

## RECOMMENDATION TO THE EUROPEAN PARLIAMENT AND COUNCIL– ESTABLISHING A MULTIPLE FILING OPTION FOR SECURITY IN THE UCC

In its Communication to the European Parliament, the Council and the European Economic and Social Committee on Customs Risk Management and Security of the Supply Chain<sup>i</sup>, dated January 8<sup>th</sup> 2013, the Commission makes a number of recommendations for improving the effectiveness and efficiency of the EU's advance cargo risk assessment strategy for goods brought into the EU. The Communication characterizes the EU's current cargo risk assessment strategy as "not sufficient", and states that "a new approach to EU risk management is needed".

The undersigned associations welcome the Commission's intentions and efforts in this respect and offer their full co-operation in seeking efficient, effective and equitable solutions.

We continue to recommend that the EU approaches these issues by:

1. First, specifically define *what* additional data is needed for a proper advance cargo risk assessment;
2. Second, identify *who* is the party that has this information;
3. Third, identify *how* this information is to be obtained from that party; and
4. Fourth, define *when* this information must be provided.

We further recommend that this approach guide the considerations in the Trilogue between the European Parliament, the Council and the Commission on the Union Customs Code (UCC)'s provisions for the lodgement of advance security declarations at entry in the E.U., the so-called ENS (entry summary declarations).

The identification of the person or persons responsible for submitting the necessary data for advance cargo risk assessment must follow a determination of the required data - not pre-empt it. In turn, the identification of the person or persons responsible for submitting the necessary data should lead the development of an appropriate procedure and timeline for submitting it.

We welcome that our above recommended approach is embodied in the amendment 69 to the Commission's draft UCC Proposal introduced by the Rapporteur for the IMCO Committee of the European Parliament, Ms Le Grip.<sup>ii</sup> We also welcome that the Commission's approach in its UCC Proposal aims at leaving room to develop a considered and realistic advance cargo risk assessment strategy as called for in the above mentioned Communication. We consequently urge the Trilogue to agree not to reinstate in the UCC the provisions in the current Customs Code -- the very provisions that have resulted in the deficiencies and gaps identified in the aforementioned Commission Communication.

Rather, we call on the European Parliament, the Council and the Commission to agree on provisions in the UCC that will allow the EU to devise an advance cargo risk assessment strategy that, in conformance with the WCO's SAFE Framework, provides for submissions of advance cargo data by multiple parties who, as part of their ordinary business processes, have the various individual data elements needed for a proper risk assessment and, further, that those submissions can be done within realistic and reasonable timelines and filing mechanisms.

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[http://ec.europa.eu/taxation\\_customs/customs/customs\\_controls/risk\\_management/supporting\\_documents/index\\_en.htm](http://ec.europa.eu/taxation_customs/customs/customs_controls/risk_management/supporting_documents/index_en.htm)

ii introducing a new Article which reads: *“The entry summary declaration shall be lodged using an electronic data processing technique and shall be governed by means of the multiple filing system as recommended by the World Customs Organisation (WCO) Safe Framework of Standards. That system shall be based on the principle that information needs to be collected from the person who has it available and holds the appropriate right to submit it.”*



International Air Transport Association



Association Of European Airlines



World Shipping Council



European Association for Forwarding, transport, logistics and Customs Services



European Community Shipowners Associations'



The International Air Cargo Association



International Road Transport Union



Federation of European Trade Facilitation Organisations