



Brussels, 24 February 2015  
(OR. en)

6371/15

JAI 99  
ENFOCUSTOM 13

## OUTCOME OF PROCEEDINGS

---

From: General Secretariat of the Council  
On: 18 February 2015  
To: Customs Cooperation Working Party  
Subject: Summary of discussions

---

### 1. Adoption of the Agenda

The agenda was adopted as set out in document CM 1461/1/15. Two interventions, from Europol and EL, were added under AOB.

### 2. Information from the Presidency

The Presidency briefed the delegates about the recently held meetings, events and initiatives relevant for Customs. The seminar on project ITOM, announced in a previous CCWP meeting and aimed at combatting illegal trade on hidden online marketplaces, was also mentioned. The LV Chair of the CUWP also gave a brief overview of the WP agenda until June, highlighting the debate on the governance reform of the Customs Union.

### **3. Priorities of the Presidency**

The Presidency described its priorities for the CCWP, both at strategic (revision of strategic objectives, raising awareness of Customs as leading authority for the fight against illegal trade in goods, ensuring coordination with the EU Policy Cycle) and at operational level (monitoring the implementation of the 7th AP, next steps for Action 7.5, evaluation of the results of JCOs).

### **4. Interim report on the progress of the implementation of Council Conclusions on stepping up the fight against cigarette smuggling and other forms of illicit trade in tobacco products in the EU**

OLAF gave an overview of the various actions and initiatives adopted in this framework (their complete review is due next year). Amongst others, the speaker mentioned a steep fall in seizures in the EU, a drop of number of seizures of important brands, the closure of cigarette factories inside the EU, the beginning of a diversification process in South East Asia. He also underlined the importance of tobacco related JCOs, the necessity of having good statistics for good policy making and the need of agreements with tobacco producers.

### **5. Focal point SMOKE**

Europol gave a presentation on Focal Point SMOKE. Its purpose is to support MS in targeting organised crime groups (OCGs) involved in the unlawful manufacturing and/or smuggling of excise goods (tobacco, alcohol and oils). The speaker stated that FP SMOKE aim was effective targeting of OCGs through intelligence led policing, pooling of information and intelligence, establishing links to other investigations and crime areas and identifying new investigations. FP SMOKE has 32 proactive contributors: 25 MS and 7 associates. The speaker also presented EMPACT Project D Excise Fraud, underlined the costs of illicit tobacco trade and gave an overview of Operation Royal (and of FP SMOKE involvement in it) considered the "most significant success against the illicit tobacco trade in Europe in recent years". The presentation also contained a brief information about the instruments and working methods used in this framework (universal forensic extraction device, social network analysis, tachograph analysis etc.).

## 6. The Seventh Action Plan: progress reports and revised final reports

- **Action 7.2 "To explore ways to improve cooperation with public authorities and private organizations in the field of counterfeit goods which are dangerous to public health and safety, taking into account the enforcement of the new IPR regulation"**

NL, as action leader, presented for adoption the draft Final Report on Action 7.2 (document 5994/15), outlining the results and the recommendations of the project group. Among the key findings of the very comprehensive report were the fact that there is a common understanding that cooperation is necessary for tackling the problem of counterfeit and that there is potential for improving enforcement by making better use of existing cooperation, best practices and available information and resources. The recommendations ranged from raising awareness to the organisation of a JCO on semiconductors. A deadline for comments was given on 4 March.

A brief information point on the related EMPACT OAP (Counterfeit goods, driven by IT with Europol as co-driver) emphasised the Customs participation in the drafting of the OAP (drafted in October and approved in December). Some of the 24 actions have already been completed (e.g. a documentary on olive oil broadcasted in Germany as part of an awareness raising campaign). The speaker also mentioned Operation OPSON IV (which led to the seizure of record quantities of fake and sub-standard food and drink), the launching of OPSON V, a pilot operation on pesticides and the possibility for law enforcement officers to take part in the better training for safer food sessions. Finally, Europol underlined the possible operational synergies also with reference to the CCWP IPR PG Report.

- **Action 7.3 "To examine the working/investigative techniques applied by customs and other law enforcement authorities to combat customs related crime, including organized crime, through the Internet, and to explore the current situation regarding the existence of customs specialized units dealing with those crimes and to ensure follow – up to action 5.2"**

DE, as action leader, briefed the delegates on the deliverables and the state of play of Action 7.3 (Internet crime). An emphasis was put on the implementation of the Internet crime-network and the exchange of operation data via the Europol Platform for Experts.

- **Action 7.7 "To analyse the problem of undervaluation from the point of view of the possible involvement of the organized crime in this type of fraud, to evaluate existing tools and best practices to counter this phenomenon (legal/operational) and to propose adoption of new ones if needed"**

IT, as action leader, presented for adoption the revised Final Report on Action 7.7 (document 16072/1/14 REV 1) incorporating the comments received from MS. Following the debate, a new deadline for comments was given for 4 March. A new revised version of the report would be issued, which would be submitted to the written procedure.

- **Action 7.11 "To improve capacities of law enforcement agencies in the fight against psychoactive substances"**

IE, as action leader, presented for adoption the revised Final Report on Action 7.11 (document 16073/1/14 REV 1) incorporating the comments received from MS. Following the debate, a new deadline for comments was given for 4 March. A new revised version of the report would be issued, which would be submitted to the written procedure.

## **7. Consultation paper with Customs stakeholders (questionnaire)**

PRES presented document CM 1368/15, urging the delegates to send their contributions by 15 April.

## **8. Revision of the Strategic Objectives of Joint Customs Operations**

PRES presented document DS 1099/15, urging the delegates to send their comments and observations by 3 March.

## 9. AOB

Under AOB, Europol confirmed the fact that, for the future, CCWP could participate in the meetings of the SOCTA Advisory Group. The fact that on 26 March, the Interim SOCTA will be presented in COSI was also mentioned. Finally, Europol confirmed that it would provide the CCWP with a contribution to the consultation paper (CM 1368/15) that was disseminated by the Presidency beginning of February and thanked the Presidency for this opportunity.

EL mentioned the Cepol workshops for Customs officials, underlining the necessity of participation.

---