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JAI 354  
ENFOCUSTOM 61  
UD 96

#### 'I/A' ITEM NOTE

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| From:    | General Secretariat of the Council                                                                                                                                                                                                                               |
| To:      | Permanent Representatives Committee/Council                                                                                                                                                                                                                      |
| Subject: | Draft COUNCIL DECISION concerning the accession of the Republic of Croatia to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty of the European Union, on mutual assistance and cooperation between customs administrations |

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1. The Act of Accession of the Republic of Croatia<sup>1</sup> contains a simplified system for accession of Croatia to the conventions and protocols concluded by the Member States on the basis of Article 34 TEU (previously Article K.3 TEU) or Article 293 EC. In this sense, Article 3(4) of the Act of Accession simply provides that Croatia accedes to the conventions and protocols by virtue of the Act.
2. Annex I to the Act of Accession gives the list of conventions and protocols concerned in the Justice and Home Affairs area.

This list includes the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations<sup>2</sup>.

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<sup>1</sup> OJ L112, 24.4.2012, p. 21.

<sup>2</sup> OJ C 24, 23.1.1998, p.2. Last amended by Council Decision of 6 December 2007 concerning the accession of Bulgaria and Romania to the convention, OJ L 9, 12.1.2008, p.21.

3. On 9 November 2015, the Commission put forward a Recommendation for a Council Decision concerning the accession of the Republic of Croatia to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty of the European Union, on mutual assistance and cooperation between customs administrations (Naples II Convention), as set out in 14070/15 JAI 859 ENFOCUSTOM 225 UD 220.
4. The European Parliament was consulted by the Council on 1 December 2015 and gave its opinion on 28 April 2016.
5. The text of the draft Council Decision concerning the accession of the Republic of Croatia to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty of the European Union, on mutual assistance and cooperation between customs administrations has undergone the lawyer-linguist revision. The revised version is set out in 8418/16 JAI 333 ENFOCUSTOM 59 UD 87.
6. *On this basis, the Permanent Representatives Committee/Council is invited to adopt the draft Council Decision concerning the accession of the Republic of Croatia to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty of the European Union, on mutual assistance and cooperation between customs administrations as set out in 8418/16 JAI 333 ENFOCUSTOM 59 UD 87.*

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