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NOTE

from: Presidency

to: ~~Customs Cooperation Working Party~~

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**Subject: Third Pillar Customs Information System (CIS)
– Objectives for the technical requirements**

Introduction

Council Regulation (EC) No 515/97 of 13 March 1997 (OJ L 82, 22.3.1997, p. 1) contains the legal bases for the establishment and operation of the First Pillar Customs Information System (CIS). Commission Regulation (EC) No 696/98 of 27 March 1998 determined which data could be captured in the various categories (commodities, means of transport, companies, persons, fraud trends and availability of expertise).

For the practical implementation of these legal objectives, the Commission set up a hardware architecture and had a software program developed. The system has been available to the customs administrations of the Member States on a trial basis since 13 March 1998.

The Convention on the Use of Information Technology for Customs Purposes of 26 July 1995 (OJ C 316, 27.11.1995, p. 33), which is currently awaiting ratification by the Member States, constitutes the legal basis for the Third Pillar Customs Information System. With few differences, that Convention is identical to Regulation (EC) No 515/97.

So that the Third Pillar Customs Information System can be used in practice, Article 23(3) of that Regulation provides that the customs authorities of the Member States may use the technical infrastructure of the (First Pillar) Customs Information System in the performance of their duties in the framework of the customs cooperation referred to in Article K.1(8) of the Treaty on European Union. In such a case, the Commission shall ensure the technical management of the infrastructure.

The Customs Cooperation Working Party now has the task of deciding what technical solution is to be chosen so that the Third Pillar Customs Information System can be adapted to the infrastructure of the First Pillar Customs Information System. The outcome of its discussions should be forwarded to the European Commission as rapidly as possible to enable the latter to conclude its work on the technical adaptation measures in good time for the entry into force of the Convention on the use of information technology for customs purposes.

After consulting the European Commission's departments and on the basis of the outcome of discussions hitherto, the Presidency would propose a structured approach towards solution of the problem.

The following issues are to be decided:

1. Hardware
 - 1.1. Architecture – central computer and databases
 - 1.2. Design of the front-end for users
2. Software
 - 2.1. For software programming, the data to be captured in categories (i) to (vi) in Article 3(1) of the CIS Convention would have to be determined.
 - 2.2. User profiles and options for restricting access to the System.

Objectives for the technical requirements for operation of the Third Pillar Customs Information System

1. Hardware

1.1. Architecture – central computer and databases

A series of alternative solutions were indicated by the European Commission at the meeting of technical experts on 25 June 1998. Given the basic assumptions that:

- the time required for the technical work should be kept to an absolute minimum;
- the cost of this development work should be as low as possible;
- security of the First and Third Pillar databases must be guaranteed if the infrastructure is to be shared,

the following solution would meet the requirements:

Use of a central computer and a database with two logical partitions, which would satisfy the legal requirement of separation of the database contents of the First Pillar CIS from those of the Third Pillar CIS, together with a common server via which users could access the data according to their access rights.

1.2. Design of the front-end for users

The user interface should be designed to be as userfriendly as possible by having a common front-end for accessing the First Pillar CIS and the Third Pillar CIS.

The separation of the two databases will not be jeopardised by this. Access to the databases via a common front-end will obviously be only in accordance with the access rights of the particular user, hence, the system for restricting access rights will exclude the possibility of misuse.

A separate front-end for each of the two Systems would require time-consuming switching between the applications, diminish user acceptability of the two Customs Information Systems and increase the risk of underretrieval.

2. Software

2.1. For software programming, the data to be captured under categories (i) to (vi) in Article 3(1) of the CIS Convention would have to be determined.

The Presidency proposes determining the database elements on the basis of the list annexed to 7443/98 ENFOCUSTOM 23 submitted by the United Kingdom Presidency. In doing so, every possible effort should be made to align these elements on those laid down in Commission Regulation (EC) No 696/98 of 27 March 1998.

2.2. User profiles and options for restricting access to the System

A distinction should be made between various user categories. User profiles and access rights should be set up according to the various tasks of the users. The following provisions should in any event be made for restricting access rights:

- **passive right: right to interrogate only**
- **active right: right to interrogate and input (subject to authorisation by the particular person responsible)**
- **right to access one or more specific categories only; here again, access may be given on a passive or active basis.**

The possibility of introducing restrictions within a particular category as well would be desirable, but depends on technical feasibility and the associated costs. The European Commission should be instructed to examine this matter.