Basic information

1995/2209(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Computerization in the field of customs. Convention **Subject** 2.10.01 Customs union, tax and duty-free, Community transit	

Key players

European Parliament

Committee responsible		Rapporteur	Appointed
LIBE	Civil Liberties and Internal Affairs	SCHULZ Martin (PSE)	29/09/1995

Committee for opinion		Rapporteur for opinion	Appointed
ECON	Economic and Monetary Affairs, Industrial Policy	METTEN Alman (PSE)	19/07/1995
JURI	Legal Affairs, Citizens' Rights	ULLMANN Wolfgang (V)	26/07/1995
CONT	Budgetary Control	BARDONG Otto (PPE)	19/07/1995

Council of the European Union

Key events

Date	Event	Reference	Summary
14/06/1995	Non-legislative basic document published	09909/1/1993	Summary
10/07/1995	Committee referral announced in Parliament		
24/02/1997	Vote in committee		Summary
24/02/1997	Committee report tabled for plenary	A4-0060/1997	
28/05/1997	Debate in Parliament		
29/05/1997	End of procedure in Parliament		
16/06/1997	Final act published in Official Journal		

Technical information

Procedure reference	1995/2209(COS)

Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/06852

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0060/1997 OJ C 115 14.04.1997, p. 0004	24/02/1997	
Text adopted by Parliament, single reading		T4-0274/1997 OJ C 182 16.06.1997, p. 0014-0055	29/05/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Non-legislative basic document	09909/1/1993	14/06/1995	Summary
Document attached to the procedure	N4-0520/1995	08/11/1995	

Computerization in the field of customs. Convention

1995/2209(COS) - 29/05/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Martin SCHULZ (PSE, D) regarding the Convention on the use of information technology for customs purposes, the European Parliament notes with disapproval the fact that the Presidency failed to consult it in accordance with the second paragraph of Article K6 of the TEU. It therefore takes the view that, since Parliament has not been consulted, the Convention has not been established in accordance with the Treaty. It accordingly calls on Member States to take account of Parliament's opinion prior to any decision concerning any conventions relating to the 'principal aspects of activities' within the meaning of the second paragraph of Article K6 of the TEU. It also regrets that the Council Act of 26 July 1995 drawing up the Convention on the use of information technology for customs purposes and the Agreement on the provisional application between certain Member States of the European Union of the Convention were also not forwarded to Parliament prior to signature. Concerning legal protection, it points out that the CIS central data bank contains data not only about goods, means of transport, business, etc. but also data of a personal nature and feels that any person should be able to bring an action or complaint before the national courts concerning personal data relating to himself in the CIS. Those concerned should enjoy in particular a right to information concerning the data stored in the system. It advises national parliaments to ensure, upon ratification, that measures are taken with a view to bringing about a very high level of data protection (preventing unauthorized access to the systems, restricting the number of users, etc.) regarding individuals and their privacy and that the data protection measures envisaged in the Convention are fully complied with. In addition, Parliament considers that it must be possible to refer disputes which have a bearing on the rules and multilateral nature of the convention to the Court of First Instance or the Court of Justice of the European Communities. It emphasizes that data-processing systems geared to different objectives and customs, police and general administration are preferable to a uniform European data-processing system for the purposes of implementing data protection rules. Regarding the individual, Parliament calls for a right to self-determination and information and a right of redress concerning personal data. It takes the view that the Commission should play a greater role in the implementation and coordination of all the systems (EUROPOL, EIS, etc.) and calls on the Commission to determine whether the CIS could be regulated under the EC Treaty by means of a directive or a regulation.

Computerization in the field of customs. Convention

1995/2209(COS) - 14/06/1995 - Non-legislative basic document

OBJECTIVE: draft Convention on the introduction of a customs information system in order to help prevent, investigate and prosecute serious infringements of national customs legislation. CONTENT: the system comprises a central database accessed from terminals in each Member State and containing data (including personal data) on: . goods, . means of transport, . companies, . persons, . fraud trends, . powers available. . There are

provisions to limit information of a personal nature in the database, especially for goods and persons (an alarm code is included for persons in order to warn that they have already carried a weapon, used violence or are wanted by the authorities). This information will only be included if there is reason to suspect that these persons have seriously infringed or are currently seriously infringing national legislation and if specific controls or undercover observation has been set up. If this is the case, certain items of information need to be collated (location of the goods, company or person, reason for the control, destination of the journey, means of transport used, objects transported etc.). Only the national authorities designated by each Member State shall have access to the information (mainly, but not only, the customs administrations). . There are provisions governing the amendment and storage of data. As far as amendments are concerned, only the country which entered the data (the "supplier contracting state") shall be entitled to amend, supplement, correct or delete the data and shall notify the other Member States accordingly. As far as data storage is concerned, data shall only be stored for as long as necessary in order to achieve the objective which was the reason for their input (there is no storage expiry date but data will be examined at least once a year in order to decide whether or not the information should be retained). If no decision is taken in this respect, the information will automatically be transferred to a restricted section of the database for one year. . There are also provisions in order to protect personal data (the Member States must adopt legislation on data protection by the time the Convention enters into force) and monitor data protection (each Member State must designate a national monitoring authority to carry out this task). . Finally, there are provisions to safeguard the security of the system (the national authorities are responsible for the terminals installed in their own country) and to refuse access to unauthorized persons.