



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 April 2012

9040/12

UD 122

NOTE

from:	Presidency
to:	Working Party on Customs Union
Subject:	Draft Council Conclusions on the Progress on the Strategy for the Evolution of the Customs Union

Delegations will find attached the above draft Council conclusions, prepared by the Presidency.

THE COUNCIL,

RECALLING the crucial role played by the Customs Union since 1968 as a foundation of the European Union;

RECALLING the objectives set by the Europe 2020 Strategy, as adopted by the European Council of 17 June 2010;

RECALLING the objectives set by the Strategy for Internal Security, as adopted by the European Council of 25-26 March 2010;

RECALLING the contribution of customs to achieving the above EU objectives, and the strategy set for the customs union in 2008 in the Communication from the Commission on a Strategy for the Evolution of the Customs Union¹;

RECALLING the ongoing efforts to modernise the customs union, notably through adoption of the Modernised Customs Code, which is being revised, and implementation of electronic customs, with a view to meeting the above objectives;

RECALLING the Council Resolution of 13 December 2011 on the future of Customs Law Enforcement²;

RECALLING the coming into force of the Lisbon Treaty on 1 December 2009;

RECALLING that the Council, in its meeting of May 14, 2008, endorsed Communication 169(2008), the strategic objectives set therein for the customs union, and asked the Commission to report on progress in implementing the Strategy by 2011³;

WELCOMES the Commission Report on Progress on the Strategy for the Evolution of the Customs Union⁴;

NOTES the evolution of the customs union in terms of volumes of activity, in implementation of information technology and in policy and legislation;

NOTES the importance of the Commission's EU Action Plan to fight against smuggling of cigarettes and alcohol⁵;

NOTES the progress that has been achieved on priority files such as Single Window, the systems-based approach to customs control and the fight against fraud;

¹ Doc. 8027/08 UD 51

² Doc. 17558/11 ENFOCUSTOM 144 JAI 878

³ Doc. 8608/08 UD 65

⁴ Doc. 18932/11 UD 370

⁵ SEC(2011)791 – a working paper from the Commission.

NOTES the challenges that the customs administrations encountered since 2008 in the process of modernisation and IT implementation;

NOTES the Commission proposal for a Union Customs Code⁶, the Commission proposal for a new Regulation concerning customs enforcement of intellectual property rights⁷ and the Commission proposal for a successor to the Customs2013 programme (FISCUS)⁸.

CONSIDERS the strategic objectives as set out in 2008 as still valid and appropriate;

ENDORSES the on-going evolution of the role of customs, with regard to the trade, financial and fiscal interests of the European Union, as well as responsibilities covering security, health, safety and the environment, in a changing external context;

STRESSES that the customs union should continue to evolve in an appropriate way to continue to meet its objectives in protecting the EU's inhabitants, environment and financial interests, and in supporting the EU's competitiveness by protecting the business environment, facilitating trade and offering high quality service to stakeholders.

To this end, the COUNCIL UNDERLINES:

- the need to modernise customs working methods and develop staff competences to meet this need;
- the need to streamline and improve the internal governance of the customs union, while maintaining flexibility for national solutions;
- the need to enhance cooperation with other agencies and international partners in the areas of security, health, safety and the environment, respecting the division of competence between the EU, the customs union, and the Member States;
- the need to make better use of scarce resources at EU level;
- the need to enhance the customs union's ability to measure, including enhancing the use of measurement of outcome, and improve its performance with regard to its main stakeholders: EU governments, businesses and society; and
- in addition to the abovementioned needs should the aim of enhancing dialogue and cooperation with economic operators in order to understand better their needs and expectations, be strived.

INVITES the Commission to take account of these points made by the Council and continue to work on and take measures, together with the Member State administrations, in implementation of the strategy, and to report on progress to the Council by 2013.

⁶ Doc. 6784/12 UD 49 ENFOCUSTOM 10 MI 120 COMER 36 TRANS 53 CODEC 450

⁷ Doc. 10880/11 UD 134 PI 64 COMER 110

⁸ Doc. 16901/11 FISC 139 UD 313 CODEC 2024