

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	2002/0029(COD) Procedure completed
Customs: action programme Customs 2007, 2003-2007 Amended by 2003/0304(COD)	
Subject 2.10.01 Customs union, tax and duty-free, Community transit 7.30.02 Customs cooperation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs and Internal Market		19/02/2002
		PPE-DE FOURTOU Janelly	
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets	The committee decided not to give an opinion.	
	CONT Budgetary Control		16/04/2002
		ELDR SØRENSEN Ole B.	
	ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2476	16/12/2002
	Competitiveness (Internal Market, Industry, Research and Space)	2426	21/05/2002
European Commission	Commission DG Taxation and Customs Union	Commissioner	

Key events			
23/01/2002	Legislative proposal published	COM(2002)0026	Summary
04/02/2002	Committee referral announced in Parliament, 1st reading		
21/05/2002	Debate in Council	2426	Summary
20/06/2002	Vote in committee, 1st reading		Summary
20/06/2002	Committee report tabled for plenary, 1st reading	A5-0250/2002	

03/09/2002	Decision by Parliament, 1st reading	T5-0385/2002	Summary
17/10/2002	Modified legislative proposal published	COM(2002)0575	Summary
16/12/2002	Act adopted by Council after Parliament's 1st reading		
11/02/2003	End of procedure in Parliament		
12/02/2003	Final act published in Official Journal		
18/02/2003	Final act signed		

Technical information

Procedure reference	2002/0029(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
	Amended by 2003/0304(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed

Documentation gateway

Legislative proposal	COM(2002)0026 OJ C 126 28.05.2002, p. 0268 E	23/01/2002	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A5-0250/2002	20/06/2002	EP	
Economic and Social Committee: opinion, report	CES0837/2002 OJ C 241 07.10.2002, p. 0008	17/07/2002	ESC	
Text adopted by Parliament, 1st reading/single reading	T5-0385/2002 OJ C 272 13.11.2003, p. 0029-0264 E	03/09/2002	EP	Summary
Modified legislative proposal	COM(2002)0575	17/10/2002	EC	Summary
Follow-up document	SEC(2006)0035	09/01/2006	EC	Summary
Follow-up document	COM(2008)0612	07/10/2008	EC	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 2003/253 OJ L 036 12.02.2003, p. 0001-0006 Summary
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Customs: action programme Customs 2007, 2003-2007

PURPOSE: To propose a new "Customs 2007" programme. CONTENT: The European Commission is urging an adoption of the Customs 2007 programme based on the success of the previous, 2002 project. An interim report, published in July 2001 was both encouraging and positive, concluding that the new working structure of Customs 2002 combined with the more operational approach taken have resulted in long

term benefits to the Community. Thus, an extension of the 2002 project would: - Help foster employment by contributing towards a competitive business environment with reduced compliance costs. - Prepare for enlargement and after enlargement, facilitate the full integration of new Member States allowing for an enlarged Community acting under one set of customs administration and one single administration. - Improve the protection offered by customs to the consumer and to the financial interests of the Community. Based on the findings of the Report the Commission proposes that the 2007 programme should focus on: - ensuring the continued use of previously developed computerised systems; - continuing standardisation of the present working methods; - providing practical support to the candidate countries, to which the programme should be opened; - improving actions to prevent irregularities; - supporting the creation of e-customs via the development of communication systems; - reducing compliance costs, which would contribute towards the creation of a competitive business environment; - developing training actions that would respond to the needs arising from the various programme activities. It is proposed that the programme tools would include information exchange, management and project groups, benchmarking, exchange of officials and the setting up of workshops. The overall cost of the programme over the following five year period is estimated at EUR 133 million. In light of the many benefits past programmes have yielded and in light of the fact that an extension of the programme is considered both desirable and necessary, the Commission urges a speedy adoption of the proposed Decision.?

Customs: action programme Customs 2007, 2003-2007

The Council laid down a general approach, by a qualified majority, whilst noting the reservations of a number of delegations on the legal basis. To recall, the Commission proposal is based on Article 95 of the Treaty, which is the same legal basis as for the previous programmes. Yet since one of the important aims of the proposed Customs 2007 Programme is to strengthen customs cooperation, a number of delegations consider that the appropriate legal basis should be Article 135 of the Treaty. However, a joint legal basis combining both Articles 95 and 135 may be acceptable.?

