

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2018/0232(COD)	Awaiting Council 1st reading position / budgetary conciliation convocation
Customs programme for cooperation in the field of customs 2021?2027 Repealing Decision No 70/2008/EC 2005/0247(COD) Repealing Regulation (EU) No 1294/2013 2011/0341A(COD)	
Subject 2.10.01 Customs union, tax and duty-free, Community transit	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	IMCO Internal Market and Consumer Protection		19/06/2018
		S&D GRAPINI Maria	
		Shadow rapporteur	
		PPE ŠTEFANEC Ivan	
		ECR VAN BOSSUYT Anneleen	
	ALDE SELIMOVIC Jasenko		
	Verts/ALE REDA Julia		
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets		11/07/2018
		PPE ŠTEFANEC Ivan	
	CONT Budgetary Control		07/09/2018
		ALDE KLINZ Wolf	
Council of the European Union	Commission DG	Commissioner	
European Commission	Taxation and Customs Union	MOSCOVICI Pierre	
European Economic and Social Committee			

Key events			
08/06/2018	Legislative proposal published	COM(2018)0442	Summary
14/06/2018	Committee referral announced in Parliament, 1st reading/single reading		
06/12/2018	Vote in committee, 1st reading/single reading		
13/12/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0464/2018	Summary
15/01/2019	Decision by Parliament, 1st reading/single reading	T8-0008/2019	Summary
15/01/2019	Matter referred back to the committee responsible		

03/04/2019	Debate in Parliament		
16/04/2019	Decision by Parliament, 1st reading/single reading	T8-0385/2019	Summary

Technical information

Procedure reference	2018/0232(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Decision No 70/2008/EC 2005/0247(COD) Repealing Regulation (EU) No 1294/2013 2011/0341A(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 114-p1; Treaty on the Functioning of the EU TFEU 033; Rules of Procedure EP 59-p4; Treaty on the Functioning of the EU TFEU 207
Modified legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Awaiting Council 1st reading position / budgetary conciliation convocation
Committee dossier	IMCO/8/13625

Documentation gateway

Legislative proposal		COM(2018)0442	08/06/2018	EC	Summary
Document attached to the procedure		SWD(2018)0321	08/06/2018	EC	
Document attached to the procedure		SWD(2018)0322	08/06/2018	EC	
Economic and Social Committee: opinion, report		CES3432/2018	17/10/2018	ESC	
Committee draft report		PE628.618	19/10/2018	EP	
Committee opinion	BUDG	PE626.967	06/11/2018	EP	
Amendments tabled in committee		PE630.491	19/11/2018	EP	
Committee opinion	CONT	PE627.871	23/11/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0464/2018	13/12/2018	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		T8-0008/2019	15/01/2019	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0385/2019	16/04/2019	EP	Summary

2018/0232(COD) - 08/06/2018 Legislative proposal

PURPOSE: to establish the customs programme for cooperation in the field of customs for the period 2021-2027.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the [customs 2020](#) programme and its predecessors have significantly contributed to facilitating and enhancing customs

cooperation. Many of the activities in the customs area are of a cross-border nature, involving and affecting all Member States, and therefore they cannot be effectively and efficiently delivered by individual Member States.

Since 2016, the [Union Customs Code](#) is the new legal customs framework. The Code triggered a massive digitalisation project with 17 different electronic systems to be fully in place by 2020. Some systems will be deployed gradually up to 2025. These electronic systems touch upon all customs procedures.

The upcoming withdrawal of the United Kingdom from the EU implies disentangling the United Kingdom as a Member State from all existing customs electronic systems financed by customs 2020. These implications and costs however cannot be precisely estimated at this stage.

The implementation of all these aspects can only be achieved through intense operational cooperation between customs administrations of the Member States, between them and other authorities, with trade and other third parties. It is therefore necessary to ensure the continuity of the Unions financing of customs cooperation activities by establishing a new cooperation programme in this area.

CONTENT: the proposal for a Regulation - presented for a Union of 27 Member States - seeks to establish the customs programme for cooperation in the field of customs for the period 2021-2027, which will succeed the customs 2020 programme.

Objective: the general objective of the proposed new programme is to support the customs union and customs authorities to protect the financial and economic interests of the Union and its Member States, to ensure security and safety within the Union and to protect the Union from unfair and illegal trade, while facilitating legitimate business activity.

