Council Decision (EU) 2019/2229 of 19 December 2019 authorising the opening of negotiations with the Republic of Belarus for an agreement on Customs Cooperation and Mutual Administrative Assistance

COUNCIL DECISION (EU) 2019/2229

of 19 December 2019

authorising the opening of negotiations with the Republic of Belarus for an agreement on Customs Cooperation and Mutual Administrative Assistance

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3) and the first subparagraph of Article 207(4), in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas the Commission should be authorised to open negotiations with the Republic of Belarus with a view to an agreement on Customs Cooperation and Mutual Administrative Assistance,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to open negotiations, on behalf of the European Union, with the Republic of Belarus for an agreement on Customs Cooperation and Mutual Administrative Assistance.

Article 2

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 3

The negotiations shall be conducted in consultation with the Working Party on Customs Union.

Article 4

This Decision is addressed to the Commission.

Done at Brussels, 19 December 2019.

For the Council

The President

K. MIKKONEN

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/2229. (See end of Document for details)*

ANNEX

Council Decision to authorise the European Commission to open negotiations for a Customs Cooperation and Mutual Administrative Assistance Agreement (CCMAA) with the Republic of Belarus

1. Nature of the envisaged Agreement

The scope of the envisaged Agreement will be limited to matters of Union competence. The general objective of the envisaged Agreement will be to develop and intensify cooperation and mutual administrative assistance in customs matters with the Republic of Belarus; in particular, to establish the legal basis for a customs cooperation framework which aims at securing the supply chain and facilitating legitimate trade, while ensuring effective customs controls, as well as protecting the financial interests of the European Union by enabling information exchange to ensure the proper application of customs legislation. The envisaged Agreement will be concluded for an unlimited period of time.

2. Content of the envisaged Agreement

The envisaged Agreement will cover all provisions adopted by the European Union, and the Republic of Belarus, also referred to as the Contracting Parties, in their respective customs legislations governing the import, export and transit of goods and their placing under any other customs procedure. No field that is subject to Union jurisdiction and in which customs cooperation or mutual administrative assistance would be appropriate is excluded in principle.

The envisaged Agreement should therefore cover elements such as:

(1) Cooperation on improvement of customs legislation, harmonisation and simplification of customs procedures;

(2) Establishment of modern customs systems, including modern customs clearance technologies, provisions for authorised economic operators, automated risk-based analysis and controls, simplified procedures for the release of goods, post-release audit, provisions for customs-to-business partnerships;

(3) Facilitation and effective control of transhipment operations and transit movements through the respective territories; cooperation and coordination between all concerned authorities and agencies in their respective territories to facilitate traffic in transit; pursue, where relevant and appropriate, possibilities for compatibility of the respective customs transit systems;

(4) Professional ethics;

(5) Exchange, where appropriate and under modalities to be defined, relevant information and data whilst respecting the rules on the confidentiality of sensitive data and on personal data protection of the Contracting Parties;

(6) Coordination of customs actions between the customs authorities of the Contracting Parties;

(7) Mutual recognition of authorised economic operators programmes and customs controls including equivalent trade facilitation measures, where relevant and appropriate and under modalities to be defined;

(8) Customs valuation;

(9) Mutual administrative assistance.