

ANNEX III

Inventory of existing electronic systems/documents and initiatives related to customs procedures, under other DG's competence

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DG AGRI: Import and export licences and other accompanying documents for agricultural products

1. Legal bases

Article 19 of Commission Regulation (EC) N° 1291/2000

2. Purpose and Objectives of the system

The import and export of certain agricultural products requires the presentation of an import/export licence. Article 19 of Commission Regulation (EC) N° 1291/2000, which is the horizontal regulation laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, already foresees the issuing and use of electronic licences and certificates.

An operator has to submit an application for an import/export licence to the relevant issuing body, i.e. the competent authority of a Member State responsible for receiving applications and issuing agricultural licences. The applicant generally is any interested party established in the Community. The application form may be a paper document, a telex, a fax, or an electronic message. The application is accompanied by the lodging of a security, to ensure the commitment taken by the operator and the reliability of the monitoring and management system. The Member States have the possibility to set up an IT system so that the licences are held by the issuing body or the authority responsible for paying the refund. A licence can be used in a unique or several import/export procedures. It should be noted that a licence can be split up into extracts. It should also be noted that for most products licences are transferable. A licence can be used anywhere in the Community.

DG AGRI has, in co-operation with DG TAXUD, envisaged a project of uploading in the TAXUD Specimen Management System (SMS) the stamps of the authorities competent for issuing import/export licences for agricultural goods. The stamps have to be disseminated to every customs office. The action should start as soon as possible.

Certain documents must be presented when particular agricultural products are imported. These documents have been listed in a list prepared by DG TAXUD (see Annex I). Information related to these accompanying documents is also inputted in the TARIC by DG TAXUD services.

3. Link to customs systems

The import and export licences in question are all integrated in the TARIC. Their declaration codes are defined by the TARIC.

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

DG AGRI: AMIS Quota

1. Legal bases

Provisions opening and administrating specific Community agricultural import tariff quotas are laid down in various Council and Commission Regulations. See for example Commission Regulation (EC) No 565/2002 of 2 April 2002 establishing the method for managing tariff quotas for garlic imported from third countries

2. Purpose and Objectives of the system

The AMIS (Agricultural Market Information System) Quota project foresees a central and integrated IT system that will improve the management of agricultural import tariff quotas that are administrated by means of import licences and other than those managed by the DG TAXUD “first come, first served” system. The project will allow the Member State competent authorities to feed the IT system directly with data concerning the quantities covered by import licences.

The AMIS Quota system will provide support for the management of quotas within DG AGRI, and will facilitate the transfer of information between competent authorities within Member States and DG AGRI, as well as the consultation of significant information. The quotas are managed by DG AGRI, through competent authorities in the Member States. Importers apply to the national authorities for import licences. The Member States send to DG AGRI information about the quantities covered by the requested licences. DG AGRI verifies whether the requested quantity is compatible with the available quantity within the quota and fixes, if necessary, an allocation coefficient to be applied to each individual request. Then, the national authority issues the import licence, which normally must be presented to the customs authorities by the importer, together with the goods declared for free circulation (see article 25 of Regulation 1291/2000). The customs services are responsible for verifying that the goods comply with the import licence. Once the whole quantity, for which the licence has been issued, has been imported, the licence is returned to the issuing authorities.

AMIS Quota will only contain a part of the information covered by the corresponding import licences (i.e. order numbers, origins, initial quantities, balances and CN codes). The licences as such and other information as licence number, applicant, etc. are managed by the national competent authorities and are not entered into AMIS Quota. Links to third countries’ systems are not yet foreseen either. However, the system could be extended at a later stage. Such possibilities will be examined in the ISAMM project.

The information system will also be the source for data being inputted into the DG TAXUD QUOTA website on the Europa server and will make certain information publicly available, such as the quota initial quantities and balance. It will therefore supplement the information on DG TAXUD “first come, first served” agricultural quotas currently available on Europa.

3. Link to customs systems

AMIS quota has been developed to be integrated with the tariff quotas system of TAXUD (web based). Relevant information (mainly order numbers and balances) will be published on TAXUD DDS web site on Europa that contains hyperlinks to TARIC.

4. Stakeholders and accessibility of the system**5. Timetable of planned actions**

The system is foreseen to be operational from 2006.

DG AGRI: ISAMM project

1. Legal bases

Provisions covering the agricultural CMOs (Common Market Organisations) are laid down in various Council and Commission Regulations. See for example Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals

2. Purpose and Objectives of the system

Daily running of the CAP implies many different processes managed by the Commission services and involves extensive exchange of data with national administrations and subsequent processing of such data to adopt decisions. The CAP is currently managed by different IT tools and most of the communications exchange between the Commission services and Member States are still based on paper or fax/e-mail.

The ISAMM (Information System for Agricultural Management and Monitoring) will replace the current AMIS system and it aims to build a new integrated and extended system to support CAP processes. The system will cover the business processes related to the management of agricultural markets, excluding the budget and control processes and the processes linked to the rural development measures that are already covered by existing systems. Besides helping DG AGRI services to manage internally the processes of the CAP, the system will facilitate the exchange of information with Member States.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

The first stage of the ISAMM (Information System for Agricultural Management and Monitoring) project was a preparatory study conducted internally to DG AGRI in 2004. The next step will be a pre-analysis study in 2006 via an external contract. It is foreseen (i) starting with the analysis of all the business processes currently used for supporting the market management, (ii) proceeding to a review, simplification/rationalisation of these business processes, taking into account of the reformed CAP rules and of the market units' needs, and (iii) on the basis of the results of step (ii), developing a new information system.

