

# Use of information technology for customs purposes: accession of Bulgaria and Romania to the Convention

2007/0079(CNS) - 25/04/2007 - Legislative proposal

**PURPOSE:** to enable Bulgaria and Romania to accede to the Convention of 26 July 1995 on the use of information technology for customs purposes.

**PROPOSED ACT:** Council Decision.

**CONTENT:** the 2005 Act of accession of Bulgaria and Romania has introduced a simplified system for the accession of Bulgaria and Romania to the conventions (and protocols) concluded by the Member States on the basis of Art. 34 TEU (previously Art. K.3 TEU) or Art. 293 EC. It is no longer necessary, as in the past, to negotiate and conclude specific accession protocols to these conventions (which would have implied ratification by 27 States): Article 3(3) of the Act provides simply that Bulgaria and Romania accede to these conventions and protocols by virtue of the Act of Accession.

Article 3(3) and 3(4) of the Act of Accession provide that, to that effect, the Council shall adopt a decision in order to determine the date on which these conventions shall enter into force for Bulgaria and Romania and to make all the necessary adjustments to these conventions required by reason of the accession of the two new Member States (which would include, in any event, the adoption of the conventions in the Bulgarian and Romanian languages, so that these versions can be "equally authentic"). The Council shall act on a recommendation of the Commission, after consulting the European Parliament.

Annex I to the Act of Accession gives the list of the 7 conventions and protocols concerned in the Justice and Home Affairs area.

The list includes in particular:

- the Convention of 26 July 1995, drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes,
- the Protocol of 29 November 1996, drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the use of information technology for customs purposes,
- the Protocol of 12 March 1999, drawn up on the basis of Article K.3 of the Treaty on European Union, on the scope of the laundering of proceeds in the Convention on the use of information technology for customs purposes and the inclusion of the registration number of the means of transport in the Convention,
- the Protocol of 8 May 2003 amending, as regards the creation of a customs files identification database, the Convention on the use of information technology for customs purposes.

The present draft Commission Recommendation is intended to make the adjustments required by reason of the accession of Bulgaria and Romania to the aforementioned Convention and Protocols, in accordance with Article 3(4) of the Act of Accession.