest extent.'

Does the Commission consider that Member State customs authorities must actually check a preferential proof of origin covering settlement products exported by Israel before subjecting the products in question to non-preferential tariffs? If so, how does the Commission expect Member State customs authorities to select such proofs of origin for checking so as to ensure that 'they apply a preferential tariff regime only to those imports that originate in the State of Israel within its internationally recognised borders [...]'? Does the Commission expect Member State customs authorities to check the postal codes on all proofs of origin issued by Israel covering products for which EU importers have requested preferential treatment? If not, does the Commission consider it adequate for Member State customs authorities to select proofs of origin for checking on the basis of their verification procedures, be they random or based on risk analysis? Does the Commission therefore expect Member State customs authorities to check proofs of origin whenever those authorities possess information indicating that the products they cover may have been produced in a settlement? Does the Commission also expect Member State customs authorities to examine the place names and postal codes on proofs of origin in cases where those authorities possess no information enabling them to conclude that the products covered were not produced in settlements? Has the Commission satisfied itself that the number of checks carried out by Member State customs authorities on proofs of origin issued by Israel is not substantially lower than the number of proofs of origin actually issued by Israel in respect of settlement products? Has the Commission also satisfied itself that the number of proofs of origin covering settlement products actually subjected to non-preferential tariffs is not substantially lower than the number of proofs of origin on which settlement postal codes do actually appear?