DG ENV: REACH

1. Legal bases

Commission Proposal 2003/0256(COD) for a Regulation of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency and amending Directive 1999/45/EC and Regulation (EC) {on Persistent Organic Pollutants}

2. Purpose and Objectives of the system

The system "Registration and Authorisation of Chemicals" (REACH) is a legislative initiative which is currently subject to discussions on Council level. It will prohibit imports of chemicals which are not authorised for use in the European Union as well as of products which contain such chemicals.

3. Link to customs systems

Possible link to customs systems may occur where substances (on their own, contained in preparations or articles) are banned by REACH from manufacturing, placing on the market or using. The necessary information on the substance should be held by the importer in form of a safety data sheet.

This possibility, however, depends entirely on individual Member States' choices of enforcement methods.

4. Stakeholders and accessibility of the system

Information collected by the Chemical Agency will contain information on chemicals manufactured or imported to the EC in volumes of 1 tone or more per year per manufacturer/importer. In particular the information will include: intrinsic properties of registered substances, classification and labelling, declared uses of substances, tonnages of manufactured/imported substances per manufacturer. This information may not be of much use for customs services. Banned substances will be published in the Official Journal in a form of an amendment of the Regulation.

5. Timetable of planned actions

Expected entry into force: 2007.

DG ENV: PIC

1. Legal bases

Regulation (EC) 304/2003

2. Purpose and Objectives of the system

The Rotterdam Convention on Prior Informed Consent sets up a system to control international trade in certain hazardous substances (PIC). It foresees controls relating to imports and exports of dangerous chemicals.

3. Link to customs systems

A project pursuing the integration of PIC in TARIC has been launched.

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

DG ENV: CITES

1. Legal bases

Regulation (EC) 338/1997

2. Purpose and Objectives of the system

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) foresees the presentation of specific documents when specimen of the species listed in its annexes are imported or exported. Species listed in Appendix I and II of CITES (Annex A and B of Regulation (EC) 338/1997) can only be imported into the Community if an export permit from the country of origin and an import permit from the competent authority of the Member States of destination have been issued prior to the shipment. Export and import data are included in a database in order to monitor levels of trade.

Currently the CITES and EU licensing systems are paper-based. However a working group of the CITES Management Committee is currently considering ways of ensuring that the processing of CITES documents by customs is in line with developments of the Community Customs Code.

3. Link to customs systems

CITES measures are available in the TARIC.

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

A working group should submit initial results as regards synergies between Customs procedures and CITES to the CITES Management Committee in April 2006. The Committee and Commission will then consider how to take any proposals forward.

DG ENV: ODS

1. Legal bases

Regulation (EC) 2037/2000

2. Purpose and Objectives of the system

Based on the Montreal Protocol on Substances that Deplete the Ozone Layer, DG ENV has developed an electronic licensing system for ozone depleting substances (ODS) that applies to all Member States.

<http://europa.eu.int/comm/environment/ozone/ods.htm>

3. Link to customs systems

Control measures on Ozone Depleting Substances are available in the TARIC. ODS are also listed in the [ECICS](#) (European Customs Inventory of Chemical Substances) database.

4. Stakeholders and accessibility of the system

Concerned companies have access to the system where they can request licences, introduce requests for import quotas for the following year (the so-called “declarations” that need to be checked and approved by the Management Committee and lead to annual Commission decisions on quota allocations).

Other types of access to the system:

- a. Authorised by the Commission users of ODS for essential and critical uses
- b. Regional customs offices
- c. Competent Authorities of Member States
- d. TAXUD (as a guest)

ODS homepage provides useful information to the companies: relevant legal acts, decisions, guidance documents, forms for filling in for annual data reporting exercise.

5. Timetable of planned actions (for 2006)

The ODS homepage will be reorganised during the first half of 2006, in order to make it simpler and more user friendly.

We are also considering the possibility to give regional customs offices wider access to the system, so that they can better monitor the movement of ODS across the EU (currently, they can only see licensing transactions for their Member State).

DG FISH: CICTA and CTOI

1. Legal bases

Règlement (CE) n° 1984/2003

2. Purpose and Objectives of the system

Les envois de tous produits d'espadon, de thon obèse et de thon rouge doivent être accompagnés d'un document statistique à l'importation et à l'exportation et d'un certificat de réexportation validé sur la base des documents statistiques précédents en cas de réexportation.

Les documents statistiques et les certificats de réexportation doivent être validés par des autorités désignées par les Parties contractantes de la CICTA (Commission Internationale pour la Conservation des Thonidés de l'Atlantique) (les 3 espèces) ou de la CTOI (thon obèse ; Commission des Thons de l'Océan Indien) ou les Parties non contractantes qui coopèrent à leurs programmes. Afin de faciliter l'application de ces programmes, la CICTA et la CTOI ont chacune mis en place une base de données sur la validation des documents statistiques et des certificats de réexportation.

3. Link to customs systems

Documentary requirements on Bluefin tunas (*Thunnus thynnus*), Atlantic bigeye tuna (*Thunnus obesus*) and swordfish (*Xiphias Gladius*) are in the TARIC. Their declaration codes are defined by the TARIC.

