



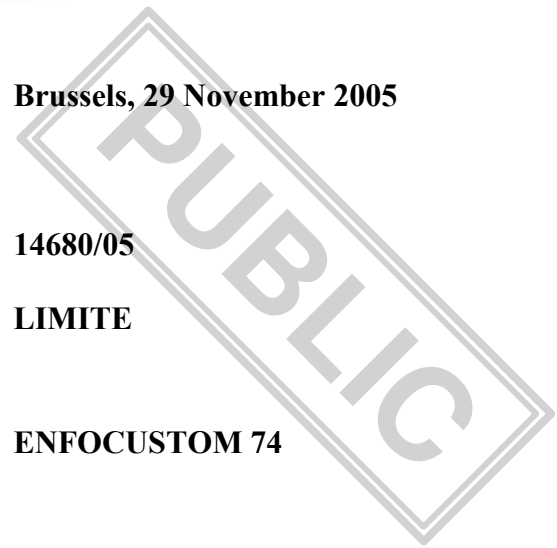
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 November 2005

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LIMITE

ENFOCUSTOM 74



NOTE

from : Presidency

to : Customs Cooperation Working Group

No. prev. doc. : 11993/1/05 ENFOCUSTOM 45 REV 1
15315/2/03 ENFOCUSTOM 41 REV 1
11167/5/03 ENFOCUSTOM 29 ENFOPOL 84 REV 5
16212/03 ENFOCUSTOM 46

Subject : Revised Work plan for the strategy for customs co-operation

1. The first 36-month **Work Plan** (2004 – 2006) is a further step towards implementing the strategy for Customs co-operation approved in Council Resolution of 2 October 2003 (OJ C 247, 15.10.2003, p.1) and defined in the document 11167/5/03 ENFOCUSTOM 29 ENFOPOL 84 REV 5. The original Work Plan identified eleven **Work Areas**, as well as for each Work Area a series of **Activities/Actions** together with **Performance Indicators, Deadlines and Priorities**. The Work Plan contained 44 individual Actions/Activities to be launched by the CCWP.
2. Following the mid-term review (doc. 11993/1/05 ENFOCUSTOM 45 REV 1), the Presidency convened the Work Plan Drafting Group in order to adopt the Work Plan to take account of the outcome of the review and only changed circumstances.

3. In the revised Work Plan as set out hereafter
 - the completed actions have been greyed out to provide a better overview of the work still to be done
 - the work area "cooperation with other Council Working Groups" has been deleted as this is standard procedure and not work area which the CCWG can action
 - in a number of cases, it is suggested that project groups working on one activity also deal with another, related activity (see column "Responsible Party").
 - actions which the Drafting Group felt should be completed within the lifespan of the current Work Plan have been given a deadline of (at the latest) December 2006; a small number of actions, for which this was not the case have been marked as "defer" (see column "Priority")
4. Delegations are invited to examine the revised Work Plan as set out in the current document, with a view to approving it at the CCWG.
5. Once approved by the CCWG, this revised Work Plan will be submitted to the CATS for endorsement.

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
1.1	Monitor the effectiveness of the operation of CIS/FIDE	C	See note	Monthly updates produced on usage of the system. This is a regular CCWG Plenary agenda item	MS <i>Other interested parties:</i> Commission
1.2	Based on the ongoing monitoring, develop a strategy to maximise use of CIS/FIDE	C	High	Draft strategy to the CCWG (Completed: 5472/3/05 ENFOCUSTOM 6 REV 2) Within 1 year review efficacy and develop new strategy.	CCWG
1.3	Establish the current situation regarding the existence of databases in support of customs activity in the MS and examine the possibility of making national information available and accessible to MS in line with EU developments	A,B	High	Study report to CCWG. Deadline: Dec 2006	CCWG (IT Project Group)

¹ The CCWG will ensure that the Committee of Art. 16 of the CIS Convention will monitor (and report annually on) compliance of MS with the provisions of the Convention in their application of CIS.
The MS and CCWG will support review of all 3rd Pillar IT systems and follow up the Art. 36 Committee conclusions on the report of the ad hoc group on the possible options for the long-term future of law enforcement systems.

