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LIMITE

ENFOCUSTOM
JAI

COMMUNICATION

REQUEST FOR CONTRIBUTION

From: Polish delegation

To: Delegations

Subject: The questionnaire under the 10th Action Plan
Action 10.5 - Emerging risks and threats - new customs cooperation
challenges relating to the Belt and Road Initiative (Silk Road Economic Belt
and Maritime Silk Road)

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (14/06/2023)

Chapter I: Introduction

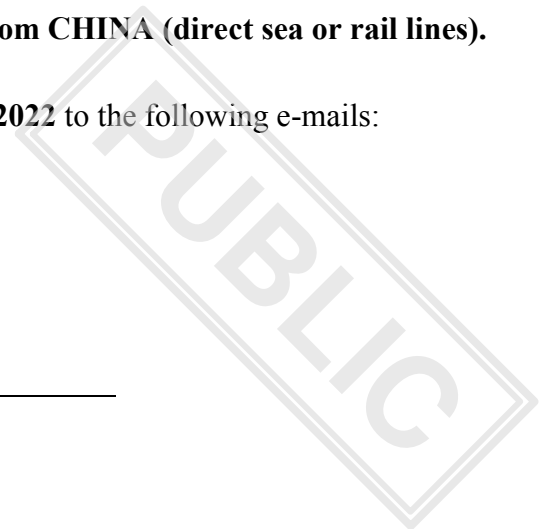
This questionnaire has been drawn up to collect information from all Member States trading with China. The information collected in the questionnaire will be used by the project group to prepare the final report, which will aim to raise awareness of the Customs Administrations in combating irregularities in the movement of goods **by rail and sea from China to the EU**.

The Belt and Road Initiative (hereinafter Silk Road) is a broadly understood strengthening of economic, social and cultural relations between Europe and Asia, as well as a tool for creating a network of transport corridors connecting, inter alia, China with the countries of the European Union.

However, for the purposes of this questionnaire, we refer to the Silk Road **only in the customs context of the operation of the direct flow of goods from CHINA (direct sea or rail lines).**

Please return the answers to the questionnaire by **25.02.2022** to the following e-mails:

DELETED



Country	
Name of the person responsible for the questionnaire	
Email address:	

Chapter II: Identify the irregularities that occur in the maritime transport

The questions under Chapter II refer to potential/identified irregularities that occur **in the direct maritime transport from China to the EU.**

There is one table for financial irregularities and one table for non-tariff (non-financial) measures. Please tick the right box for the frequency of occurrence of the listed irregularities based on your national experience.

The frequency ranges from *never* to *very often* with the additional option *do not know*. Under the table there is a box for comments in which you can give us additional information.

A further question focusses on the occurrence of new fraud trends.

Another question concerns the mode of transport in which the violations occur.

The last question concerns the indication of which procedure (4000 or 4200) is more often used in violations of the customs procedure for release for free circulation.

Question II.1. Financial irregularities

Irregularity	Never	Sometimes	Often	Very often	Do not know
Rules of origin					
Customs valuation (undervaluation)					
Classification of goods					
Antidumping					

Comments

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Question II.2. Non-tariff (non-financial) measures

Irregularity	Never	Sometimes	Often	Very often	Do not know
Counterfeit goods					
Product safety (all)					
Product safety – goods related to Covid 19					
Weapons/Firearms					
Tobacco & Tobacco Products					
Alcohol & Alcoholic Products					
Drugs and drug precursors					
Mineral oils					
Cultural goods					
Environmental - Waste					
Environmental - f-gas,					
Environmental – plant protection products					
CITES					
Dual use					
Migrants					
Other violation (e.g. smuggling amber, gold, money.....)					

Comments and if you have ticked other, please explain:

Question II.3. New fraud methods

Did you discover, in the last 2 years (2020 - 2021), new fraud methods that are used to circumvent the law?

For example, in e-commerce business, shipping containers with thousands of packages already labelled for private consumers, but the documents refer to a business transaction between one seller in a third country and one buyer in the EU? (fake business operator, container will end up after a missing trader in a delivery warehouse somewhere in the EU).

Yes	
No	
n/a	

If yes, please explain:

Questions II.4. Violations relating to the means of transportation.

1) Did you detect the following violations in 2020 and 2021.

a. Theft of goods from the ship

YES	
NO	
n/a	

If yes, please fill in the numbers:

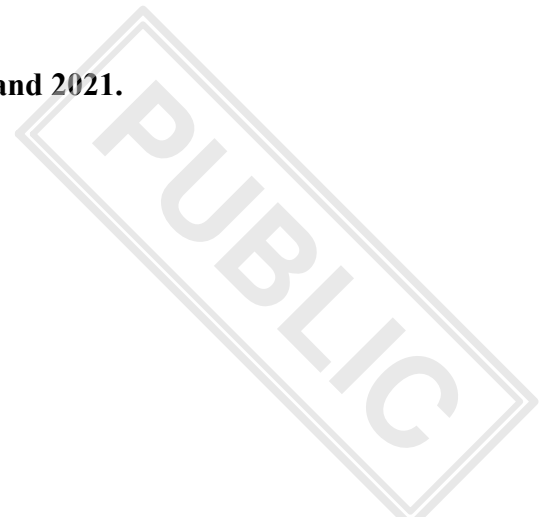
2020	2021

b. Specially constructed hiding places in vessels

YES	
NO	
n/a	

If yes, please fill in the numbers

2020	2021



c. Breaking the containers seals

YES	
NO	
n/a	

If yes, please fill in the numbers

2020	2021

d. Involvement of employees of the maritime sector in crime activities

YES	
NO	
n/a	

If yes, please fill in the numbers

2020	2021



Question II.5. Which procedure indicated below is mainly used for violation of the release for free circulation procedure?