4. Stakeholders and accessibility of the system

Les bases de données sont centralisées aux Secrétariats de la CICTA et de la CTOI. Elles sont alimentées par les informations communiquées par les Etats, entités et entités de pêche appliquant les programmes de documents statistiques.

Les bases de données permettent d'accéder, avec un mot de passe attribué aux Parties évoquées plus haut, aux détails de ces autorités: noms, adresses, empreintes de cachets, et noms et signatures des fonctionnaires (dans le cas d'habilitations individuelles).

Dans le cas de la CICTA, le public a accès à une base de données qui est limitée aux noms des Etats, entités et entités de pêche appliquant les programmes et aux dates de notification de leurs autorités de validation pour chaque programme concerné.

5. Timetable of planned actions

Programmes de documents statistiques CICTA et CTOI : Révision annuelle et adoption éventuelle d'amendements à transposer dans le droit communautaire.

Bases de données (point 4) : mise à jour continue sur la base des informations reçues par les Secrétariats de la CICTA et de la CTOI.

DG FISH : Schéma de documentation des captures de Dissostichus spp. (CDS)

1. Legal bases

Règlement (CE) n° 1035/2001, modifié par le Règlement (CE) n° 669/2003

2. Purpose and Objectives of the system

Les envois de tous produits de *Dissostichus* spp. doivent être accompagnés d'un document de capture à l'importation et à l'exportation et d'un document de réexportation validé sur la base des documents de capture précédents en cas de réexportation.

Les documents de capture et les documents de réexportation doivent être délivrés et contrôlés par des autorités désignées par les Etats parties contractantes de la CCAMLR (Commission pour la Conservation de la Faune et de la Flore Marines de l'Antarctique) ou Etats parties non - contractantes qui coopèrent à son schéma de documentation des captures.

Les systèmes suivants, placés sur la page CDS sur le site Internet du Secrétariat de la CCAMLR, sont accessibles aux autorités nationales participant au schéma, avec un mot de passe, afin de faciliter son application:

2.1 Liste des autorités nationales et des officiers de contact pour la délivrance et le contrôle des documents de capture et des documents de réexportation (noms, adresses, empreintes des cachets)

2.2 Modèle du document de capture et du document de réexportation

2.3 Documents de capture délivrés pour des captures saisies (liste par pays, motifs, copie des documents)

2.4 Documents de capture invalidés, annulés et/ou frauduleux (liste par pays, motifs, copie des documents)

2.5 Coopération avec les parties non contractantes (liste, détails, nature de la coopération)

2.6 Débarquements non conformes à la mesure de conservation 10-05 (CDS) : liste par pays, constatations, bateaux, quantités, suites

2.7 Circulaires CCAMLR de l'année relatives au CDS

2.8 Guide pour la délivrance des documents de capture et de réexportation

2.9 Facteurs standard de conversion (poisson poids vif/produits)

2.10 Liste des informations à communiquer au Secrétariat de la CCAMLR par les Etats participant aux CDS

Par ailleurs, sur une base volontaire, les parties contractantes peuvent utiliser la version électronique du CDS, devenue pleinement opérationnelle depuis novembre 2004 pour délivrer et contrôler les documents de capture et les certificats de réexportation.

3. Link to customs systems

Documentary requirements, the so-called "catch document", on toothfish (*dissostichus*) are in the TARIC. Their declaration codes are defined by the TARIC.

Stakeholders and accessibility of the system

Les systèmes 2.1 à 2.10 sont centralisés au Secrétariat de la CCAMLR avec accès pour les autorités nationales et la Commission (DG Pêche et Affaires Maritimes).

Le système de document de capture électronique est centralisé au Secrétariat de la CCAMLR avec accès pour les autorités nationales l'appliquant volontairement.

Informations accessibles aux opérateurs: mesure de conservation de la CCAMLR 10-05 (schéma de documentation des captures de *Dissostichus* spp. transposé par le règlement (CE) 1035/01)

Accès aux documents de capture électroniques relatifs à leurs propres opérations de capture, d'exportation et d'importation.

4. Timetable of planned actions

Révision annuelle du schéma de documentation de captures de *Dissostichus* spp. avec adoption éventuelle d'amendements à transposer dans le droit communautaire.

Mise à jour continue des systèmes 2.1 à 2.10 selon les besoins.

DG FISH: Listes de navires des organisations régionales de pêche

1. Legal bases

Instruments contraignants adoptés par les organisations citées au point 2.

2. Purpose and Objectives of the system

Listes des navires autorisés à pêcher:

Organisations régionales de pêche (ORP): CICTA, CTOI, CGPM (Commission Générale des Pêches pour la Méditerranée), NAFO (Northwest Atlantic Fisheries Organisation), NEAFC (North East Atlantic Fisheries Commission) et WCPFC (Western Central Pacific Fisheries Commission)¹.

Chaque ORP établit une liste de navires d'une longueur de 24 mètres et plus (15 mètres pour la CGPM) battant pavillon d'une partie contractante ou d'une partie non contractante coopérante qui sont autorisés à pêcher, transborder et débarquer les espèces relevant de la compétence de cette ORP. L'Etat de pavillon a l'obligation d'assurer que les navires qu'il inscrit sur cette liste respectent les mesures adoptées par les ORP et n'ont pas d'antécédents de pêche INN (illicite, non déclarée, ou non réglementée). Les listes sont régulièrement mises à jour. Par ailleurs, les navires qui ne sont pas inscrits sur cette liste ne sont pas autorisés à pêcher, transborder et débarquer des espèces relevant de la compétence de l'ORP. Ce mécanisme mis en place récemment dans les ORP permet de lutter plus efficacement contre la pêche INN et de connaître l'ampleur des activités de pêche.

