



Brussels, 11 November 2016  
(OR. en)

14210/16

JAI 918  
ENFOCUSTOM 181

## OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council  
On: 8 November 2016  
To: Customs Cooperation Working Party  
Subject: Summary of discussions

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### 1. Adoption of the agenda

The agenda was adopted as set out in CM 4490/16.

### 2. Information from the Presidency

The Presidency briefed delegations on current Council activities of interest for CCWP and dealt with in other fora.

### 3. Draft Council Conclusions on the Progress Report on the implementation of the EU Strategy and Action Plan for customs risk management

Delegations discussed the draft Council Conclusions set out in 12164/2/16 REV 2 and agreed on a revised version (12164/3/16 REV 3) to be submitted to the Council (ECOFIN) for adoption on 6 December 2016. Discussions focussed on funding issues for customs, on whether a reference to Directive (EU) 2016/681 on the use of passenger name record (PNR Directive) data would be appropriate, and on how to strengthen the draft recommendation on improving access to and exchange of information, in particular on air passenger movements, for customs risk management purposes.

#### **4. Conclusions of the Customs Directors-General meeting (25 October 2016) and follow-up**

Delegations took note of the oral presentation by the Presidency. A detailed outcome of proceedings in writing was expected to be disseminated by 11 November 2016.

#### **5. Eighth Action Plan**

5.1 Delegations took note of the updated overview on actions and reference documents of the 8th Action Plan of the CCWP, pertaining partially to the EU Policy Cycle.

5.2 The Chair informed delegations about his presence at national Empact coordinator meetings held at Europol, in which he, in particular, advocated a formal role for CCWP in drafting operational action plans (OAP) where appropriate. Furthermore, it was taken note of information from CCWP delegates involved in OAP 2017 drafting sessions.

#### **6. Common non-paper on the value of PNR for Customs law enforcement and risk management in light of the new PNR Directive**

Delegations welcomed the presentation from the NL delegate on the added value for customs of PNR data in line with the EU PNR Directive. They underlined the potential of customs playing a role as in passenger information units (PIUs), provided for as a "competent authority" by the Directive. They also welcomed the reference to customs in the Presidency note on the implementation of the Directive (13836/16), on the agenda of the Council (JHA) of 18 November 2016.

The Commission, reiterating its support for the involvement of customs in PIUs, underlined that it is up to Member States to decide on the structure of "competent authorities" when implementing the Directive.

In order to strengthen the CCWP position and to prepare for the CCWP meeting on 7 December 2016 a document, which should be distributed as widely as 13836/16, delegations were invited to fill in placeholders in DS 1494/16 regarding the current use of PNR data by customs, and possible opportunities and best practices for PIU cooperation.

Contributions should be submitted by 22 November 2016 to ccwp@consilium.europa.eu with copy to the Presidency.

## **7. Six months report of the Dutch Presidency**

Delegations took note of the overview presented by NL on goals achieved and activities carried out during the first semester 2016.

## **8. AOB**

The Commission (OLAF) presented the state of play of negotiations on the draft Mutual Assistance Agreement with Armenia, in particular about points at issue concerning information exchange. It was explained that Member States would be regularly updated within Council structures about progress made.

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