



Council of the  
European Union

Brussels, 24 September 2014  
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## DECLASSIFICATION

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Subject: Adoption of a Council decision authorising the Commission to open negotiations with the Principality of Andorra and the Republic of San Marino with a view to extending the scope of the Agreement in the form of an exchange of letters with the Principality of Andorra and of the Agreement on Cooperation and Customs Union with the Republic of San Marino to include customs security measures

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

# RESTREINT UE



COUNCIL OF  
THE EUROPEAN UNION

Brussels, 17 December 2008

17415/08

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## "I/A" ITEM NOTE

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from : General Secretariat

to : Permanent Representatives Committee/Council

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Subject : Adoption of a Council decision authorising the Commission to open negotiations with the Principality of Andorra and the Republic of San Marino with a view to extending the scope of the Agreement in the form of an exchange of letters with the Principality of Andorra and of the Agreement on Cooperation and Customs Union with the Republic of San Marino to include customs security measures

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1. On 26 November 2008, the Commission submitted to the Council a recommendation for a Council Decision concerning the negotiations with the Principality of Andorra and the Republic of San Marino with a view to extending the scope of the Agreement in the form of an exchange of letters to include customs security measures.
2. The Working Party on Customs Union (Legislation and Policy) examined the recommendation, and, at its meeting on 15 December 2008, agreed on the text of the draft negotiating directives<sup>1</sup>.

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<sup>1</sup> At this stage, the **DK**, **FR** and **UK** delegations maintain a parliamentary scrutiny reservation. It is understood that these reservations will be lifted before adoption by the Council.

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3. The Permanent Representatives Committee is therefore invited to suggest that the Council adopt the draft Decision and the negotiating directives set out in the Annex to this note, as an "A" item, at one of its forthcoming meetings.

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ANNEX

## COUNCIL DECISION

**authorizing the Commission to open negotiations with the Principality of Andorra and the Republic of San Marino with a view to extending the scope of the Agreement in the form of an exchange of letters with the Principality of Andorra and of the Agreement on Cooperation and Customs Union with the Republic of San Marino to include customs security measures**

THE COUNCIL OF THE EUROPEAN UNION,

1. The Council, on recommendation of the Commission, authorises the Commission to negotiate with the Principality of Andorra and the Republic of San Marino with a view to extending the scope of the Agreement in the form of an exchange of letters with the Principality of Andorra and of the Agreement on Cooperation and Customs Union with the Republic of San Marino to include customs security measures.
2. The Commission shall conduct these negotiations in consultation with the special committee appointed by the Council to assist it in this task and in accordance with the negotiating directives set out in the Annex to this Decision.

### Negotiating Directives

Directives aiming to extend the scope of the Agreement in the form of an exchange of letters with the Principality of Andorra and of the Agreement on Cooperation and Customs Union with the Republic of San Marino to include customs security measures:

1. The negotiations should be conducted with a view to deciding by mutual agreement with Andorra and San Marino to extend the scope of the above-mentioned Agreements to include customs security measures as contained in Regulation 648/05 of 13 April 2005 and which refer to risk analysis of pre-arrival and pre-departure information, an exchange of confidential data and a status of an approved economic operator.
2. In the case of Andorra, it should be specified that the customs security provisions should also apply to agricultural products (Chapters 1-24 of the Harmonized System), which are not covered by the Customs Union.
3. The extension should allow waiving the requirement of pre-arrival and pre-departure information under the conditions to be defined in the respective Agreements.
4. A chapter on security should therefore be added to both Agreements.
5. The respective Committees, the Joint Committee for Andorra and the Cooperation Committee for San Marino, should continue to be empowered to take the necessary decisions to administer the agreements, including the decisions concerning security measures.