Customs cooperation and capacity building shall focus, on the one hand, on human networking and competency building actions and, on the other hand, IT capacity building actions.

Like the current Customs 2020 programme, the new programme shall be open to participation by Member States, acceding, candidate and potential candidate countries. It may provide funding in any form provided for in the Financial Regulation, in particular grants, procurements and reimbursement of expenses.

Eligible actions: the programme shall cover expenses for preparation, monitoring, control, audit, evaluation and other activities for managing the programme and evaluating the achievement of its objectives.

It shall also cover expenses relating to studies, meetings of experts, information and communication actions, in so far as they are related to the objectives of the programme, as well as expenses linked to information technology networks focusing on information processing and exchange, including corporate information technology tools and other technical and administrative assistance needed in connection with the management of the programme.

IT capacity: the proposal provides an improved framework and governance for the IT capacity building actions carried out under the programme. An improved definition of the European electronic systems common components and national components reflecting better the reality of electronic systems and their features has been integrated. The tasks incumbent on the Commission on the one hand and the Member States on the other hand have been listed.

Lastly, a multi-annual strategic plan for customs, to be drawn up by the Commission, in partnership with the Member States, shall allow for a better planning of budgetary and human resources both at national and EU level.

Proposed budget: under the [proposed](#) new multiannual financial framework, the programme shall have an overall budget of EUR 950 million (in current prices) for the period 2021-2027. The vast majority of the proposed budget will be spent on IT capacity building activities.

2018/0232(COD) - 13/12/2018 Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Maria GRAPINI (S&D, RO) on the proposal for a regulation of the European Parliament and of the Council establishing the Customs programme for cooperation in the field of customs.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows.

Subject matter

This Regulation seeks to establish the customs programme for cooperation in the field of customs for the period 2021-2027.

Objectives

The Programme has the following specific objectives:

- to assist with IT capacity building, which consists in developing, maintaining and operating the electronic systems of the Union Customs Code, and enabling a smooth transition to a paperless environment and trade in line with this Regulation;
- to finance joint actions, which consist in cooperation mechanisms enabling officials to carry out joint operational activities under their core responsibilities, share experience in the customs field and join efforts to deliver on customs policy;
- to enhance human competencies, supporting the professional skills of customs officials and empowering them to fulfill their role on a uniform basis;
- to support innovation in the area of customs policy.

The Programme shall also support the continuous evaluation and monitoring of the cooperation between customs authorities with a view to identifying weaknesses and possible improvements. It shall be consistent with and exploit any synergies with other Union action programmes and funds with similar objectives in related fields.

Budget

The financial envelope for the implementation of the Programme for the period 2021-2027 shall be EUR 842 844 000 in 2018 prices.

The Programme shall not be used to cover costs relating to the potential withdrawal of the United Kingdom from the Union. The Commission shall reserve upon its own assessment resources in order to cover the costs relating to the disengagement of the United Kingdom from all Union customs systems and cooperation, and the lapsing of its legal obligations in this area.

Multiannual work programmes

The Programme shall be implemented by multiannual work programmes which shall set out the objectives to be pursued, the expected results, the method of implementation and the total amount of the financing plan. They shall also set out in detail a description of the actions to be financed, an indication of the amount allocated to each action and an indicative implementation timetable. The multiannual work programmes shall be, communicated to the European Parliament where applicable.

2018/0232(COD) - 15/01/2019 Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 596 votes to 44, with 57 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council establishing the Customs programme for cooperation in the field of customs.

The matter was referred back to the competent committee for interinstitutional negotiations.

The main amendments adopted in plenary concern the following issues:

Objectives

This Regulation seeks to establish the customs programme for cooperation in the field of customs for the period 2021-2027. Members pointed out that the long-term objective of the programme should be to ensure that all EU customs administrations work together as closely as possible, to guarantee the safety and security of Member States and to protect the Union against fraud and unfair and unlawful commercial practices, while encouraging legitimate economic activities and a high level of consumer protection.