Work Area 2. Risk management and analysis

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
2.1	Consider the feasibility of an integrated (1 st and 3 rd Pillar) risk management system in consultation with DG TAXUD.	A,B,C	High	Feasibility report produced (Completed: 10971/1/05 REV 1 ENFOCUSTOM 32) Follow-up to be covered by the CCWG Expert Group using the list of national intelligence contact points	CCWG
2.2	Identify possibilities for establishing a systematic exchange of information between risk analysis units of the competent authorities of the MS as well as with OLAF and EUROPOL. ¹	A,B,C	High	<i>Await outcome of 2.1 above and work of Experts Group.</i>	CCWG (Project Group?)
2.3	Collate existing and develop new risk indicators and profiles to identify natural or legal persons involved in illegal trafficking in goods.	A,B,C	High	Risk Indicators developed and included in JCO Guide (Completed: 8785/05 ENFOCUSTOM 26) Follow-up to be covered by the CCWG Expert Group using the list of national intelligence contact points	CCWG

¹ The preparation/implementation of this action requires preliminary agreement of the other interested parties mentioned in column 2 and/or column 6.

Work Area 3. Strategic Threat Assessment

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
3.1	Conduct a comprehensive EU-wide assessment of threats from the Customs perspective, taking into account national threat assessments, Europol and OLAF intelligence and analysis, annual situation report on organised crime, etc. ¹	A,B	High	<p>An agreed methodology (incl. an agreed model for data collection) for compiling threat assessment reports produced. Deadline: <i>December 2006</i>. Preliminary work completed 12784/05 ENFOCUSTOM 52.</p> <p>EU-wide threat assessment reports produced for every sector of customs crime, e.g. drug trafficking, excise fraud, etc. Deadline: Annually.</p> <p>Threat Assessment for cocaine completed in 2005: 12784/05 ENFOCUSTOM 52</p> <p>Threat Analysis in other sectors of customs activity to be worked out by Member States and bodies of the EU.</p> <p>JCOs and other appropriate enforcement actions to combat perceived threats</p>	<p>CCWG</p> <p><i>Other interested parties:</i> Europol OLAF</p>

¹ The preparation/implementation of this action requires preliminary agreement of the other interested parties mentioned in column 2 and/or column 6.

Work Area 4. Border Management (Border Strengthening)

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
4.1	<p>Monitor developments in relation to the Seville Council Conclusions and, in particular, the establishment of an EU Border Management Agency with a view to:</p> <ul style="list-style-type: none"> ensuring recognition of the role of customs administrations in border management taking into account the Commission Communication regarding the role of the customs in the integrated management of the external frontiers; clarifying the working relationship between EU customs administrations and the new agency, ensuring their involvement in border management.] 	A,B	High	<p>Developments monitored</p> <p>Report and recommendations to the CCWG.</p> <p><i>Work has been started in a PG and deferred by decision of Director Generals in the Gdansk meeting. New action might be required in light of future review of FRONTEX and awaited study on the future role of Customs and possible creation of an agency.</i></p>	<p>CCWG (Project Group?)</p> <p>Presidency</p>
4.2	Study the role of Customs in the Member States in relation to security/anti-terrorism at EU borders.	A,B,C	High	<p>Questionnaire to gather information on role of MS customs in relation to security/anti-terrorism developed. (Completed: 11568/04 ENFOCUSTOM 47)</p> <p>Ongoing work in Project Group. One report already issued (10238/2/04 ENFOCUSTOM 39 REV 2)</p> <p>JCO underway and future JCOs planned.</p>	<p>CCWG (Counter-Terrorism Project Group – also looking at 8.2)</p>