Listes des navires pratiquant des activités INN:

ORP: CCAMLR, CGPM, CICTA, CTOI, NEAFC.

Chaque ORP a défini une procédure et des critères, afin d'établir, de manière transparente et non discriminatoire, des listes de navires ayant des activités INN, sur la base des informations communiquées par leurs Parties contractantes et leurs Etats de pavillon. L'inscription d'un bateau sur ces listes entraîne certaines mesures leur interdisant notamment de pêcher, de transborder, de débarquer et commercialiser leurs captures réalisées dans la zone de compétence de l'ORP concernée. Ces listes sont adoptées lors des réunions annuelles. Elles sont mises à jour en fonction des changements de noms et de pavillon éventuellement constatés (listes CCAMLR pour les bateaux des parties contractantes et non contractantes).

L'utilisation combinée de ces deux types d'instruments donne donc aux Etats d'importation ou d'exportation de disposer des informations utiles à la prise de décision lors de l'accomplissement des formalités au franchissement de la frontière.

¹ Dernière mise à jour : juin 2005.

3. Link to customs systems

Listes des navires autorisés à pêcher : pas de liens spécifiques, mais accès libre.

Listes des navires pratiquant des activités INN : pas de liens spécifiques, mais accès libre aux listes adoptées par certaines organisations (CCAMLR, CICTA, CTOI, etc.).

4. Stakeholders and accessibility of the system

Listes de navires autorisés à pêcher: gestion centralisée aux Secrétariats des organisations à partir des données communiquées par les Etats de pavillon. Accès libre.

Listes de navires pratiquant des activités INN : adoption par les assemblées plénières des organisations – gestion centralisée aux Secrétariats des organisations). Accès libre aux listes adoptées par certaines organisations (CCAMLR, CICTA, CTOI, etc.).

5. Timetable of planned actions

Listes de navires autorisés à pêcher: mise à jour continue.

Listes de navires pratiquant des activités INN : révision annuelle par les assemblées plénières des organisations.

DG FISH : Fichier de la flotte de pêche communautaire

1. Legal bases

Article 15 du Règlement (CE) du Conseil n° 2371/2002 et Règlement (CE) de la Commission n° 26/2004

2. Purpose and Objectives of the system

La DG FISH gère le fichier de la flotte de pêche communautaire (Fichier Flotte ou FF), qui reprend tous les bateaux de pêche de la Communauté, ceux-ci étant définis comme étant des navires équipés en vue de l'exploitation commerciale des ressources aquatiques vivantes.

Le fichier contient des informations concernant l'identification des bateaux de pêche (nom, indicatif radio, marquage externe) ses caractéristiques techniques (longueur, jauge, puissance, engin de pêche), leurs armateurs et propriétaires. Toutes les modifications de ces informations étant reprises, le FF a une dimension historique.

Le FF fait l'objet d'une mise à jour tous les trois mois, mais les autorités des Etats membres peuvent procéder à des mises à jour intermédiaires dans certains cas si nécessaire (par exemple pour l'obtention d'une licence de pêche dans le cadre d'un accord avec un pays tiers). Les autorités des Etats membres ont accès à toutes les données de tous les bateaux de la flotte contenues dans le FF.

L'accès au FF dans le contexte du guichet électronique peut faciliter le contrôle des opérations réalisées sur présentation d'un formulaire T2M.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

DG FISH : Communication sous forme électronique de documents relatifs aux activités de pêche à des fins de contrôle

1. Legal bases

Règlement (CE) du Conseil n° 2371/2002

2. Purpose and Objectives of the system

Le Conseil a été invité à prendre une décision sur l'obligation de transmission, sur support informatisé, d'informations sur des activités de pêche (y compris les déclarations de débarquement, les transbordements et les notes de vente). Le dossier sera examiné par le Conseil et le Parlement à l'automne 2005. Des projets-pilote ont été lancés dans les Etats membres en vue d'évaluer la technologie à utiliser. Par ailleurs, le projet en cours de journal de bord européen électronique harmonisé et sécurisé (Secure and Harmonised European Electronic Logbook – SHEEL), a donné des résultats positifs. De tels projets, qui sont aussi conçus pour réduire les charges administratives incombant aux opérateurs, contribuent à l'amélioration des contrôles et à la diminution de leurs coûts.

3. Link to customs systems

No specific links foreseen for the time being. Declaration codes defined in TARIC.

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

See Point 2 above.