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- to assist with IT capacity building, which consists in developing, maintaining and operating the electronic systems of the Union Customs Code, and enabling a smooth transition to a paperless environment and trade in line with this Regulation;
- to finance joint actions, which consist in cooperation mechanisms enabling officials to carry out joint operational activities under their core responsibilities, share experience in the customs field and join efforts to deliver on customs policy;
- to enhance human competencies, supporting the professional skills of customs officials and empowering them to fulfil their role on a uniform basis;
- to support innovation in the area of customs policy.

Members considered that the purchase of software that is needed to perform tight border controls should be eligible for funding under the Programme. Furthermore, the purchase of software that can be used in all Member States should be encouraged in order to facilitate exchange of data.

The Programme shall also support the continuous evaluation and monitoring of the cooperation between customs authorities with a view to identifying weaknesses and possible improvements. It shall be consistent with and exploit any synergies with other Union action programmes and funds with similar objectives in related fields.

Budget

Members proposed a financial envelope for the implementation of the Programme for the period 2021-2027 to be EUR 842 844 000 in 2018 prices (EUR 950 million in current prices).

The Programme shall not be used to cover costs relating to the potential withdrawal of the United Kingdom from the Union. The Commission shall reserve upon its own assessment resources in order to cover the costs relating to the disengagement of the United Kingdom from all Union customs systems and cooperation, and the lapsing of its legal obligations in this area.

Multiannual work programmes

The Programme shall be implemented by multiannual work programmes which shall set out the objectives to be pursued, the expected results, the method of implementation and the total amount of the financing plan. They shall also set out in detail a description of the actions to be financed, an indication of the amount allocated to each action and an indicative implementation timetable. The multiannual work programmes shall be, communicated to the European Parliament where applicable.

2018/0232(COD) - 16/04/2019 Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 558 votes to 35, with 52 abstentions, a legislative resolution to the proposal for a regulation of the European Parliament and of the Council establishing the Customs programme for cooperation in the field of customs.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Objectives

This Regulation seeks to establish the customs programme for cooperation in the field of customs for the period 2021-2027. Members pointed out that the long-term objective of the programme should be to ensure that all EU customs administrations work together as closely as possible, to guarantee the safety and security of Member States and to protect the Union against fraud and unfair and unlawful commercial

practices, while encouraging legitimate economic activities and a high level of consumer protection.

The Programme has the following specific objectives:

- to assist with IT capacity building, which consists in developing, maintaining and operating the electronic systems of the Union Customs Code, and enabling a smooth transition to a paperless environment and trade in line with this Regulation;
- to finance joint actions, which consist in cooperation mechanisms enabling officials to carry out joint operational activities under their core responsibilities, share experience in the customs field and join efforts to deliver on customs policy;
- to enhance human competencies, supporting the professional skills of customs officials and empowering them to fulfil their role on a uniform basis;
- to support innovation in the area of customs policy.

Budget

Parliament proposed a financial envelope for the implementation of the Programme for the period 2021-2027 of EUR 842 844 000 in 2018 prices (EUR 950 million in current prices).

The Programme shall not be used to cover costs relating to the potential withdrawal of the United Kingdom from the Union. The Commission shall reserve upon its own assessment resources in order to cover the costs relating to the disengagement of the United Kingdom from all Union customs systems and cooperation, and the lapsing of its legal obligations in this area.

Members considered that the purchase of software that is needed to perform tight border controls should be eligible for funding under the Programme. Furthermore, they suggested that the purchase of software that can be used in all Member States should be encouraged in order to facilitate exchange of data.

External experts

They shall be selected by the Commission on the basis of their competence, experience in the field of application of this Regulation and their relevant knowledge of the specific action being taken, avoiding any potential conflict of interest. The selection shall strike a balance between business representatives and other civil society experts, as well as take into account the principle of gender equality. The list of external experts shall be regularly updated and made accessible to the public.

Multiannual work programmes

The Programme shall be implemented by multiannual work programmes which shall set out the objectives to be pursued, the expected results, the method of implementation and the total amount of the financing plan. They shall also set out in detail a description of the actions to be financed, an indication of the amount allocated to each action and an indicative implementation timetable.

Indicators for reporting on the performance of the Programme towards the achievement of the specific objectives provided for in Annex 2. The Commission shall provide the European Parliament and the Council with reliable information on the quality of the performance data used.

The interim evaluation of the programme shall be carried out as soon as sufficient information on its implementation is available, but no later than three years after the start of the programme implementation.