Customs: action programme Customs 2007, 2003-2007

The committee unanimously adopted the report by Janelly FOURTOU (EPP-ED, F) broadly approving the proposal under the codecision procedure (1st reading), subject to a number of amendments largely aimed at clarifying and improving the drafting and structure of the proposal. The committee stressed that the primary aim of the programme was to support action taken by the Member States to guarantee the effective functioning of the internal market. It sought to broaden the scope of the proposal by adding a number of new objectives, namely: to coordinate action so as to ensure that customs activity matched the needs of the internal market; to meet the demands placed on the Member States' customs administrations by globalisation and increasing volumes of trade and to help strengthen the competitive environment of the EU; to provide the necessary protection of the EU's financial interests as well as a safe and secure environment for its citizens; and to support the integration of new Member States. The committee also felt that the common approach regarding the customs policy should be continuously adapted to new developments in partnership between the Commission and the Member States in the Customs Policy Group (to be composed of the heads of customs administrations from the Commission and the Member States). The committee voted to add as a new programme priority the need to improve the coordination of and cooperation between laboratories carrying out analysis for customs purposes in order to ensure a uniform and unambiguous tariff classification throughout the EU. Moreover, it supported the creation of an electronic customs environment ('e-customs') and said that third countries should be given assistance in order to modernise their customs services and procedures. Finally, the committee felt that the Customs 2007 Committee, which was to be set up to assist the Commission, should be able to adopt its own rules of procedure rather than being chaired by the Commission's representatives as laid down in the proposal.?

Customs: action programme Customs 2007, 2003-2007

The European Parliament adopted a resolution based on the report by Janelly FOURTOU (EPP-ED, F) on the Customs 2007 programme. (Please refer to the document dated 20/06/02.) Parliament went on to amend the dates for the submission of interim reports by the Commission. Such reports must be submitted on 30 June 2005 and 31 December 2005.?

Customs: action programme Customs 2007, 2003-2007

The Commission stated that the amendments adopted by the European Parliament are in line with the Commission's proposal. The amendments to the objectives, the setting of priorities, the deletion of the repeal of Customs 2002 and the addition of the clause on existing applications are all considered valuable additions. The evaluation provisions have been improved. The Commission accepts all the amendments. More specifically, with regard to the amendments adopted by the Parliament and also accepted by the Commission, these: - strengthen Article 1 so that it explicitly refers to the need to guarantee the effective functioning of the internal market; - simplify Article 2 and adopt the term "participating countries"; - put together two types of objectives "overall" and "specific" under a specific Article (Article 3); - propose some changes concerning the co-operation and co-ordination between laboratories; - remove reference to the Customs 2007 Committee, whilst retaining flexibility for development in accordance with the objectives of the programmes; - add a clause to Article 6 which allows the continuation of existing Community IT systems. This ensures the funding of the AFIS system until 31 December 2003; - establish indicators in the first year of the programme, thereby giving a more representative evaluation and requires the report to be made to the European Parliament and the Council, rather than simply reporting to the Customs 2007 Committee.?

Customs: action programme Customs 2007, 2003-2007

PURPOSE : to extend an action programme for customs in the Community (Customs 2007). COMMUNITY MEASURE : Decision 253/2003/EC of the European Parliament and of the Council adopting an action programme for customs in the Community (Customs 2007). CONTENT : this Decision establishes a multiannual Community action programme (Customs 2007) from the period 1 January 2003 to 31

December 2007 to support and complement the action undertaken by Member States to guarantee the effective functioning of the internal market in the customs field. In the framework of the management of the customs union, the objectives of the programme shall be to ensure that Member States' customs administrations: - carry out coordinated action to ensure that customs activity matches the needs of the Community's internal market through implementing the strategy set out in the aforementioned Commission communication and Council resolution on a strategy for the customs union; - interact and perform their duties as efficiently as though they were one administration and achieve equivalent results at every point of the Community customs territory; - meet the demands placed on them by globalisation and increasing volumes of trade and contribute towards strengthening the competitive environment of the European Union; - provide the necessary protection of the financial interests of the European Union and provide a secure and safe environment for its citizens; - take the necessary steps to prepare for enlargement and to support the integration of new Member States. The programme's tools shall include information exchange, management and project groups, benchmarking, exchange of officials and the setting up of workshops. The overall cost of the programme over the following five year period is set at EUR 133 million. This Decision shall apply from 01/01/2003.

Customs: action programme Customs 2007, 2003-2007

To present a report from the Commission on the mid-term evaluation of the Customs 2007 programme.

The total budget foreseen for the Programme is EUR 165.550 million, including the C2007 external budget line, for the period from 1 January 2003 to 31 December 2007. Around 85% of this budget was earmarked for IT systems and the remaining 15% for joint actions (benchmarking, exchanges of officials, seminars, workshops and project groups, training activities etc.).

