



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 July 2013**

**11979/13**

**ENFOCUSTOM 111**

**OUTCOME OF PROCEEDINGS**

---

of: Customs Cooperation Working Party

---

on: 3 July 2013

---

Subject: Summary of discussions

---

**1. Adoption of the Agenda**

The agenda set out in doc. CM 3374/13 was adopted with the addition of information items by LT and NL under AOB.

**2. Information from the Presidency - Presentation on Priorities of the Lithuanian Presidency**

The 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), as well as of the tentative timeline of the CCWP meetings in the second half of 2013. The Presidency gave an overview of the main issues of interest for the CCWP, as referred to in doc. DS 1536/13.

**3. Latest developments in the area of Police and Customs Cooperation Centres (PCCC):  
The role of customs in the PCCCs**

The Presidency presented the upcoming conference on Police and Customs Cooperation centres, which will be held on 21 and 22 October 2013, with a view to updating the PCCC guidelines and roadmap.

The German Customs Investigations Service presented the model of 5 PCCC with German participation, including examples of their work.

**4. Funding possibilities for customs actions in the area of JHA in the new MFF.  
Instrument for financial support for police cooperation, preventing and combating  
crime, and crisis management (part of Internal Security Fund)**

The Commission presented the upcoming ISF Police, which is at the trilogue stage. The instrument will be open to any law enforcement authority and will consist of components under central and shared management. The approval of components under shared management is to be preceded by a policy dialogue, and the Commission invited the customs authorities to become active now to ensure their interests are properly taken into account. For the part under the central management, the Commission will publish calls for proposals. Some funding will be earmarked for emergency programmes and for cooperation with third countries. Training measures and acquisition of relevant equipment are to be eligible also for customs. It is, however, proposed that the maintenance costs are not eligible. The overall amount and the funding split between the central and shared management is yet to be established.

**5. Communication from the Commission to the Council and the European Parliament  
Stepping up the fight against cigarette smuggling and other form of illicit trade in  
tobacco products - A comprehensive EU Strategy.**

The Commission presented its Communication to the Council and the European Parliament: Stepping up the fight against cigarette smuggling and other form of illicit trade in tobacco products - A comprehensive EU Strategy (doc. 11014/13 UD 139 SAN 217 DROIPEN 79 COPEN 96 ENFOCUSTOM 109). Illicit trade in tobacco products is an increasing problem and is causing huge financial losses (EUR 10 billion/year), while it fuels shadow economy almost exclusively in the domain of organised crime and undermines policy initiatives aimed at reducing consumption of tobacco products. The Commission deemed a comprehensive approach is necessary and adopted the strategy on 6 June 2013. The Commission identified four main factors contributing to the illicit trade (incentives are high and loopholes exist; supply chain control measures do not match the threat; enforcement authorities face challenges; and low disincentives versus huge profits), and the strategy proposed measures addressing them. A proposed action plan is part of the strategy as an Annex.

Several MS took floor, and while the communication was broadly welcomed, there were many specific comments by MS, as well as from Europol. The MS agreed with the Presidency proposal to prepare Council conclusions, and the Presidency confirmed that the CCWP will lead this work. The Presidency invited the MS to submit their comments on the focus of the Council Conclusions by 16 July 2013.

**6. 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**

The overview of the status of actions under the 6th AP is available in doc. DS 1471/1/13 REV 1.

**(a) Action 6.1**

LT briefly presented interim findings of the project group, categorising the measures and recommendations under five preceding CCWP action plans.

**(b) Action 6.3**

LT summed up that although this action was completed by delegating the work to the CCWP Experts, a project group would be formed to carry out the task. The MS are invited to send expressions of interest to join by 12 July 2013.

**(c) Action 6.4**

LT informed that the project group is finalising the draft 7th AP and it would be shortly sent to the MS for comments to be provided till 26 July 2013. MS are also invited to express their interest to join the proposed project groups as leaders and/or members.

**(d) Action 6.6**

LT informed that the next meeting of the group is on 4 July 2013. MS were invited to express interest to lead the group in 2015.

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

The overview of the status of actions under the 5th AP is available in doc. DS 1010/2/13 REV 2.

**(a) Presentation for adoption of the 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”***

LT informed of changes made in the draft report to reflect the comments received in June CCWP meeting and presented in doc. 8258/1/13 REV 1 ENFOCUSTOM 62 UD 108 ENFOPOL 142 COSI 57. The delegates adopted the report.

**(b) Presentation of the Draft Final Report on Action 5.8 *“The role of customs in managing crisis situations”***

PL presented the draft final report as set out in doc. 11301/13 ENFOCUSTOM 108 PROCIV 85 ENFOPOL 205. The MS were invited to provide their comments till 22 July 2013.

## **8. Annual revision of the tactical objectives for JCOs.**

The Presidency referred to the proposal prepared by the Irish Presidency (doc. DS 1371/3/13 REV 3). Despite a DE reservation on inclusion of MTIC, the delegates approved the latest proposed structure of risk areas under tactical objectives. The JCO Guide will be revised accordingly in a follow up to the meeting.

## **9. 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 again 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 doc. 12302/1/09 REV1 ADD1 ENFOCUSTOM 78 CRIMORG 119 ENFOPOL 201 COPEN 143 EUROJUST 46 EUROPOL 59.

## **10. AOB**

NL informed the MS of an upcoming operation organised by WCO, and asked for input on participation and possible cooperation from other MS. Additionally, NL asked for more information about the agenda item on CCWP at the upcoming CPG meeting. IE explained that its proposal is still under discussion internally.

LT informed of a questionnaire related to an upcoming JCO and asked the Ms to provide feedback by 26 July 2013.