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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 24 September 2014
To: Customs Cooperation Working Party (Experts meeting)
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in document CM 4005/14, an intervention by LT and by Europol being added under AOB.

2. Information from the Presidency

The Presidency briefed the delegates about the forthcoming meetings and recently held events and initiatives relevant for customs, with a special focus on the briefing for JCO Warehouse II and the EU Policy Cycle OAP drafting Workshops. Regarding the latter, the leaders of the project groups within the 7th Action Plan were invited to explore the possibility to participate. The Presidency also briefed the delegates on a Joint Police Operation on waste trafficking (document 11475/14 + COR 1, initially presented in the LEWP) and on a meeting regarding the customs governance to be held at DG level on 8 October.

- 3. Action 7.5: “To identify the need for new models of cooperation between customs and other agencies / joint customs operations. To implement the strategy of future customs law enforcement cooperation within the context of the EU Policy Cycle while taking in account the link with tax authorities”**
- **Report on the questionnaire on the methods of cooperation between customs and other authorities**

The Presidency presented the main findings and results of the questionnaire on the methods of cooperation between Customs and Police authorities and between Customs and Tax authorities (doc. 12978/14 ENFOCUSTOM 92 COSI 79 UD 203 ENFOPOL 256 FRONT 188 FISC 124). The questions concerned the legal basis for such a cooperation, the type of cooperation, the risk areas, the weaknesses etc. The assessment of the answers showed that, in both areas, different forms of cooperation exist; it was however mentioned that the cooperation between Customs and Tax authorities is in general less structured than the one between Customs and Police authorities. The report highlighted as well some of the obstacles to cooperation, one of the most important being the sharing of information. As a possible way forward, the Presidency invited the MS to discuss, on the basis of the report, the possibility of drafting guidelines on cooperation. In general, MS were positive towards the document and its added value for future pilot projects in this area. Europol's intervention underlined the multidisciplinary approach in the EU Policy Cycle and the way EMPACT projects can lead to the enhancement, improvement or even establishment of Customs/Police cooperation. Moreover, Europol stated that it welcomes and supports the participation of Customs, as appropriate, in the workshops it organises. A deadline for comments was given until 17 October.

4. Action 7.5: sharing of best practices: “Law Enforcement cooperation in the EMPACT framework”

In the framework of sharing of best practices under Action 7.5, the representative of the Swedish Customs delivered a presentation on the way law enforcement cooperation in the framework of EMPACT works in Sweden, taking into account the specificities of the Swedish institutional and legal organisation. Member States welcomed the ideas put forward in the presentation. Europol stated that this was a concrete example of coordination of efforts at national level, in response to the threats identified in the SOCTA. In addition, attention was drawn to the fact that some MS participating in Action 7.2 are not actors of the relevant EMPACT project.

5. Safety and security: IPR problematic in the focus within the EU and worldwide

RILO WE's presentation concerned the illicit trade of products infringing the intellectual property rights, which represent a threat to both health and safety of consumers: electric appliances, games and toys, cosmetics and perfumes, spare parts for vehicles, mobile phones and accessories, pharmaceutical products. The analysis was performed on the basis of data reported by Customs authorities. Conclusions were drawn with respect to the trends regarding the types of goods involved, modes of transportation, routes for shipment, destination countries etc.

6. Operation PANGEA

Interpol delivered a presentation on Operation PANGEA VII. Its aim was to combat illicit online pharmacies and it involved stakeholders from 113 countries, as well as international organizations (Interpol, WCO, Europol). The operation also involved the private sector, i.e. pharmaceutical companies, Internet providers and registrars etc. PANGEA VII and its results benefited from a large media coverage at global level; in addition, public awareness campaigns were organized in 13 countries.

7. Final report on JCO GRYPHON

The representative of the WCO delivered a presentation regarding the Final report of Operation GRYPHON. This was the first global Customs operation to combat illicit trade in tobacco and had a duration of six months, involving 94 participating states. The operation helped establishing a set of trends and patterns such as double identity containers, identity theft, increased shipments in conflict areas, declaration of cheap cigarettes concealing counterfeited ones etc.

8. Joint Customs Operation COSMO

WCO also briefed the delegates on Operation COSMO which aims at detecting and preventing illicit trafficking of strategic commodities in international supply chains. The operation is ongoing and its post-operational phase will take place in April-June 2015.

9. Update of the multi-annual overview of JCOs and other operations

The Presidency presented an updated version of the multi-annual overview of JCOs and other operations (doc. 10260/1/14 REV 1 ENFOCUSTOM 69 RESTREINT UE). Some delegates offered data about a set of very recent JCOs (most of them at regional level) to be included in the document.

10. AOB

LT announced the first meeting of the data mining project group, which will take place on 15/16 October.

Europol announced the closing of operation Archimedes, the largest ever coordinated operation against organised crime in the EU, and made reference to the press release issued on 24 September available on Europol's website.