EU/Canada Agreement: customs cooperation with respect to matters related to supply chain security

2012/0073(NLE) - 27/06/2013 - Final act

PURPOSE: to conclude an Agreement between the EU and Canada on customs cooperation with respect to matters related to supply chain security.

NON-LEGISLATIVE ACT: Council Decision 2014/941/EU on the conclusion of the Agreement between the European Union and Canada on customs cooperation with respect to matters related to supply chain security

BACKGROUND: in accordance with Council Decision 2012/643/EU, the Agreement between the European Union and Canada on customs cooperation with respect to matters related to supply chain security was signed on 4 March 2013, subject to its conclusion.

The Agreement should be approved on behalf of the Union.

CONTENT: under this Decision, the Agreement between the European Union and Canada on customs cooperation with respect to matters related to supply chain security is approved on behalf of the Union.

The Agreement constitutes **an expansion of the CMAA**, which sets down that the Contracting Parties may expand the CMAA with a view to increasing the levels of customs cooperation and supplementing them by means of agreements on specific sectors or matters.

Objectives of the Agreement: the Agreement establishes a legal basis for EU-Canada customs cooperation on matters of:

- **supply chain security and risk management**, including reinforcing the customs related aspects for securing the logistics chain of international trade while at the same time: facilitating legitimate trade;
- establishing **minimum standards**, to the extent practicable, for risk management techniques and related requirements and programmes;
- working towards and, where appropriate, **establishing mutual recognition of risk management techniques,** risk standards, security controls, container security and trade partnership programmes including equivalent trade facilitation measures;
- **exchanging information** for supply chain security and risk management subject to the confidentiality of information and personal data protection requirements set out in Article 16 of the CMAA and in the relevant legislation of the Contracting Parties;
- establishing contact points for exchanging information;
- introducing, where appropriate, an interface for data exchange, including for prearrival or pre-departure data;

- developing a **strategy that allows the customs authorities to partner cooperatively** in the area of cargo inspection;

- collaborating, to the extent practicable, in any multilateral fora where issues related to supply chain security may be appropriately raised and discussed.

Institutional provisions: the Joint Customs Cooperation Committee (JCCC), established under the CMAA, shall see to the proper functioning of this Agreement and be empowered to adopt decisions to implement this Agreement in accordance with the respective domestic legislation of the Contracting Parties, on aspects, such as mutual recognition of risk management techniques, risk standards, security controls and trade partnership programmes.

The position to be adopted by the Union within the EU-Canada Joint Customs Cooperation Committee (JCCC), when called upon to adopt acts having legal effects, should be decided in accordance with the procedure set out in Article 218(9) of the Treaty on the Functioning of the European Union. Where necessary, other positions to be taken by the Union within the JCCC should be established by the Council in accordance with Article 16 of the Treaty on European Union.

ENTRY INTO FORCE: the Decision enters into force on 27. 06.2013. The date of entry into force of the Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.