



Council of the
European Union

082437/EU XXV. GP
Eingelangt am 04/11/15

Brussels, 4 November 2015
(OR. en)

13306/15

JAI 780
ENFOCUSTOM 109

NOTE

From:	General Secretariat of the Council
On:	20 October 2015
To:	Customs Cooperation Working Party
Subject:	Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 4065/15, one intervention (OLAF) being added under AOB.

2. Information from the Presidency

The Presidency did not repeat the information it had given during the morning CCWP Experts. For more details on this point, see 13305/15.

3. Preparation of the 8th Action Plan

The Presidency announced the actions which are considered for the 8th Action Plan of the CCWP (2016-2017). These were chosen on the basis of the revised situational awareness paper (9396/2/15 REV 2), of the comments and suggestions received from the Members States and following extensive discussions with the incoming Presidencies, especially The Netherlands. Two of the underlying principles of the new Action Plan will be fewer actions and no action if no Member State wishes to take the leadership. The mandates of two of the current actions (7.3 and 7.8) might be extended too. A first draft of the new Action Plan could be issued in the beginning of November; Member States could offer a first set of comments, suggestions and reactions in written; these would be incorporated in a revised version of the AP which would be put forward for debate during CCWP Plenary on 17 November 2015.

4. Customs/Europol cooperation:

- Report of the meeting of Customs Directors (23 September 2015) in context of the European Police Chiefs Convention (23- 24 September 2015, The Hague)
- Strategic review: Europol and Customs (9572/15)
- Customs involvement in the EMPACT process and cooperation via Europol

All three speakers (Presidency and Europol) had interventions focused on two levels:

- the under-representation of customs authorities in the framework of Europol, which leads to a gap in terms of information/intelligence provided to Europol, both at operational and strategic level, although customs usually have a large remit of expertise and access to a wealth of information; consequently the support that could be offered reciprocally is not as encompassing as it could be. One of the reasons for this situation is the fact that the inter-agency dimension of Europol is not very well known;
- the need to improve and strengthen the cooperation between customs and Europol: promotion of multi-agency approach, strengthening of ties with WCO, enhanced participation of customs in Joint Action Days, EMPACT/OAP process and in the drafting of SOCTA, promotion of interoperability of systems, enhanced participation of Europol in JCOs, promotion of recruitment of staff with customs background etc.

5. The Seventh Action Plan: state of play and final reports

- **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"**

The German delegation presented a very short update of Action 7.3 state of play (a very extensive and detailed presentation took place during the previous CCWP Plenary on 9 July 2015). In this sense, the speaker announced that the answers to the short questionnaire which was sent in July have already been assessed and more Member States are willing to join the project group. Since an extension of the mandate is likely, in December only an interim report will be presented.

- **Action 7.9 - "To explore the available training possibilities for customs law enforcement officials at EU level and to examine the areas in which such training does not exist but would be required."**

The first version of the final report on Action 7.9 (12724/15) drafted by the Hungarian delegation was issued before the meeting and Member States were requested to send a first set of written comments. These were incorporated in the text and a revised version was put forward for discussion during the meeting (12724/1/15 REV 1). The report detailed the existing training activities in the customs area both at national and European or international level (e.g. Cefpol, DG Taxud, OLAF, WCO etc). The report also noted the wide variety of the training activities and draws attention to the Customs Law Enforcement Training Catalogue (CLETC). With respect to this, it recommends that the visibility of the catalogue should be enhanced. A deadline for further comments was given (6 November). The report will be put forward for adoption (if necessary in a new revised version) during CCWP Plenary on 17 November 2015.

- **Action 7.11 – "To improve capacities of Law enforcement agencies in the fight against new psychoactive substances."**

The second revised version of the final report on Action 7.11 (16073/2/14 REV 2) was put forward for discussion by the Irish delegation. The speaker explained the recommendations in the report and a new deadline for written comments was given (6 November 2015). These will be incorporated in a new revised version which will be put forward for adoption during CCWP Plenary on 16 December 2015.

6. The CCWP contribution to the implementation of the renewed Internal Security Strategy

The Presidency briefed the delegates with respect to the CCWP relevant aspects contained in document 10854/15 to be implemented by the end of 2015: finalisation of the 7th Action Plan, adoption of the 8th Action Plan and discussing better ways of coordination between customs and law enforcement authorities.

7. AOB

Under AOB, OLAF informed the delegates that the updated fact sheets sent by the Member States in the framework of the Naples II Convention would be published in the AFIS Library (OLAF) and detailed the practical ways of doing this.