

**Final conclusions of the working group
on the means to reconcile safety and security, trade facilitation and the
fight against fraud
16 November 2006, Naples**

The working group on the means to reconcile safety and security, trade facilitation and the fight against fraud was set up during the first Conference on customs and cross-border co-operation between the countries of South-East Europe, which took place on 25 & 26 February 2004 in Thessalonica.

Its conclusions, endorsed by the Directors General, were that:

- The evolution of the international situation during the last few years has made safety and security issues, and namely security of commercial exchanges, one of the highest priorities. In this context, customs, as an instrument of trade regulation and an important stakeholder for the protection of society, has a central role to play.
- Recent events impose on customs administrations the necessity to reconsider their strategy in order to develop tools that take into account these issues and to enhance and strengthen the means implemented to ensure the security of the international trade supply chain as well as the safety of the society.
- It is important to ensure a correct balance between the needs for trade facilitation to ensure economic development on the one hand, and those of safety and security and the fight against fraud on the other.
- This implies constraints, but customs administrations must fully exploit the benefits that may derive from these constraints, for instance those made available by information technology and harmonisation of procedures, and take advantage of this potential in the facilitation of legitimate trade.

In order to achieve these objectives, it made a series of recommendations, which were all endorsed by the Directors General. It also adopted a roadmap in order to guide each country.

Since the initial Conference in Thessalonica, the group met on a regular basis to assess the progress made in meeting the initial recommendations and to fix regular short term objectives.

At its 4th and latest meeting of 16 November 2006 the working group:

- concluded that very positive developments have taken place in several areas;
- took note with satisfaction that regional cooperation has been strengthened;

- took note that customs legislation has been further approximated with the EU *acquis*, although further efforts are needed, including in respect of its full implementation;
- took note that some mutual assistance agreements have been signed between the customs administrations of the region;
- took note that some countries had acceded to the Convention 108 of the Council of Europe and account is being taken of data protection and integrity aspects;
- took note that electronic messaging systems have been implemented in the region, though further efforts could be taken;
- took note that major progress has been done in the area of risk analysis, although further cooperation could improve the common understanding and the full implementation of the procedures;
- took note that new memoranda of understanding have been signed with the trade and public organisations, and that this constructive dialogue is continuing.

- Agreed on the importance of developing/updating and implementing training strategies.

- Recognized the need to pursue this work further and to ensure that the legislative and information technology parts of this work are fully completed and properly implemented in order to comply with all recommendations endorsed in Thessalonica.

- Agreed on the usefulness of sharing experience and best practices and that regional cooperation should continue and be further enhanced.

- Recognized that further actions should be carried out by each administration before the next conference, which will take place in 2008, and fully committed themselves to carrying out these actions.

- As regards non-EU countries, agreed to develop further the following actions before the next conference, with an emphasis on ensuring their full implementation:

1) Adopt, if not already done, a national strategy on the implementation of risk analysis for security and safety purposes, based on the latest EU standards and the WCO Framework of Standards (SAFE). Take full account of the amendments to the EU Customs Code on security (Regulation EC No. 648/2005), its implementing provisions and best practices, paying special attention to the EU Customs Blueprints.

Report on the latest activities in this respect and on further plans for the future.

2) Work toward the full alignment of customs legislation and control procedures with the EU *acquis* and standards/recommendations (specifically in

areas such as intellectual property rights, dual-use goods). Issue all necessary instructions to customs officers and organise training actions in this respect.

Provide details on what has been done in this regard in 2007.

3) Conclude and implement further mutual assistance agreements, where necessary; and in this framework continue to pay attention to data protection and confidentiality. In this respect the accession to the Convention for the protection of individuals with regard to automatic processing of personal data of 1981 of the Council of Europe is strongly recommended.

Report on the latest developments in this area.

4) Strengthen and fully implement a national strategy on the fight against customs related corruption in relation to reconciling safety and security, including preventive actions.

Report on all actions carried out as well as on the number of detected cases and sanctions taken.

5) Where not yet done, adopt and fully implement a national training strategy with the intention of increased capacity building and devote the necessary resources (human and financial).

Provide information regarding the adoption of a strategy and its implementation.

6) From the customs perspective, try at national level, to move towards implementing the concept of the “single window”, in line with EU, WCO and UN recommendations.

Report on the situation and on the future plans in this respect.

7) From the customs perspective further progress in the area of Integrated Border Management.

Report on the situation and on the future plans in this respect.

- Agreed that the working group should return to the issue of the powers of customs administrations.
- Agreed that each administration of the non-EU countries should report on its concrete progress and achievements in respect of the above items at least one month before the next conference.