Basic information

2004/0803(CNS) CNS - Consultation procedure Decision	Procedure completed
Fight against cross-border vehicle crime. Initiative Netherlands **Subject** 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 7.30 Police, judicial and customs cooperation in general 7.30.30 Action to combat crime	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	COELHO Carlos (PPE-DE)	13/09/2004

Former committee responsible	Former rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	FERNANDES Emanuel Jardim (PSE)	01/09/2004

Former committee for opinion	Former rapporteur for opinion	Appointed
RETT Regional Policy, Transport and Tourism	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2633	2004-12-21

Key events

Date	Event	Reference	Summary
27/01/2004	Legislative proposal published	05450/2004	Summary

09/02/2004	Committee referral announced in Parliament		
16/09/2004	Committee referral announced in Parliament		
25/11/2004	Vote in committee		
30/11/2004	Committee report tabled for plenary, 1st reading/single reading	A6-0052/2004	
15/12/2004	Decision by Parliament	T6-0097/2004	Summary
15/12/2004	Results of vote in Parliament		
21/12/2004	Act adopted by Council after consultation of Parliament		
21/12/2004	End of procedure in Parliament		
30/12/2004	Final act published in Official Journal		

Technical information

Procedure reference	2004/0803(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 034-p2 Treaty on European Union (after Amsterdam) M 030-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/21147 LIBE/5/20673

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	TRAN	PE347.158	25/11/2004	
Committee report tabled for plenary, 1st reading/single reading		A6-0052/2004	30/11/2004	
Text adopted by Parliament, 1st reading/single reading		T6-0097/2004 OJ C 226 15.09.2005, p. 0072-0198 E	15/12/2004	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05216/2004	13/01/2004	
Legislative proposal	05450/2004 OJ C 034 07.02.2004, p. 0018-0021	27/01/2004	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2004/0919 OJ L 389 30.12.2004, p. 0028-0030	Summary

Fight against cross-border vehicle crime. Initiative Netherlands

2004/0803(CNS) - 27/01/2004 - Legislative proposal

PURPOSE : to tackle vehicle crime with cross-border implications. PROPOSED ACT : Council Decision. CONTENT : in accordance with Article 29 of the Treaty, the aim being to provide citizens with a high level of safety within an area of freedom, security and justice, this draft Decision intends to tackle vehicle crime. Tackling this form of crime is a matter for the competence of the Member States in the police and judicial sphere. However, since its perpetrators pay no heed to Member States' national borders, a European approach is required. It is important to make use of available information and of existing tracing and registration systems. Not all Member States are linked to the Schengen Information System and/or Interpol's register of stolen vehicles. Cooperation between public authorities such as police and customs and Europol must be stepped up. More specifically, the main objective of this draft Decision is to arrive at a common approach and cooperation within the EU with the aim of preventing and combating cross-border vehicle crime. The draft Decision states that particular attention shall be given to the relationship between vehicle theft and the illegal car trade and other forms of crime, such as trafficking in drugs, firearms and human beings. On cooperation between national and competent authorities, the draft Decision states that co operation between national competent authorities Member States shall take the necessary steps to enhance mutual cooperation between national competent authorities (police, customs and vehicle registration authorities) in order to combat cross-border vehicle crime, inter alia by means of cooperation agreements. Specific attention shall be given to controlling exports of goods, taking into account respective competences. As regards co operation between competent authorities and the private sector, Member States shall take the necessary steps to organise periodic consultations between law enforcement agencies and vehicle registration authorities and the private sector (such as holders of private registers of missing vehicles, insurers and the car trade) with a view to coordination of information and mutual alignment of activities in this area, preferably via a permanent consultation platform. Member States shall take the necessary steps with regard to the procedures to be followed for repatriating vehicles released by law enforcement agencies following their seizure. On the issue of vehicle crime contact points, it is proposed that within 3 months from the date when this Decision takes effect, Member States shall designate, within their law enforcement agencies, a contact point for tackling vehicle crime. They shall also authorise the contact points to exchange experience, expertise as well as general and technical information concerning vehicle crime on the basis of existing legislation. Information concerning the designated national contact points, including subsequent changes, shall be notified to the General Secretariat of the Council for publication in the Official Journal of the European Union. With regard to issuing alerts for stolen vehicles and blank registration certificates, whenever a vehicle is reported stolen, Member States' law enforcement agencies shall immediately entera stolen vehicle alert in the Schengen Information System (SIS) and - where possible - in Interpol's ASF/Stolen Motor Vehicle System. An alert in the search register shall be immediately withdrawn by the Member State which issued it as soon as the reason for issuing an alert on the vehicle ceases to exist or its owner withdraws the theft report. Whenever blank registration certificates are reported stolen, Member States' law enforcement agencies shall immediately enter an alert thereon in the SIS. The draft Decision also stipulates that law enforcement agencies and vehicle registration authorities shall take the necessary steps to prevent abuse and theft of vehicle registration documents. When (re-)registering a vehicle, national vehicle registration authorities shall, in cooperation with the law enforcement agencies, consult the vehicle register of the country of original registration as well as the stolen vehicle search registers. In order to prevent stolen vehicles being (re-)registered, arrangements shall be made at national level for consultation or linkage of the registration systems and also for checking the identity of the vehicles. In order to prevent the abuse of vehicle registration certificates, law enforcement agencies shall - where possible - recover a vehicle owner's or vehicle holder's registration certificate if the vehicle has been seriously damaged in an accident (total loss). A registration certificate shall also be recovered where, during a check by the law enforcement agency, it is suspected that there has been an infringement concerning the vehicle's identity markings. Registration certificates shall be returned only following examination and positive verification of the vehicle's identity. In addition, Europol shall be informed by the law enforcement agencies on vehicle crime perpetrators (perpetrator groups), within the scope of the latter's mandate and tasks. Member States shall take the necessary steps to ensure that national police and customs training institutes promote in their curricula specialist training in the field of vehicle crime prevention and detection. Furthermore, vehicle crime contact points shall hold a meeting at least once a year under the auspices of the Member State holding the Presidency of the Council. Europol shall be invited to participate in that meeting. The Presidency shall report to the Council on the progress of practical police cooperation. Lastly, partnership or cooperation agreements to be concluded between the European Union and third countries shall as far as possible include a provision concerning vehicle crime, and more particularly concerning the verification of vehicles upon registration in a third country where the vehicles originate in one of the Member States. At the request of the third country for verification of vehicles, the Member State in question shall consult the National Schengen Information System as well as the vehicle registration authority of that Member State. Implementation of this Decision shall be evaluated after 3 years from the date on which it takes effect.