DG FISH : Contrôle des débarquements dans la Communauté par des navires de pays tiers

1. Legal bases

Article 28° du règlement (CEE) du Conseil n° 2847/1993

Article 4 du Règlement (CE) du Conseil n° 1093/1994

Article 28f du Règlement (CEE) du Conseil n° 2847/1993

2. Purpose and Objectives of the system

Les capitaines des bateaux de pêche (tels que définis à l'article 28 bis du règlement (CEE) du Conseil n° 2847/1993) doivent soumettre à l'Etat membre de débarquement certains documents permettant aux autorités de s'assurer de l'origine et du caractère licite des produits qu'ils désirent débarquer :

- (1) Notification 72 heures avant l'arrivée, indiquant le temps d'arrivée, les captures à débarquer et la ou les zone(s) de prise,
- (2) Déclaration du capitaine donnant les détails des origines, des quantités et des méthodes de commercialisation prévues pour les produits à débarquer,
- (3) Déclaration de débarquement présentée dans les 48 heures suivant la fin du débarquement, indiquant les quantités par espèces, dates et lieux de capture.

Il convient de noter que les débarquements ne peuvent pas commencer sans avoir été autorisés par les autorités compétentes, qui ont à vérifier le caractère licite des produits à débarquer avant de délivrer leur autorisation. Suivant la même approche et afin de protéger le marché interne, les produits de la pêche débarqués et destinés à entrer sur le marché communautaire ne peuvent pas être mis en libre pratique avant la réception, par les autorités compétentes, de la déclaration du capitaine.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

DG OLAF: COMEXT

1. Legal bases

2. Purpose and Objectives of the system

One of the monitoring tools DG OLAF is developing with the Joint Research Centre is based on statistical evaluation of trade information (COMEXT). This system, which helps e.g. detecting transshipments, is about to be set in place. Furthermore, OLAF has established numerous co-operation agreements with economic operators who provide for detailed trade flow information. More timely and accurate information on Community level, which could be generated by the single window, would improve the monitoring of targeted trade.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

DG OLAF: CISWEB

6. Legal bases

Reg. 515/97; CIS-Convention

7. Purpose and Objectives of the system

The Customs Information System contains two legally and physically separate databases as defined within the supporting legislation – namely Regulation 515/97 and the CIS Convention. These two legal instruments allow details of fraud and irregularities to be stored in a central database for the purposes of sighting and reporting, discrete surveillance and specific checks.

The two databases are managed by OLAF and together with the competent authorities of the MS are partners in the use of an anti-fraud database(s) in order to protect the financial interests of the Community and the laws of the Member State as they are defined in the supporting legislation.

The CIS, both 1st and 3rd Pillar sit within the AFIS suite of applications that generally consist of a mailing capability through the use of vertical modules i.e. MARINFO, YACHTINFO, CIGINFO, Reg. 595 etc.

Furthermore collaborative tools like VIASUR and CONSUR are to be mentioned.

The data captured and recycled by all of these systems concerns a considerable amount of duplication of effort by user communities that overlap in their needs and requirements.

In addition the CIS is one of a number of international databases that are managed by Law Enforcement Authorities in Europe that increasingly demand interoperability between systems where this is legally permissible.

There will be a mailing application that interacts with the current mailing applications within the AFIS suite.

There will be a single user interface which should be configurable to the access rights of specific users within the AFIS suite.

The system will be based on the so called “thin client” architecture. What is absolutely essential is that there are no requirements for local software to be supplied to and managed by MS;

The system will be as much as possible compliant with the proposed future changes to Reg. 515/97 and the CIS Convention; It will be ultimately aligned with the legislation once the legal changes are adopted. Storage space reserved within the system for beyond what is legally permissible to store information is considered legal as long as it is left empty of information.

The system will be able to capture and store all of the data currently exchanged within the AFIS suite of applications, as far as the legal basis will allow it. This does not mean that the system has to import data from AFIS;

The system should be scaleable and flexible to allow for growth and changing needs

8. Link to customs systems

9. Stakeholders and accessibility of the system

MS and European Commission

10. Timetable of planned actions

DG SANCO: System of import control procedures for animals and animal products (TRACES)²

1. Legal bases

Directive 97/78/EC (products)

Directive 91/496/EC (live animals)

2. Purpose and Objectives of the system

Essentially the system requires all controls to be carried out at the external border with documentary, identity and physical checks all carried out in the specified and approved border inspection posts listed in the Official Journal. Animals or products are then issued with the Common Veterinary Entry Document (CVED) and released for free circulation into the single market.

The TRACES system is only partly implemented at present at border inspection posts but when fully functioning, all consignments for import from third countries will be recorded or entered in this system, which will issue the CVED for all consignments.

Special regimes

There are certain veterinary regimes that require consignments to be moved under customs supervision. These apply to transit across the EU of goods from one third country to another third country, and to products not always meeting EU health rules which are stored in certain customs warehouses before despatch to either third countries or for supply to ships (ship chandlers).

It is also possible for goods to be 'cleared' (health checks satisfactory) and approved for free release from a veterinary view point with the issue of the CVED, but to remain under customs supervision for fiscal reasons and only released piecemeal later. This is no problem for the veterinary authorities although the consignments remain stored under customs supervision. Final release for free circulation can only be done by customs services (and is specified in the veterinary Directives)

Advance notification

For live animals the Directive 91/496/EC requires pre notification of the veterinary staff of the border post one working day in advance primarily to ensure that there will be staff available to examine the animals on arrival and avoid delays detrimental to animal welfare.

For products persons responsible for the load are required to forward information in advance to the veterinary staff of the border inspection post. No time limits is specified and Member States may adopt national rules in this case.

² For more information see: http://europa.eu.int/comm/food/animal/diseases/animo/index_en.htm.

