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## NOTE

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From:	General Secretariat of the Council
On:	17 November 2015
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 4506/15 with the addition of two information points under AOB by the Commission and OLAF.

### 2. Information from the Presidency

The Presidency updated delegations on the issues discussed at the last two meetings of the Working Party on Customs Union (22 October and 16 November), explaining that the proposal for a Directive on the legal framework for customs infringements and sanctions would not be withdrawn by the Commission, the UCC delegated act had entered into force and the revised compromise text of the Council Decision on the conclusion of the Framework Convention on Tobacco Control would soon be submitted to Coreper and the Council for adoption. An update was also given on the outcome of the informal meeting of customs attachés held in Luxembourg last September and the state of play with regard to the draft Decision on the position to be adopted within the Administrative Committee to the TIR Convention and the draft Council conclusions on the Customs Strategic Policy Framework.

### 3. The Eighth Action Plan (January 2016 - December 2017)

The Presidency explained the new concept embedded in the draft Eighth Action Plan (3749/15) jointly prepared by the current and incoming trio Presidencies to cover a period of two years. The Presidency underlined that the aim of the draft Action Plan was to improve institutional and operational cooperation and enhance effective information management and exchange while ensuring close cooperation with the relevant Council preparatory bodies and EU agencies and staying fully in line with the policy cycle and other related initiatives. The threefold approach that would be applied to the topics of interest – discussions in plenary, thematic experts group meetings and dedicated actions – would allow the necessary flexibility and adaptability to a changing threat landscape. The Presidency underlined that a limited number of threat areas for actions had been selected on the basis of the situation awareness paper. Finally, it presented the written comments on the draft received so far from six Member States, the Commission and Europol and invited delegations to express their positions on the draft and indicate whether they would lead or participate in any of the actions set out therein.

A large number of delegations took the floor to express their support for the approach taken by the Presidency in the draft Eighth Action Plan and to make some suggestions or request clarification regarding the choice of actions, their mandate and references made in the draft to other policy documents. Several Member States emphasised the importance of mentioning the action leaders from the very beginning. In addition to their initial comments, the Commission and Europol underlined the importance of taking account of ongoing activities and avoiding duplication.

Delegations were invited to send their written comments by 30 November 2015.

#### **4. Overview of the activities of the EU Observatory on Infringements of IP Rights**

An OHIM representative provided an overview of the way the EU Observatory on Infringements of Intellectual Property Rights was organised, highlighting the interagency and network approach taken, which resulted in a diverse composition (Member States' customs authorities, police forces, EU agencies, the Commission, the private sector). He explained that the Observatory focused on five main areas, namely enforcement, public awareness, intellectual property rights in the digital world, statistics, and economic, legal and international aspects dealt with by respective working groups in which all stakeholders were represented. Goals were set in accordance with a multiannual plan. On the basis of the established partnership, several deliverables had been completed. Current efforts were focused on developing dedicated databases and finalising the 2016 Action Plan. Some of the priority areas and future steps were also outlined, as well as how these would be linked to the work of the groups.

#### **5. Detection material (X-ray, etc.)**

The LU delegation gave a comprehensive presentation on some of the tools they use to check vehicles and containers for illegal materials such as weapons, radioactive materials, explosives, etc. or unauthorised passengers. The different phases of such an operation and the protocols to be followed were also briefly outlined.

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

The final report on Action 7.1, 'To analyse the current situation on excise fraud in the customs context and identify available tools, best practices, weaknesses and needs', as set out in 9368/2/15 REV 2 ENFOCUSTOM 39 UD 130 COSI 56, was presented by the IT delegation, which explained the nature of the changes incorporated in the second version. The report was adopted by the Customs Cooperation Working Party (CCWP), with one additional change to the recommendations part as suggested by two Member States and agreed during the meeting. The final version of the report, reflecting that change, would be issued after the meeting.

The IT delegation also presented the interim report on Action 7.8, 'To improve the exchange of information and intelligence between Central Coordination Units as well as the practical implementation of mutual assistance and cooperation', outlined in 10190/15 ENFOCUSTOM 66 COPEN 199 CYBER 70. After a brief exchange of views the CCWP took note of the interim report.

The HU delegation presented the revised version of the final report on 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', as set out in 12724/2/15 REV 1 JAI 720 ENFOCUSTOM 99. Following contributions from Member States the report was adopted by the CCWP with two additional changes which were agreed during the meeting and which would be reflected in the final version of the document to be issued after the meeting.

## **7. AOB**

The Commission provided an update on the EU Action Plan on Wildlife Trafficking and explained that Council conclusions on the subject were expected by mid-2016.

OLAF provided the dates of two upcoming events in December this year.

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