



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 June 2013

10975/13

ENFOCUSTOM 106

OUTCOME OF PROCEEDINGS

of: Customs Cooperation Working Party

on: 11 June 2013

Subject: Summary of discussions

1. Adoption of the Agenda

The agenda was adopted as outlined in doc. CM 3103/1/13 REV 1.

2. Information from the Presidency

The Presidency gave an overview of the main issues of interest for the CCWP, as referred to in doc. DS 1478/1/13 REV 1.

3. Communication on Smuggling

OLAF gave a presentation on the fight against cigarette smuggling, noting the estimated annual loss of 10 billion EUR in the EU. The OLAF representative outlined the status of the adopted protocol to eliminate illicit trade in tobacco products (WHO Framework Convention on Tobacco Control), as well as the actions and objectives of the Eastern Border Anti-Smuggling Action Plan:

- 1) Capacity building, financial and technical assistance;
- 2) Strengthen the disincentives;
- 3) Strengthen operational cooperation;
- 4) Enhance international cooperation.

The Commission sees the need for a comprehensive approach to tackle the illicit trade, and OLAF outlined the main features of the Communication on the strategy.

4. Information from the Law Enforcement Working Party

The Deputy Chair of the Law Enforcement Working Party (LEWP) informed the CCWP delegates that LEWP does not have any specific issues to bring up with the CCWP at this stage. It has been the priority of the Irish Presidency to ensure appropriate coordination and integration between related law enforcement working parties and groups, and a pro-active engagement with the policy cycle. This theme was picked up both in LEWP and CCWP.

5. Finalisation of the Report on Advance Passenger Information and Passenger Name Records

The Presidency presented the slight amendments in the report on Advance Passenger Information and Passenger Name Records (doc. 9262/1/13 REV 1 ENFOCUSTOM 80 GENVAL 27), based on the comments received. The CCWP delegates took note of the report.

6. Possible development of a permanent structure to run JCOs

The Presidency presented the revised doc. DS 1373/1/13 REV 1 and concluded that a clear majority among 15 MS that responded supports the development of some form of permanent structure to support JCOs, while there is divergence of views on the form itself. Some MS suggested that a more thorough consideration is given to the only existing proposal centred on OLAF, while a number of MS emphasised the need to assess and analyse a wide range of options. The Presidency urged the CCWP plenary group to proceed to action and decide on the next steps.

7. Annual revision of the tactical objectives for JCOs

The Presidency presented a revised proposal on risk areas (doc. DS 1371/1/13 REV 1), based on the feedback from the MS to prioritise and accentuate the link to the policy cycle. BE and DE provided comments to the document. Delegations were invited to provide any further comments by 21 June 2013, in order to conclude on the revision by written procedure by 25 June 2013.

8. The Fifth Action Plan (July 2011 – December 2012) to implement the Council Resolution of 23 October 2009 on a reinforced strategy for customs cooperation:

- (a) **Presentation of Draft Final Report on Action 5.1 *“To improve the possibilities to tackle the threat of serious and organised crime in tobacco smuggling, through new forms of cooperation and investigative techniques”***

The LT delegation presented the draft final report for action 5.1 (doc. 8258/13 ENFOCUSTOM 62 UD 108 ENFOPOL 142 COSI 57) and received a number of comments from the MS. Delegations were invited to provide any further comments by 21 June 2013 to allow for presentation of a revised report in July CCWP plenary meeting.

- (b) **Presentation for adoption of the Draft Final Report on Action 5.10 *“To find and recommend best practice for customs cooperation in criminal matters”***

The delegates approved the revised draft final report for action 5.10 (doc. 8253/1/13 REV 1 ENFOCUSTOM 59 COPEN 59 ENFOPOL 107).

The draft final report for the last outstanding action of the 5th Action Plan (5.8) would be presented in July CCWP plenary meeting.

9. Priorities of the incoming Lithuanian Presidency

The incoming LT Presidency informed the plenary group of its main priorities (fight against cigarette smuggling, implementation of the 6th Action Plan, and preparation of the 7th Action Plan). The two initial CCWP plenary meetings are to be held on 3 July and 13 September 2013. Timing of further meetings is to be confirmed later.

10. The Sixth Action Plan (January 2013 – December 2013) to implement the new strategy for the future of customs law enforcement cooperation of December 2012, based on Council Resolution of 13 December 2011:

(a) Summary of the current status of agreed Actions

Due to the lack of interest of the MS, the Presidency proposed to lapse action 6.5 of the 6th Action Plan (doc. 8496/13 ENFOCUSTOM 72 ENFOPOL 111), which the delegates approved.

(b) Report of the first meeting of Action 6.4 on the 7th Action Plan

LT delegation presented the results of the first meeting of the project group for action 6.4 (to prepare the 7th AP) held on 10 June 2013. A draft document would be circulated in a follow up to the meeting and open for comments till 20 July 2013.

11. *“Croatian Customs -restructuring of the administration and new competencies with the view to accession to the EU”*

HR presented the restructuring of the national customs services with a view to its upcoming EU membership. After the accession, HR would have the EU's longest external border. Its customs services are being restructured from seven into four regional centres.

12. Annex to the FIDE Handbook - current state of play on declarations required to be given by MS regarding the list of serious contraventions of their respective national laws as provided for in Article 15(3) of the CIS Decision

The Presidency reminded the delegates of the need to issue an Annex to the FIDE Handbook listing serious contraventions of respective national law in the MS as provided in Article 15 (3) of the CIS Decision. Those MS that have not provided the information yet are asked to do so promptly, using the table set out in doc. 12302/1/09 REV1 ADD1 ENFOCUSTOM 78 CRIMORG 119 ENFOPOL 201 COPEN 143 EUROJUST 46 EUROPOL 59.

13. AOB

No item was raised.