Selection of consignments for examination - Intelligence

One weakness in the system of veterinary controls is the inevitable reliance on the customs services to select the consignments that are to be diverted to the veterinary authorities for veterinary examination. This is largely dependent on the coding of the products under the customs combined nomenclature (CN code). However the CN codes are not drawn up on the basis of risk and do not always fit well with the framework of veterinary legislation. A table of products subject to veterinary checks is laid down in Commission Decision 2002/349/EC, but this is now out of date and in addition is drawn up on the basis of the veterinary classification rather than the CN code. The Commission is working on updating this decision to give the possibility of much closer cooperation with customs services. In the longer term there may be some amendments to the CN code itself suggested or requested by SANCO to help clarify this situation.

Fraud

There appear to be an increasing number of attempts to get round veterinary rules by hiding consignments of animal products behind vegetable or other commodities, and by falsely certifying animal products as to their country and place of production. This is something that SANCO is working closely with OLAF to combat and will require constant vigilance in the future. It also depends upon the systems of information exchange operating at borders, not only between the different authorities involved, but in addition with the port or airport commercial operators. Information sharing by all parties involved in import trade is essential to improve controls.

Electronic Certification

The introduction of electronic certification is as yet in its infancy but there are various systems available that are being trialed in some Member States and third countries. SANCO feels that more widespread use of these systems will enhance trade, speed up the time taken for controls to be completed and act as a significant deterrent against fraud.

The most important **improvements** that SANCO would like to see in the future are:

- Better and closer integration, and sharing of information between customs services, veterinarians, phytosanitary authorities, other health authorities and commercial operators. This is something that must occur on the ground actually at the borders of the EU and not just in capitals ie be decentralised.
- Better identification and selection of consignments that are a potential veterinary risk and should be subjected to veterinary controls.
- Better and more closely integrated procedures for the supervision of veterinary consignments posing a risk that need to be moved under heightened veterinary/customs supervision or control for transit within or across the EU.
- Continued cooperation and success in containment and detection of fraud regarding veterinary consignments.

Widespread introduction and use of electronic certification systems for certifying veterinary products.

3. Link to customs systems

Products contained in TRACES have been classified according to the customs nomenclature. A project to integrate them in the TARIC has been launched.

4. Stakeholders and accessibility of the system**5. Timetable of planned actions**

DG SANCO and DG ENTR: Market surveillance

1. Legal bases

Surveillance du marché en général

Règlement 339/93 du Conseil relatif aux contrôles de conformité des produits importés de pays tiers (JOUE n° L 40, 17.02.1993, page 1)

Décision 93/583/CEE de la Commission, établissant la liste de produits prévue à l'article 8 du règlement (CEE) n° 339/93 du Conseil

RASFF

Règlement (CE) n° 178/2002 du Parlement européen et du Conseil du 28 janvier 2002 établissant les principes généraux et les prescriptions générales de la législation alimentaire, instituant l'Autorité européenne de sécurité des aliments et fixant des procédures relatives à la sécurité des denrées alimentaires

RAPEX

Directive 2001/95/CE relative à la sécurité générale des produits (DSGP)

2. Purpose and Objectives of the system

Surveillance du marché en général

Le Règlement 339/93 du Conseil relatif aux contrôles de conformité des produits importés de pays tiers a été adopté en vue de rendre plus effective et définitive la suppression des contrôles aux frontières internes au 1/1/1993. Ce règlement prévoit une association étroite des autorités douanières aux opérations de surveillance du marché et aux systèmes d'information prévus par les règles communautaires et nationales, dès lors que des produits importés de pays tiers sont concernés. Ainsi les douanes sont tenues de suspendre la mise en libre pratique des produits qui présentent des doutes sérieux faisant croire à l'existence d'un danger grave et immédiat pour la santé et la sécurité, mais aussi lorsque le produit n'est pas accompagné de la documentation ou marquage exigé et informent sans délai les autorités nationales compétentes en matière de surveillance du marché.

Les autorités nationales compétentes en matière de surveillance du marché doivent être en mesure d'intervenir au sujet de tout produit dont les autorités douanières ont suspendu la mainlevée dans un délai de trois jours ouvrables à compter de la suspension de la mainlevée. Lorsque ces autorités estiment que le produit en cause ne présente pas un danger grave et immédiat pour la santé et la sécurité et/ou ne peut pas être considéré comme non conforme aux règles communautaires ou nationales applicables en matière de sécurité des produits, ce produit est mis en libre pratique, sous réserve que toutes les autres conditions et formalités de mise en libre pratique aient été accomplies. Il en va de même si le délai n'est pas respecté du côté des autorités de surveillance de marché.

Il s'agit donc d'un dispositif impliquant la douane, mais dont le fonctionnement dépend de l'efficacité des opérations de surveillance du marché, ces dernières étant placées sous la responsabilité des autorités en charge du contrôle. Dès lors, les autorités douanières ont un rôle auxiliaire, d'où la nécessité d'une bonne coordination parmi les autorités concernées.

Pour toute information générale à propos de la surveillance du marché : http://europa.eu.int/comm/enterprise/newapproach/market_surveillance.htm.

*RASFF*³

The Rapid Alert System for Food and Feed (RASFF) provides the control authorities with an effective tool for exchange of information on measures taken to ensure food safety.

