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## **Economic Commission for Europe**

### **Inland Transport Committee**

#### **Working Party on Customs Questions affecting Transport**

##### **131st session**

Geneva, 12–15 June 2012

Item 3 (b) of the provisional agenda

##### **Activities of other organizations and countries of interest to the Working Party:**

**European Union**

### **European Union**

#### **Note by the secretariat**

#### **I. Common transit convention**

1. The Convention of 20 May 1987 on a Common Transit and the Convention of 20 May 1987 on the simplification of formalities in trade of goods is planned to be extended on 1 July 2012 to Croatia and Turkey. The Contracting Parties to this Common Transit Convention are currently the 27 European Union (EU) member States and the European Free Trade Association (EFTA) countries (Iceland, Liechtenstein, Norway and Switzerland).<sup>1</sup>

#### **II. Modernized Customs Code**

2. The European Parliament agreed to postpone the implementing of the modernized Customs Code. The Code was due to come into effect in July 2013 but with it a considerable work was required both in the European Commission and in the Customs administrations of the EU member States in particular in the IT area. Moreover the text had to be aligned with the Treaty of Lisbon with regard to the implementing measures. All these factors jeopardized the initial deadline for implementation. Subsequently the Regulation

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<sup>1</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0640:FIN:EN:PDF>

(EC) No. 450/2008 laying down the Union Customs Code of 2008 was recast by the European Commission in a draft Union Customs Code (UCC) proposal tabled for adoption by the European Parliament and the Council on 20 February 2012.<sup>2</sup>

### **III. Authorized Economic Operators (AEO)**

3. The Decision of the EU–US Joint Customs Cooperation Committee regarding mutual recognition of each other's "secure traders" programmes was signed on 4 May 2012. The joint decision will start to be implemented from 1 July 2012. The EU AEO programme and the US C-TPAT programme allows security certified operators to benefit from quicker and simpler Customs procedures.<sup>3</sup>

### **IV. Guidelines on goods in transit**

4. The European Commission has developed guidelines clarifying the application of Council Regulation No. 1383/2003 and the implementation of Regulation No. 1891/2004 on goods in transit through the territory of the EU. The guidelines address the specific concerns raised by India and Brazil on medicines in genuine transit through the EU which are covered by a patent right in the EU. They also take account the EU Court of Justice findings in its judgment of 1 December 2011 related to Philips/Nokia joined cases C-446/09 and C-495/09.<sup>4</sup>

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<sup>2</sup> [http://ec.europa.eu/taxation\\_customs/resources/documents/common/legislation/proposals/customs/com\(2012\)64\\_en.pdf](http://ec.europa.eu/taxation_customs/resources/documents/common/legislation/proposals/customs/com(2012)64_en.pdf)

<sup>3</sup> <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/1481&type=HTML>

<sup>4</sup> [http://ec.europa.eu/taxation\\_customs/resources/documents/customs/customs\\_controls/counterfeit\\_piracy/legislation/guidelines\\_on\\_transit\\_en.pdf](http://ec.europa.eu/taxation_customs/resources/documents/customs/customs_controls/counterfeit_piracy/legislation/guidelines_on_transit_en.pdf)