



Brussels, 18 January 2019

CM 1252/19

ENFOCUSTOM

COMMUNICATION

REQUEST FOR CONTRIBUTION

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| From: | Presidency |
| To: | Delegations |
| Subject: | Questionnaire on the input for the Situational Awareness Paper |

The Situational Awareness Paper (SAP) is intended to underpin the elaboration of a questionnaire for the preparation of the 10th CCWP Action Plan (AP). The content of the next AP should cover the main identified risks and threats and reflect the interest and availability of the MSs, EU relevant institutions and agencies and other relevant stakeholders.

With each AP implemented, the CCWP has been continuously seeking to better streamline and coordinate joint efforts and actions aimed at detecting and counteracting serious and organised cross-border crimes and responding better to new threats.

The structure of the previous Situational Awareness Paper (SAP)¹ proved well designed, so it serves as a model for the drafting of the SAP to be prepared by the Presidency over the coming months.

¹ 8791/2/17.

The document *Proposal for the way forward in semester I 2019*² provided the same working method of direct consultation previously used successfully within the CCWP, which would allow the Presidency to collect relevant updated and complete information.

The questionnaire³, as the instrument for prior consultation with the EU customs administrations and relevant stakeholders⁴, succeeded in its goal of gathering information on specific needs, concerns, challenges and threats in the customs field.

The consultation also aims to form a picture of the real situation in which customs operates, to find ways to make the role of customs more prominent and to identify present and potential/future threats.

The questionnaire in the Annex contains a set of specific questions for all significant categories identified within CCWP, namely MS representatives, Action Leaders of the 9th AP and the relevant stakeholders. This was done in a spirit of dialogue and of pursuing a broader picture of the realities in the customs field. In this context, the CCWP should be relevant and visible. Thus, it should be aware of what is demanded in the customs field and of what both MS and other stakeholders are expecting from the CCWP

All information collected through the answers to the questionnaire, together with information from various specific available documents, such as reports, interim reports, analyses, brief papers, etc., will be further processed and analysed by the Project Group to be set up during the CCWP experts meeting on 7 February 2019.

The expected result of the SAP is a comprehensive and accurate snapshot of the distribution of risks and threats along the EU's external and internal borders and inland as well, a view on the concerns and challenges facing customs, and a reference to the position and the role of the CCWP in the overall picture.

² 5001/17.

³ CM 5198/16.

⁴ European Commission (DG Home, TAXUD, OLAF), Europol, World Customs Organization, RILO WE, RILO ECE, FRONTEX - if relevant and on the basis of a decision by the CCWP, other entities could be included in the list.

The *Situational awareness paper* on customs risks, threats and challenges will constitute the underpinning document for the drafting of the next Action Plan (2020-2021)

Comments and observations on or proposed amendments to the content of the questionnaire in the annex should be submitted **by 4 February 2019** via email to the following addresses:

ccwp@consilium.europa.eu, cristian.parvu@rpro.eu and adrian.costache@rpro.eu

Questionnaire in preparation for Situational Awareness Paper

Recipients:

- I. Member States
- II. CCWP 9th Action Plan – Action leaders
- III. Relevant stakeholders, such as Commission: DG Home/DG TAXUD/OLAF; Europol; Interpol; WCO/RILOWE/RILO ECE; FRONTEX; EUIPO; CEPOL

Member States

1. On the basis of recent individual and joint activities conducted by national customs administrations at national and regional/EU level, what are the main identified specific customs risks and threats?

- At European Union level - give examples.
- At national/regional level – give examples.

Are any of them addressed by the EU Policy Cycle/EMPACT or in other regional/international manner?

Is the CCWP involved in this matter? If YES, what is its exact role?

2. From a broader perspective, what emerging customs-related threats and risks do you envisage? Have you consulted SOCTA concerning this matter?

- At European Union level - give examples.
- At national/regional level - give examples.

Do you consider appropriate, or expect, a joint approach at regional/EU/international level?
Should the CCWP be involved in this? If YES, what should the role of the CCWP be?

3. Which of the threats identified do you consider as having a significant impact on internal security?
What is/are the risk/s associated with that/these threat/s?
Have you identified any specific vulnerability/ies?
4. In what non-customs-specific areas of cross-border crime (terrorism, trafficking in human beings, smuggling of persons, money laundering and organised crime, stolen assets, etc.), can customs better contribute to the internal security of the EU?

What do you consider to be the role of the CCWP in this matter?
5. What are the identified challenges and potential obstacles to effective enforcement of customs regulations and to coordination between customs administrations within the EU, between customs and other law enforcement agencies and/or relevant institutions?
Have you identified any solution to overcome or to mitigate them?
6. Have you organised or participated in joint operations at regional or EU level in which third countries also participated? Did the direct involvement of those counterparts in the action add value?
7. What do you expect from the EU level (CCWP) in the area of customs (financing, JCOs, training, handbooks, guidelines, enhanced coordination with other stakeholders, etc.)?
8. What is the level of national coordination between the customs authority and (other) Policy Cycle stakeholders?
9. Have you considered/estimated the potential operational implications of Brexit and possible associated threats and risks?

On the basis of the preliminary findings on the action you are coordinating:

1. Should this action be considered for the next Action Plan?

Justify your answer.

2. If the answer to the previous question was affirmative, should the threat areas addressed in the mandate of each action remain as they are currently outlined or should they be modified?
3. In the case of an *EU-wide action*, should this action remain as it is? Should its focus be directed at a specific region/s? In case of broader participation, do you consider that it would be beneficial to split the operational phase into different timeframes for various regions?
4. In the case of a *regional action*, are there any preliminary indications that it should be expanded to other EU regions, or transformed into an EU-wide action?
5. With regard to the team's interactions with other law enforcement stakeholders in the course of the action, do you consider that the direct involvement of those counterparts throughout the action has yielded added value? In what way?
6. Would it be beneficial to compare and contrast the outcomes of the various actions conducted to explore the occurrence of poly-criminality?
7. On the basis of your experience in leading an action, what are your suggestions, proposals and/or remarks on how actions could be improved in general?
8. With regard to your specific action, have you considered/estimated the potential operational implications of Brexit and possible associated threats and risks? Will this require any change in the course of your action?

1. What are the main threats in your operational area? Which of these threats will remain of concern for the foreseeable future?
 2. On the basis of your internal analysis and available information, have you identified any emerging threat/s?
 3. What are the specific areas in which you consider that enhancing cooperation with customs authorities may be beneficial in addressing the relevant threats?
 4. How can customs authorities and relevant agencies mutually support each other in their daily operations?
 5. Do you host a deployed customs liaison officer from the MSs in your premises? How do you assess his/her presence?
 6. What are your expectations of the CCWP? How can it become a better partner for you?
 7. Have you considered/estimated the potential operational implications of Brexit and possible associated threats and risks? Are any measures foreseen in this regard?
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