Work Area 5. Training

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
5.1	Evaluate the training needs of customs administrations in relation to their 3 rd Pillar role. Explore options for funding of Customs training (previously 5.3)	A,B,C	High	Questionnaire agreed by CCWG Deadline: 28.02.2006 Training evaluation report published. Deadline: 31.07.2006. Common training framework developed. Deadline: 31.12.2006.	CCWG (Training Project Group)
5.2	Examine, in conjunction with the PCWG, EUROPOL and CEPOL, the potential for joint training for customs and police with similar responsibilities and functions. ¹ Examine and report on the potential for inter-agency and international exchanges of staff between Customs (and other authorities in the MS responsible for implementing customs legislation) and other relevant law enforcement agencies. ¹ (previously 8.6)	A,B	Potential to defer	Assessment of potential joint training produced. This work is consequential from 5.1 and the evaluation of CEPOL	CCWG (Project Group?) Other interested parties: EUROPOL, PCWG, CEPOL

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Work Area 6. Improving Operational Co-operation

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
6.1	Evaluate the need for a permanent OCU for Joint Customs Operations and analyse the options for the establishment of such a unit.	A,B,C	High	Report with recommendations to CCWG. Complete: operational co-ordination arrangements agreed in 2005 (9335/1/04 ENFOCUSTOM 31 REV 1)	CCWG
6.2	Identify and analyse suitable joint investigations (minimum of 3) with a view to identifying “best practice” and promoting the increased use of joint investigations.	A,B	High	Suitable Joint Investigations identified and analysed and “best practice” guidelines published. Deadline: March 2006.	CCWG (Project Group on Joint Investigation Teams also looking at 6.4)
6.3	Evaluate the role played by Customs in Europol and examine options for increasing the Customs profile, in particular, participation by Customs in HENU meetings, Europol National Units and Europol Headquarters. ¹	C	High	Evaluation report to CCWG. Completed 12301/2/04 ENFOCUSTOM 58 EUROPOL 41 REV 2	CCWG
6.4	Analyse the current options open to MS for the co-ordination of investigations and evaluate the relative merits of these options.	C	High	Report with recommendations to CCWG. Deadline: March 2006	CCWG (Project Group on Joint Investigation Teams also looking at 6.2)
6.5	Examine funding aspects of JCO’s.	C	High	Report with recommendations to CCWG. Deadline: March 2006.	CCWG (JCO FundingProject Group)

¹ The preparation/implementation of this action requires preliminary agreement of the other interested parties mentioned in column 2 and/or column 6.

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
6.6	Evaluate the application of the Naples II Convention by the MS of the EU. Also 9.4	C	High	Evaluation mechanism developed. Deadline: 30.6.2004 Evaluation report to CCWG. Completed 6789/04 ENFOCUSTOM 13	CCWG
6.7	Distribute the Naples II Manual in electronic format in all languages.	C	Medium	Electronic version of Naples II manual distributed. Deadline: December 2006.	CCWG (Project Group)
6.8	Evaluate and report on co-operation between MS competent authorities in customs matters and Commission (OLAF)	C	High	Evaluation report to CCWG. Deadline:: 31.12.2006	CCWG (tbc)
6.9	Conduct a survey of the resources available in the MS with a view to the establishment of minimum standards of compatibility (e.g. for communications equipment)	A,B	Low	Questionnaire finalised. Deadline: December 2006 Compatibility standards agreed. Deadline December 2006.	CCWG (Experts Group)

Work Area 7. Co-operation with Third Country Customs Administrations

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
7.2	Study and report on existing arrangements/programmes currently in place with respect to training and exchanges customs officers from 3 rd countries In EU MS (especially from those countries bordering the EU).	A,B,C	Medium	Report to CCWG. Complete. 6189/2/05 ENFOCUSTOM 9 Follow-up actions to arise from new External Relations strategy	CCWG (Project Group)
7.3	Examine and report on ways of improving co-operation with 3 rd countries, taking into account existing commitments at EU level, such as those with Russia, Ukraine, Mediterranean countries and Balkan countries.	A,B,C	Medium	Report to CCWG on action required to implement the customs aspects of the relevant strategy/agreement/action plan. Complete. 6189/2/05 ENFOCUSTOM 9	CCWG (Project Group)

