

7212/1/95

REV 1
LIMITE

ENFOCUSTOM 15

NOTE

from : Customs Cooperation Working Party

to : Steering Group II

No. prev. doc.: 7212/95 ENFOCUSTOM 15

Subject: **Relations between the customs authorities of the Member States and those of the CCEE, Slovenia and the Baltic States**
- Review of the replies to questionnaire 4893/95 ENFOCUSTOM 6 and proposals for future cooperation

Following the Berlin Declaration of 8 September 1994 and the conclusions of the Essen European Summit in December 1994, the Customs Cooperation Working Party was instructed by the various bodies responsible under Title VI to make a survey of cooperation activities already undertaken bilaterally with the CCEE, Slovenia and the Baltic States by the Member States of the Union by means of a questionnaire (4893/95 ENFOCUSTOM 6).

In addition to a general summary of all the replies received by the Presidency, this document consists of proposals for stepping up cooperation with the customs authorities of those countries.

1. Review of replies to the questionnaire

It should first be pointed out that, since the beginning of the 1990s, most customs authorities of the Member States have been working more closely with their counterparts in Eastern Europe with a view to cooperating actively with them.

For example, a whole series of negotiations have been initiated with the aim of concluding bilateral agreements on mutual administrative assistance in customs matters, in particular with the Member States which enjoyed extensive trade relations with those countries.

However, cooperation has usually been of a technical nature, with the emphasis being placed on the vocational training of customs officials from the CCEE. Numerous assistance activities have also been implemented to help these authorities put in place administrative, legal and monitoring structures.

These various forms of cooperation are frequently of a one-off nature. Only the exchange of intelligence provided for in the bilateral assistance agreements may be regarded as the exception, albeit a relative one.

Finally, it should be noted that only two countries have sent or intend to send, in the short term, liaison officers to the CCEE, Slovenia and the Baltic States.

In the multilateral framework the various customs authorities draw attention to the risk of duplication with the various activities conducted under the First Pillar, in particular the PHARE programme. In any case, steps will have to be taken to ensure that the cooperation activities are consistent overall.

2. Proposals for stepping up cooperation

On the subject of prospects for cooperation, most Member States are in favour of developing mutual administrative assistance and stepping up technical assistance and training measures.

Nevertheless, two approaches are worth exploring in particular: better exchange of intelligence to combat fraud in connection with the strengthening of mutual administrative assistance and the introduction of measures for training customs officials from the CCEE, Slovenia and the Baltic States.

Under both these approaches it will have to be ensured that the measures implemented are in line with the priorities set by the European Union (notably increasing the effectiveness of the fight against customs crimes originating in those countries), but also the needs voiced by the CCEE.

(a) Stepping up mutual administrative assistance

Cooperation should make it possible in particular to improve, both in terms of quality and of quantity, exchanges of intelligence in the fight against fraud as well as the checks carried out by the customs authorities of those countries (promotion of targeting techniques and risk analysis, etc.).

Cooperation should always retain an operational aspect and be carried out under an overall approach to large-scale fraud.

The CCEE, Slovenia and the Baltic States should be invited to designate, within their customs authorities, a department operating if possible on a permanent basis which would be responsible in particular for implementing administrative assistance both under the mixed agreements concluded between the European Union, the Member States and those countries and under bilateral intergovernmental conventions.

(b) Training of officials

The most appropriate form of action would seem to be the seminar. This would also make it possible to establish personal links between training staff (from the Union) and trainees (from the CCEE, Slovenia and the Baltic States) which make it easier subsequently to exchange intelligence in the fight against fraud.

Two topics appear to take priority: the fight against illicit trafficking in drugs and illegal trade in nuclear material. With regard to both these areas, the position of the CCEE seems to be extremely sensitive, especially since they constitute one of the last transit points before entering Union territory.

On the subject of drug trafficking, a seminar could be held in Brussels and be spread over two days, with the first day being given over to precursors and the second to drug trafficking proper.

The funding of these seminars would come under the Third Pillar, with the exception of the precursors seminar, which could be financed partly from Commission appropriations.

The seminars will deal with customs aspects but, in the interests of complementarity and reciprocity, will take account of other plans considered in other fora and may be open to representatives of other authorities concerned.