This evaluation covers the results and impacts of actions financed and organised by the Customs 2007 Programme from March 2003 to 30 March 2005; it also addresses the impacts of actions financed at national level where they constitute a logical extension of the Customs 2007 Programme.

It examines the extent to which the objectives of the Programme were achieved (effectiveness) at a reasonable cost (efficiency). It also examines whether the objectives of the Programme still correspond to the needs of national administrations and economic operators (relevance).

Overall, the interim evaluation has shown satisfaction with the Customs 2007 Programme (C2007). In terms of relevance, C2007 objectives, priorities and content are seen by stakeholders as being highly relevant to the needs of the national administrations of participating countries (PCs) and as essential to operating the EU customs union. Regarding C2007's focus there is general consensus that C2007 should continue covering Community safety and security issues and a better coordination between first and third pillar instruments would be needed in order to avoid duplication of work and to ensure a better communication. C2007 is also becoming more strategic in the eyes of the PCs and the majority of PCs have links between C2007's objectives and their national business plans and strategies.

The overall conclusion of this evaluation is that there is general satisfaction with the effectiveness and efficiency of the Programme. This seems to be confirmed by the quantitative data gathered during this evaluation. Moreover, the assessment is that the objectives of the programme still correspond to the needs of the addressees.

Under these circumstances, the Commission departments intend to continue to prepare a proposal for a successor programme, taking into account the conclusions and recommendations of the evaluation report within the existing legal and budgetary framework.

Customs: action programme Customs 2007, 2003-2007

The Commission presents its final evaluation of the Customs 2007 programme in accordance with Article 19 of Decision 253/2003/EC on Customs 2007.

The final evaluation has confirmed that the Customs 2007 programme has had a positive impact on the work of customs in Europe. It is greatly appreciated by its beneficiaries and stakeholders, and effectively contributes (in some cases very significantly) to all of its main objectives. The final evaluation reaffirms what was already indicated in the midterm evaluation: the need for continuation of the Customs 2007 programme. The paper makes a series of recommendations to ensure the successor programme work as smoothly and effectively as possible.

The evaluation has identified a number of issues related to specific subject areas that should be addressed.

Place increased emphasis on trade facilitation. This is the key objective for traders as well as for many participating countries' national customs administrations, but it has received relatively less attention under Customs 2007 (in comparison with the other main objectives). To help minimise the burdens on legitimate trade, it will be particularly important to:

- ensure timely delivery on the E-Customs initiative and avoid de-acceleration of the process before the benefits for economic operators begin to materialise;
- prioritise activities concerning single authorisations, including the Authorised Economic Operator (AEO) and Single Authorisations for Simplified Procedures (SASP), and work towards truly uniform recognition and application of these concepts across the entire EU;
- continue to involve economic operators in relevant joint actions so as to ensure that the views of traders are taken into account in the development of new rules and procedures;

Undertake further work on risk analysis and management, which is a key area for improving and standardising customs controls and procedures and combating fraud. Further work on risk profiles, indicators, rules, etc., as well as on finding ways to facilitate their use by all national customs administrations, should focus on:

- identifying politically sensitive elements of risk management (partly due to the fact that what is legal in one Member State can be illegal in another), and addressing them;
- continuing to emphasise activities and practical exercises directly aimed at further harmonisation of risk management approaches across the EU.

Continue to pursue the new common training approach while ensuring that the production of e-learning/blended learning modules does not

become an end in itself, and that other areas for action are not neglected. This includes:

- holding an open dialogue between the Commission and participating countries in order to decide on the priorities for future years (including what other training-related areas participating countries would like the programme to address);
- reviewing the content, frequency, duration and structure of the meetings of the Training Management Group, in order to enable it to play a more active role in coordinating programme activities in the area of training.

Continue to build on the progress made concerning the IT systems, by:

- addressing the specific challenges and weaknesses identified by the evaluation that affect several of the IT systems currently deployed at the EU level;
- striving for pan-European harmonisation of interfaces with traders for all customs procedures. The Commission has proposed guidelines for the harmonisation of such interfaces across the EU in the past, and the evaluation found that nearly half of the participating countries considered that Customs 2007 could or should have further supported the harmonisation of interfaces at European level.

There are also some 'flanking' measures recommended by the evaluators:

- urge participating countries to ensure that sufficient human resources are allocated to programme management at the level of each national customs administration;
- develop communication activities targeted particularly at the respective national ministries responsible for customs, in order to raise the profile of Customs 2007 (and thereby inter alia enhance the chances of sufficient resources being made available);
- revisit the indicators and measures of success developed at the start of the Customs 2007 programme, with a view to deciding on a definitive list of feasible indicators that can be used for programme monitoring and evaluation in the future.