



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 June 2012

11546/12

ENFOCUSTOM 61

OUTCOME OF PROCEEDINGS

of:	Customs Cooperation Working Party (Plenary meeting)
on:	21 May 2012
Subject:	Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 2734/12 with the addition of information points by the FR delegation and Europol under AOB.

2. Information from the Presidency

The Chair briefly presented recent events of relevance to customs authorities (doc. DS 1307/12), paying specific attention to the outcome of the latest customs attaches meetings. Delegations were informed about the issues discussed at the AFIS Conference held in Lisbon on 9-11 May 2012.

3. Follow-up of the Council Resolution on the future of custom law enforcement cooperation

The PL delegation informed that the first meeting of the drafting group tasked to elaborate a new strategy on the basis of the Council Resolution of 2011 was held in Brussels on 17 April 2012 in the premises of the PL Permanent Representation. 17 Member States took part. They exchanged concerns and doubts as well as views and ideas on the steps ahead. They agreed on the preparation and distribution of a short questionnaire comprising 5 questions that reflected their vision for the future strategy. So far only 8 replies were received.

Next meetings of the drafting group would take place on 23 May 2012 to discuss the replies of the questionnaire in order to decide how to proceed further and on 11 June 2012 (to be confirmed).

The PL delegation would keep the meeting informed about the progress made and any future developments related to the draft strategy.

4. Revision of the strategic objectives for JCOs

The Chair presented the last version of the revised strategic objectives for JCOs (doc. DS 1143/2/12 REV 2) formulated on the basis of both the proposals made at the CCWP meeting in April and the written comments received within the provided deadline. Following an extensive discussion on the new wording which led to the insertion of additional changes the revised strategic objectives were agreed by the meeting.

5. Monitoring of the Fourth Action Plan (January 2010 - June 2011)

The Presidency informed that following their suggestion to create a permanent monitoring group comprising the current and consecutive Trio Presidencies a meeting was organised to discuss the matter (doc. DS 1328/12). At that meeting it was concluded that the work done so far by the BE delegation should be continued and the monitoring of the 4th Action Plan would be done by the DK delegation, which would update the monitoring file and would prepare a report on the matter. It was also agreed that the monitoring process should be reflected accordingly in the new strategy.

As several delegations expressed the concern that some of the recommendations of completed actions under the 5th Action Plan might become obsolete by the time of its global assessment, the Presidency explained that in their view the whole analytical work which did not take place until now should be assigned to a specific body and expressed their hope that the new strategy would address this issue and would provide an appropriate solution.

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

Delegations provided an update on various actions under the Fifth Action Plan (doc. DS 1139/2/12 REV 2).

As regards Action 5.1, the LT delegation explained that by the end of the month they were expecting the replies of the questionnaire disseminated at the end of April 2012.

As regards Action 5.4, the SE delegation informed that the project entered into its second phase and a report would be presented at the June or July CCWP meeting.

As regards Action 5.5, the FR delegation explained that the project entered into its second phase and announced that the next meeting was scheduled to take place in Paris on 19 June 2012.

As regards Action 5.10, the DE delegation informed that a questionnaire was disseminated and the replies were expected by 15 June 2012.

7. Draft mandate for Action 5.6 "To explore in greater detail the legal and operational possibilities of coordinated activities involving customs for detection, prevention and investigation of crime at the external borders"

The HU delegation presented the draft mandate for Action 5.6 (doc. 9229/12 ENFOCUSTOM 41) stressing on the fact the project would cover all type of external borders, aiming at identifying best practices that would help improving cooperation on external border.

The draft mandate was approved and delegations were reminded that they could inform about their participation in the action by 15 June 2012.

8. Discussion of the joint opinion on the FIDE Handbook adopted on 14 March 2012 by the Customs Joint Supervisory Authority, the CIS Supervision Coordination group and the European Data Protection Supervisor

A representative of the Customs Joint Supervisory Authority presented the main points of the joint opinion on the FIDE Handbook (doc. 9256/12 ENFOCUSTOM 39 ENFOPOL 121 COPEN 101 EUROJUST 41), explaining its rationale. He stressed that although some deficiencies have already been rectified in the last version of FIDE there was still need for clarification of certain parts of the text or further alignment with the existing legislation.

Some delegations commented on the presented opinion whereas other stated that they need time to study the joint opinion further.

Following the interventions, the Chair concluded that a new revised version would be prepared reflecting the respective points of the joint opinion.

9. Proposal for a Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR)

A representative of the Commission presented the EUROSUR proposal (doc. 8824/12 FRONT 57 CODEC 1003 COMIX 242), providing some background information on its evolution and consecutive development. It was underlined that the main aim of this decentralised system was to prevent illegal migration, cross-border crime and loss of migrants lives through information exchange and intelligence sharing improving reaction capacity and management effectiveness. So far 12 Member States were connected to EUROSUR. A strong focus would be made on maritime surveillance.

The presentation provoked several questions mainly related to the link between the mandate of FRONTEX and the scope of the proposed Regulation, how EUROSUR could be used to tackle criminal activities originating from third countries and what would be the status of those EU Member States that do not participate in the development of the Schengen acquis.

10. AOB

The FR delegation provided information about a regional maritime operation aiming at reinforcing cooperation against drugs smuggling through the use of recreational vessels.

Europol provided reference details to a recently published report on maritime drugs trafficking.