*RAPEX*⁴

The Rapid Alert System for Non Food Products (RAPEX) serves as a single rapid alert system for dangerous consumer products. RAPEX s'applique à l'ensemble des produits destinés aux consommateurs, ou susceptibles d'être utilisés par ceux-ci, et qui présentent un risque sérieux et immédiat pour la santé et la sécurité. Les États membres utilisent RAPEX pour communiquer à la Commission l'adoption de mesures d'urgence visant à prévenir, restreindre ou imposer des conditions spécifiques à la commercialisation ou à l'utilisation de produits de consommation présentant un risque grave et immédiat. RAPEX s'applique aux produits de consommation couverts par les directives. Sont exclus de cette procédure:

- les produits pharmaceutiques (Directives 75/319/CEE et 81/851/CEE) ;
- les dispositifs médicaux (Directives 90/385/CEE, 93/42/CEE et 98/79/CE), et
- sécurité des aliments et des denrées alimentaires (Règlement (CE) n° 178/2002),

étant donné que les systèmes couverts par ces directives peuvent être considérés comme des systèmes similaires.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

5. Timetable of planned actions

³ For more information see: http://europa.eu.int/comm/food/food/rapidalert/index_en.htm.

⁴ For more information see: http://europa.eu.int/comm/dgs/health_consumer/dyna/rapex/rapex_en.cfm.

DG TRADE: Export Helpdesk

1. Legal bases

(under preparation)

2. Purpose and Objectives of the system

In February of 2004, the Commission created the Export Helpdesk for Developing Countries (EH). It is a free online service to offer exporters from developing countries (and EU importers) practical assistance in taking better advantage of the existing and future market access opportunities offered by the EU.

This free service for exporters, importers, trade associations and governments, provides the following information online in four languages (English, French, Spanish and Portuguese):

- EU and Member States' import requirements as well as internal taxes applicable to products (information available only in English). Sources: External – Consortium Taric-Mendel.
- EU preferential import regimes benefiting developing countries. Sources: EC internal sources
- Trade data for the EU and its individual Member States; Sources: EC internal sources
- A market place where exporters in developing countries can establish contacts with importers from the EU;
- Links to other authorities and international organisations involved in practical trade operations and trade promotion.
- The possibility to lodge detailed information requests about real-life situations encountered by exporters.

An EH Team has been created within DG Trade. A network has also been organised with other Directorate Generals (DGs SANCO, ENTR, TAXUD, AGRI, ENV, FISH, etc) to answer questions received by the Contact section.

3. Link to customs systems

The TARIC and commercial data (duties, restrictions etc.) and the multilingual descriptions (nomenclature, certificates, countries etc.) are daily extracted daily from the TARIC.

4. Stakeholders and accessibility of the system

EU importers (see website: <http://export-help.cec.eu.int>)

5. Timetable of planned actions

DG TRADE: Market Access Database

1. Legal bases

Article 133 of the EC Treaty

2. Purpose and Objectives of the system

The Market Access Strategy is a key pillar of the EU's Trade Policy which aims to reduce the obstacles faced by European exporters of goods and services. One of the main tools of the Market Access Strategy is the Market Access Database which is a free, interactive, easy to use online service providing:

- information about market access conditions in non-EU countries;
- a systematic way for the European Commission to follow up complaints from businesses about barriers to trade in non-EU countries;
- a mean of ensuring that our trading partners are abiding by their international commitments;
- better input for defining the EU's trade policy objectives on further trade liberalisation in the framework of the World Trade Organisation (e.g. Doha Development Agenda) and new free trade agreements between the EU and preferential partners (e.g. EU - MERCOSUR).

The Market Access Database contains the following information:

- Sectoral and Trade Barriers section: information on export and investment conditions in various non-EU countries, including all our major trading partners and identification of trade barriers affecting traders in the individual countries.
- Applied Tariffs section: by simply entering an HS code or product description, this section provides information concerning duties and taxes applicable to the products in around one hundred non-EU countries.
- Exporters' Guide to Import Formalities section: information about import procedures and documents required for the import of a particular product available by simply entering an HS code or product description. This information is available concerning more than seventy non-EU countries and daily updated. The respective information is provided by external contractors.
- Statistical Database: an invaluable overview of trade flows between the EU and non-EU countries, accessed by simply entering an HS code or product description, can be obtained from this section. The data is provided by COMEX.
- Studies: reports concerning market access related studies referring to geographical areas, selected business sectors or relevant horizontal issues (e.g. labelling).

The Market Access Database provides information for a daily average of 1300 users.

3. Link to customs systems

(existing or possible)

4. Stakeholders and accessibility of the system

The Market Access Database is targeted to the EU exporters when exporting to non-EU countries. It also gives valuable information e.g. to the EU Member States' administrations and trade associations.

The Market Access Database is available on the following website <http://mkaccdb.cec.eu.int>. Two of the main sections of the Market Access Database, namely the Applied Tariffs and the Exporters' Guide to Import Formalities are available only for users in the EU Member States and four Candidate Countries (Bulgaria, Croatia, Romania and Turkey).

5. Timetable of planned actions

DG TRADE: Sanitary and Phytosanitary (SPS) Export Database

1. Legal bases

2. Purpose and Objectives of the system

The Commission has taken the initiative to improve their ability to deal with problems for EU exports of animals, products of animal origin, plants and plant products due to Sanitary and Phytosanitary problems. A key element of this is the establishment of a database containing these SPS export problems. This database is primarily designed to facilitate the identification of these SPS export problems with any third country. The data-base provides (for internal users) the possibility to follow up in detail the stage of play of every SPS export problem and the different activities carried out by different services. It also identifies SPS export problems which have been already either resolved or are under process of resolution.