Fight against cross-border vehicle crime. Initiative Netherlands

2004/0803(CNS) - 15/12/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the draft by Carlos COELHO (EPP-ED, Portugal), approving the Commission's proposal subject to some amendments:

- contact points are authorised to exchange experience, expertise and technical information concerning vehicle crime on the basis of existing legislation. Exchange of information shall extend to best practice and shall not include exchange of personal data;

- a new recital states that theCommission should devise a comprehensive plan of action to prevent and combat international vehicle crime involving vehicles and their loads. This plan should contain an outline of the various legislative acts necessary to address the problem;

- Parliament deleted provisions on: entering a stolen vehicle alert in the Schengen Information System

(SIS) in Interpol's ASF/Stolen Motor Vehicle System; registration; keeping Europol informed and arrangements with third countries.

Fight against cross-border vehicle crime. Initiative Netherlands

2004/0803(CNS) - 22/12/2004 - Final act

PURPOSE : to tackle vehicle crime with cross-border implications.

LEGISLATIVE ACT : Council Decision 2004/919/EC on tackling vehicle crime with cross-border implications.

CONTENT : The objective of this Decision is to achieve improved cooperation within the European Union with the aim of preventing and combating cross-border vehicle crime. An estimated 1.2 million motor vehicles are stolen each year in the Member States of the EU. A large proportion of these vehicles, estimated at 30 to 40 %, are stolen by organised crime and then converted and exported to other States within and outside the EU. Vehicle crime may also be linked internationally to other

forms of crime, such as trafficking in drugs, firearms and human beings. Consequently, the Decision states that particular attention shall be given to the relationship between vehicle theft and the illegal car trade and forms of organised crime.

The main provisions are as follows:

- Member States will take steps to enhance mutual cooperation between national competent authorities in order to combat cross-border vehicle crime, such as by means of cooperation agreements. Specific attention must be given to cooperation with respect to export control;

- the Decision provides for cooperation between competent authorities and the private sector (such as

holders of private registers of missing vehicles, insurers and the car trade);

- By 30 March 2005, Member States must designate a contact point for tackling cross-border vehicle crime. The latter will exchange experience, expertise as well as general and technical information concerning vehicle crime on the basis of existing applicable legislation. Such exchanges shall not include exchanges of personal data;

- Whenever a vehicle is reported stolen, Member States' competent authorities shall immediately enter a stolen vehicle alert in the SIS and, where possible, in Interpol's Stolen Motor Vehicle database. There are also provisions for alerts after theft of vehicle registration documents;

- National vehicle registration authorities shall be informed by law enforcement authorities whether a vehicle, in the process of being registered, is known as having been stolen. Access to databases to that end shall take place with due respect to provisions of Community law;

- the Decision provides for preventing abuse of vehicle registration certificates;

- the Council will evaluate the implementation of the Decision by 30 December 2007.

DATE OF EFFECT : 30/12/2004.