Work Area 8. Inter-agency Co-operation

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
8.2	Examine and report on the requirements in relation to the exchange of information and the co-ordination of investigations, in particular relating to restrictions on exportation and prevention of WMD.	A,B	High	Report to CCWG The report should include a feasibility study on a central contact point at EU level and a European system for the security of EU Customs stamps. Deadline: December 2006	CCWG (Counter-Terrorism Project Group also considering 4.2) <i>Other interested parties:</i> Europol Eurojust Terrorism WG
8.3	Examine and report on opportunities for closer co-operation between the MS in relation to trafficking in excise goods	C	High	Report to CCWG. Completed for tobacco smuggling (13775/2/04 ENFOCUSTOM 68 REV 2), ongoing for alcohol smuggling.	This is being taken forward under Work Area 6
8.5	Examine and report on the potential for the appointment of joint Police / Customs Liaison Officers (taking into account the Council Decision 2003/170/JHA of 27.2.2003 published in OJ L 67 12.3.2003, p.27) (This task is obsolete in light of developments in this area)			Nordic countries presentation and report to CCWG Deadline June 2006	Taken forward in MDG Nordic countries

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
8.7	Compare experiences on established common centres for police, customs and other border law enforcement agencies.	A,B,C	Medium	Report on “Best Practice” for common centres. Report deadline: December 2006	CCWG (Project Group of MS with relevant expertise)

Work Area 9. Legislation

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
9.1	Promote and monitor ratification of existing Conventions in accordance with MS obligations			Six monthly review as standing CCWG Plenary agenda item	Presidency
9.2	Review operation of existing legal instruments and subsequently report on the need for new or improved legal instruments.	C	High	<p>Reports to CCWG in relation to:</p> <ul style="list-style-type: none"> • Naples II Convention (also 6.6 and 9.4) • CIS Convention and Protocols • Council Resolution on JCO Handbook • Joint Action on Police /Customs Agreements (29.11.1996) • Joint Action on targeting criteria, selection methods, etc. (9.6.1997) • Joint Action on the directory of specialized skills and expertise, etc. (29.11.1996) • Joint Action of co-operation between Customs and business organisations in combating drug trafficking (29.11.1996) <p>Completed: 11316/3/05 ENFOCUSTOM 35 REV 3</p> <p>Follow-up work to monitor usage and implementation of new instrument</p>	CCWG

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
9.3	Monitor developments and assess the potential impact of new EU Treaty on 3 rd Pillar instruments.	A,B,C	Defer	Impact study completed. Deadline: tbc	CCWG (Project Group?), CLS
9.4	Conduct a comparative analysis of Mutual Assistance instruments in the 3 rd Pillar area (incl. Naples II, Convention on Mutual Assistance in Criminal matters (2000), Schengen, WCO, Europol).	C	High	Comparative analysis completed. Deadline: December 2006	CCWG (Project Group?)
9.6	Examine and report on legal barriers to information exchange in the context of JCOs involving 3 rd countries.	C	Medium	Report, including recommendations, to CCWG Deadline: December 2006	CCWG (Project Group / Experts Group?)
9.7	Update the existing study on legal powers to incorporate the situation in the new MS.	C	Low	Updated study completed. Deadline: December 2006	CCWG (Project Group?)

Work Area 10. Public confidence in Customs

Code	Action/Activity	Strategic Objective	Priority	Performance Indicator (incl. timescale)	Responsible Party
1	2	3	4	5	6
10.1	Examine and report on current activities and methods used in the MS with regard to publicising the work of Customs.	D	High	Report to CCWG. Deadline: March 2006	CCWG Public Confidence Project Group
10.2	Develop “best practice” guidelines for Customs administrations in relation to the maximum promotion of Customs amongst the general public, particularly in relation to the successful use by Customs of JCOs..	D	High	Guidelines published Deadline: March 2006	CCWG Public Confidence Project Group
10.3	Examine and report on options for the development and hosting of a customs Internet site.	D	High	Report to CCWG. Deadline: July 2006	CCWG Public Confidence Project Group