The data-base also helps to identify those Third Countries posing a major number of SPS export problems to EU exports of agricultural products. This information is relevant to identify Third Countries which may be more “protectionist” and that may be “mis-using” SPS reasons in order to prioritise its internal production.

The information contained in this database has been provided by the agro-food industry, Member States, EC Delegations in Third Countries, Commission Services, and SPS notifications from the WTO.

3. Link to customs systems

Connected to the Market Access Database

4. Stakeholders and accessibility of the system

Open to public

Exchange of information between CA Member States, Industry and Com Trade

5. Timetable of planned actions

DG TREN: SAFESEANET

1. Legal bases

Directive 2002/59/EC on vessel traffic monitoring and information systems.

In addition, SafeSeaNet contributes - or will contribute - to the implementation of other instruments of Community law related to maritime safety such as the 95/21/EC Directive on Port State Control and Directive 2000/59 concerning port reception facilities for ships' waste.

The proposed amendment to Directive 2002/59/EC adopted by the Commission on the 23rd of November 2005 ("Third maritime Safety Package") requires explicitly the use of SafeSeaNet by all Member States.

2. Purpose and Objectives of the system

The EU Directive for a vessel traffic monitoring system requires Member States to set up information systems relating to maritime safety and ship movements so they can exchange data efficiently and effectively.

SafeSeaNet (SSN) has been developed as the tool to help Member States meet these requirements. The Directive carries a number of obligations relating to the establishment of a workable information system, which SafeSeaNet can fulfil. For example:

- Ships' masters and operators must provide various types of information about their vessels to the relevant competent authorities;
- Member States must set up the required equipment and infrastructure to handle such notifications; and
- Member States must exchange data electronically on ships and cargo.

The system used is a network/Internet solution based on the concept of a distributed database. SafeSeaNet links together a large number of maritime authorities across Europe, all of which have their own IT systems and ways of storing and accessing data. The SafeSeaNet system networks these different databases. It keeps a track of information via a Central Index System. This index stores references to the data locations – not the data themselves.

Authorised users access the data they require by sending a request (using a dedicated format) which is used by the central index to locate and retrieve the data from the relevant provider. The data is then sent to the person who made the request.

The following messages are handled by the system:

- Notification prior to entry into ports of the Member States (Article 4 of the Directive 2002/59)
- Notification of dangerous or polluting goods on board ships (Article 13)
- AIS (Automatic Identification System) and VTS (Vessel Traffic Service) Ship reports

- Messages emitted by their operational services following events at sea (Search and Rescue report, Pollution report, Deficiency report...).

3. Link to customs systems

4. Stakeholders and accessibility of the system

SafeSeaNet European Index Server (EIS)

EIS is able to locate and retrieve in a MS the information required by another MS and forward it to the requesting MS. At this stage the European Index Server (EIS) is hosted by the Informatics Directorate (DI) of the Commission in Luxembourg. The Commission (DG TREN) on the basis of its legal obligation handles the general policy monitoring and EMSA is responsible for the operation of SSN and the production of statistics.

Stakeholders at national level

The National Competent Authorities (NCA) will assume the overall responsibility of the proper functioning of the system. It's a physical entity designated by Member States in charge of handling and exchanging the SafeSeaNet messages. The single point of contact within the Member State is designated as NCA in the framework of SafeSeaNet.

Potential stakeholders at local level

- Coastal Stations: Vessel Traffic Services (VTS), shore-based installations responsible for a mandatory reporting system approved by the IMO, bodies responsible for coordinating search and rescue operations or organizations in charge of pollution detection and response;
- Port Authorities authorized by Member States to receive and pass on information notified pursuant to Community legislation;
- Local Competent Authorities designated by Member States to receive and pass on information pursuant to Community legislation.

The SSN system uses a high level of security based on user's access rights management, Public Key Infrastructure (PKI) and use of the E.U private network TESTA. All the users are certified.

5. Timetable of planned actions

The system has been developed by the Commission since 2001. It is operated by EMSA since October 2004, including adaptations and maintenance of the system.

Work has started for the design and development of an improved version (SafeSeaNet Version 2), with a final delivery date expected by mid-2007.

DG TREN: Ships arriving in and/or departing from ports of the Member States

1. Legal bases

Directive 2002/6/EC of 18 February 2002 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community

2. Purpose and Objectives of the system

The above mentioned directive provides the five below mentioned standardised forms that are used in the EU to fulfil the basic reporting formalities. They can be submitted on paper or electronically (if the Member States accepts electronic submission). In principle each time a ship enters a port or departs from a port, these forms need to be submitted. The formats adopted by the EU are identical to those reproduced by the IMO (International Maritime Organisation) under its FAL (Facilitation) Convention.

The “General Declaration” is mainly targeted towards the port authority. The “Ship's Stores Declaration” and the “Crew's Effects Declaration” are designed for Customs use. The “Crew List” and the “Passenger List” are designed to inform the border police.

3. Link to customs systems

It would be useful for shipping companies to be able to submit these forms to a single entry point together with information on goods.

4. Stakeholders and accessibility of the system

5. Timetable of planned actions