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ENFOCUSTOM 145

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 2 December 2015
To: Customs Cooperation Working Party
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 4959/15.

2. JCOs and other customs operations

– JCO Orion

Greece presented for information the Business Case for Joint Customs Operation Orion (14479/15 RESTREINT UE). The JCO will target certain categories of goods introduced in the EU in breach of customs procedure 42 (abuse of procedure 42). This procedure provides for third country goods to be released into free circulation in a Member State of the European Union exempted from import VAT on the condition that they will be transported to another Member State due to an intra-community transaction. The operation will be co-organised by the Hellenic customs authorities and OLAF and will be financed under article 42a of Council Regulation 515/1997. The threat assessment of the JCO will concern both VAT fraud and customs fraud (e.g. undervaluation). The operation background of JCO Orion includes Action 7.4 and 7.7 (CCWP's 7th Action Plan) and JCOs Warehouse I and II and Snake. All Member States are invited to take part, as well as DG Taxud, OLAF, Europol and WCO. The Business Case detailed the types of goods which will be targeted, the way the exchange of information will take place and the schedule of the operation.

A deadline for comments was given (11 December 2015). The revised Business Case will be put on the agenda of a future CCWP Experts meeting for adoption.

– JCO Postbox

Germany presented for adoption the revised Business Case for JCO Postbox (12712/1/15). Some minor modifications were requested by delegations. It was agreed that a new revised version, incorporating these changes, would be issued and it would be considered adopted.

3. Firearms and Weapons of Mass Destruction

The presentations by WCO (Strategic Trade Control Enforcement (STCE) Project) and by the German Licensing Office (BAFA) (EU - Outreach Programme) were deleted from the agenda.

German Customs ZKA delivered a presentation regarding the **Arms Trade Treaty (ATT)** which attempts to regulate the international trade of conventional weapons. 130 states have signed the treaty and 78 out of them ratified it. The presentation gave a brief overview of the legal framework created by the treaty: objectives (prevention and eradication of illicit cross border trade in conventional arms, implementation of legally binding minimum standards for cross border trade of conventional trade and military materiel), scope (all conventional arms, SALW, their parts and components, ammunition; trade covers export, import, transit, transshipment and brokering), obligations for the parties and the international cooperation and assistance regime put in place.

Europol delivered a presentation on firearms covering aspects regarding the following elements: a brief organisational background of Focal Point Firearms, its scope (illicit trafficking in firearms), the EMPACT OAP 2015 focused on firearms as well as aspects of the threat assessment (elements facilitating the illicit trafficking, countries of origin and destinations, means of transportation etc).

Four other presentations focused on the different export control regimes:

- **Australia Group:** aims to stop the proliferation of chemical and biological weapons (including related dual use equipment technology);
- **Wassenaar Arrangement:** aims to promote transparency and greater responsibility in transfers of conventional arms and dual use goods and technologies in order to prevent destabilising accumulations;

- **Nuclear Suppliers Group:** aims to contribute to the non-proliferation of nuclear weapons through controls of exports of nuclear related dual-use equipment, materials, software and technology;
- **Missile Technology Control Regime:** aims to stop the proliferation of military and dual use goods, equipment and technology relevant to missile development, production and operation.

As a general conclusion, customs are encouraged to get themselves familiar with the way these regimes work as well as with the cooperation methods and instruments provided by them.

Finally, **Luxembourg customs** delivered a presentation detailing the way customs export controls take place in practice with respect to weapons and dual-use goods.

4. AOB

No item was raised under AOB.
