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ENFOCUSTOM 233**

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 7 December 2016
To: Customs Cooperation Working Party
Subject: Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in CM 4944/16.

2. Information from the Presidency

The Presidency briefed delegations on current activities of interest for CCWP, dealt with in Council and other fora.

3. Information from CUWP

The Chair of CUWP briefed the delegates with respect to:

- the discussions that took place during the ECOFIN Council (6 December 2016) with respect to the outcomes of the High Level meeting of Customs DGs (25 October 2016) which focused on the customs' expanding role in the field of security, safety and protection;

- the two sets of Council Conclusions drafted and discussed in the framework of CUWP: **Council Conclusions on Exploring the Possibilities of Customs Funding** (14132/1/16) and **Council Conclusions on Enhanced Exchange of Customs Related Information with Third Countries** (14220/4/16 REV 4). The documents underline that information exchange is key in the light of customs' expanding role and that new funding will be needed for customs to be able to address the new challenges.

4. Eighth Action Plan

Estonia presented the **results of a questionnaire distributed in the framework of Action 8.6.1** (Regional occurrence of excise fraud: cigarette and tobacco products); the details will be part of a broader threat assessment document (focused on cigarette smuggling) to be presented during the first CCWP Plenary under Maltese Presidency (12 January 2017). Estonia also presented the **Business-case for JCO Magnum II** (14781/16, part of Action 8.6.1). A deadline for comments was given (5 January 2017) and a revised version of the business case should be presented for adoption on 12 January.

France and Spain presented the **revised text of the business case for JCO Cerberus** (13945/1/16 REV 1, cash movements, part of Action 8.3). A few further minor changes were suggested; these will be incorporated in a REV 2 version of the document which will be considered adopted upon issuing.

Slovakia briefed the delegates about the **9th meeting of the Central Coordination Units** (Action 8.7). A report of this meeting could be presented during the first CCWP Plenary meeting under Maltese Presidency. The Presidency also briefed the delegates about the **outcomes of the National Impact Coordinators meeting**, focusing on the need to ensure coordination among relevant stakeholders by informing each other about activities having a bearing on law enforcement, counter terrorism and fight against fraud in order to avoid duplication and to save time and money.

5. Synergies and opportunities for coordination between the activities developed under the EU Policy Cycle and the Eighth Action Plan of CCWP for the year 2017

The Presidency presented document 14782/16, which details the synergies and opportunities for coordination between the activities developed under the EU Policy Cycle and the Eighth Action Plan of the CCWP for the year 2017. A deadline for comments was given (12 December 2016) and a revised version will be issued before the COSI meeting on 19 December 2016.

6. EUIPO activities in relation to IPR protection

The speaker presented the **structure of the European Union Intellectual Property Observatory, its legal basis and main activities and tasks**. A special focus was given to the cooperation with CCWP (involvement in the 7th and 8th Action Plans and in relevant JCOs) and with Europol and CEPOL. The speaker also presented the project aiming at creating a joint EUIPO-CEPOL online training centre for public enforcers belonging to the following categories: police and customs officers, prosecutors and other members of the judiciary, market inspectors and other surveillance authorities and any other public authority enforcing IP rights at national and local level. An overview of the projects included in the EUIPO work programme for 2017 was also given.

7. Common non-paper on the value of PNR for Customs law enforcement and risk management in light of the new PNR Directive

The Netherlands presented an updated version of the **Common non-paper on the value of PNR for Customs law enforcement and risk management in light of the new PNR Directive** (14785/16). A deadline for comments was given (5 January 2017) and a revised version should be presented during the first CCWP Plenary under Maltese Presidency. Member States were urged to send examples of national practices in the area of PNR use by customs in order for the document to reach its **purpose - become a manual for the use of national authorities/customs in area of setting up of PIUs and use of PNR data**.

8. CEPOL - training possibilities for 2017

A representative of CEPOL presented the **customs relevant training possibilities CEPOL will offer in 2017**. These include among others online training courses, webinars, as well as residential activities and an exchange programme.

9. Customs aspects of Eurasian integration

A representative of the Federal Customs Service of the Russian Federation gave an comprehensive presentation of the different **customs relevant aspects of the Eurasian integration**: legislation, governance structure, activity fields of the customs union, the cooperation with EU.

10. Priorities of the Maltese Presidency

The incoming Maltese Presidency briefed the delegates on its **priorities for the CCWP**. A strong focus will be placed on the preparation of the drafting of the 9th Action Plan. Other areas of interest: coordination with COSI and LEWP, cooperation with Europol and Frontex, monitoring of the implementation of the 8th Action Plan. The incoming Presidency also endeavours to draft Council Conclusions on the Report on stepping up the fight against cigarette smuggling and other forms of illicit trade in tobacco products in the EU (to be published by OLAF).

11. AOB

The Presidency informed the delegates that the Council Conclusions on environmental crime (15184/16), drafted in the framework of the LEWP and also discussed during a joint CCWP/LEWP meeting, were to be adopted by the JHA Council on 9 December 2016.

The Netherlands urged Member States to send the contributions needed in the framework of JPCO ARES in order to complete the evaluation.