Procedure 4000	Procedure 4200

Chapter III: Identify the irregularities that occur in the railway transport

The questions under Chapter III refer to potential/identified irregularities that occur in the **direct railway transport from China to the EU**.

There is one table for financial irregularities and one table for non-tariff (non-financial) measures. Please tick the right box for the frequency of occurrence of the listed irregularities based on your national experience.

The frequency ranges from *never* to *very often* with the additional option *do not know*. Under the table there is a box for comments in which you can give us additional information.

A further question focusses on the occurrence of new fraud trends.

Another question concerns the mode of transport in which the violations occur

The last question concerns the indication of which procedure (4000 or 4200) is more often used in violations of the customs procedure for release for free circulation.

Question III.1. Financial irregularities

Irregularity	Never	Sometimes	Often	Very often	Do not know
Rules of origin					
Customs valuation (undervaluation)					
Classification of goods					
Antidumping					

Comments

Question III.2. Non-tariff (non-financial) measures

Irregularity	Never	Sometimes	Often	Very often	Do not know
Counterfeit goods					
Product safety					
Product safety – goods related to Covid 19					
Weapons/Firearms					
Tobacco & Tobacco Products					
Alcohol & Alcoholic Products					
Drugs and drug precursors					
Mineral oils					
Cultural goods					
Environmental - waste					
Environmental – f-gas,					
Environmental – plant protection products					
CITES					
Dual use					
Migrants					
Other violation (e.g. smuggling amber, gold, money.....)					

Comments: if you have ticked others, please explain.

Question III.3. New fraud methods.

Did you discover, in the last 2 years (2020 - 2021), new fraud methods that are used to circumvent the law?

For example, in e-commerce business, shipping containers with thousands of packages already labelled for private consumers, but the documents refer to a business transaction between one seller in a third country and one buyer in the EU? (fake business operator, container will end up after a missing trader in a delivery warehouse somewhere in the EU

Yes	
No	
n/a	

If Yes, please explain

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Questions III.4. Violations relating to the means of transportation on the Silk Road

1) Did you detect the following violations in 2020 and 2021

a) Theft of goods from the railway wagon

YES	
NO	
n/a	

If yes, please fill in the number:

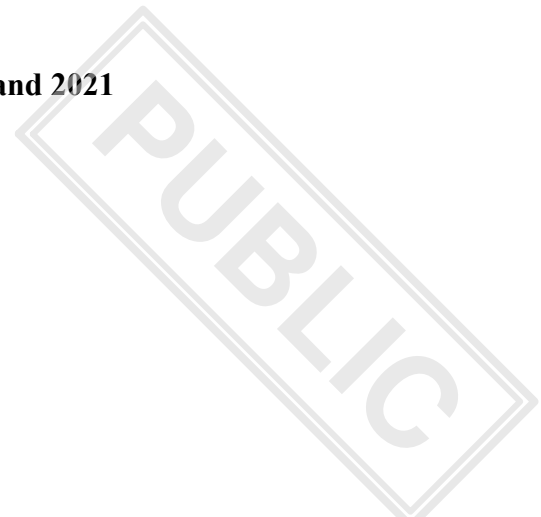
2020	2021

b) Specially constructed hiding places in wagons

YES	
NO	
n/a	

If yes, please fill in the number

2020	2021



c) Breaking the containers or wagon seals

YES	
NO	
n/a	

If yes, please fill in the number

2020	2021

d) Involvement of employees of the railway sector in crime activities

YES	
NO	
n/a	

If yes, please fill in the number

2020	2021



Question III.5. Which procedure indicated below is mainly used for violation of the release for free circulation procedure?

Procedure 4000	Procedure 4200

Chapter IV. Identify the technical and human capacity that the MS customs authorities have on the Silk Road.

The questions under Chapter IV refer to technical and human capacity of the Member States at the Silk Road that occur in the **direct transport from China to the EU**.

There is one table for indicating sea ports with direct container connection with China and one table for indication railway border crossing points with direct train lines from China. For the MS which don't have such connection please indicate – not applicable

A further question is about the numbers of the containers – if possible please assume that 1 container = 20 TEU - twenty-foot equivalent unit

Next question is about numbers of customs officers working at the external border of the EU at the rail BCP and at the sea ports located on the Silk Road.

A further question focusses on the technical equipment used at the sea ports and rail BCP located on the Silk Road.

The last question is about the number of customs declarations submitted to the customs authorities on the Silk Road. Please only provide the total number of customs declarations from China, on railways and in sea ports.

Question IV.1. Entry points at the external border of the EU for the containers from China.

- 1) Please indicate the sea ports, which are the external border of the EU for direct container line from China.

	Sea ports
1.	
2.	
3.	
4	
5.	
6.	
7.	
Not applicable	

- 2) Please indicate the railway border crossing points at the EXTERNAL EU border for containers from China in your country.

If you do not have an external land border, please indicate the railway border crossing points where containers from China cross the border in your country

	Rail border crossing point
1.	
2.	
3.	
4	
5.	
6.	
Not applicable	

Question IV.2. The numbers of containers entering the EU in 2020 and 2021

- 1) Please provide the number of containers, which entered the EU in your MS by direct maritime transport from China in 2020 and 2021. If possible please provide the numbers per sea port.

	2020	2021
Number of containers		
Not applicable		

- 2) Please provide the number of containers, which entered the EU in your MS by direct rail transport from China in 2020 and 2021

	2020	2021
Number of containers		
Not applicable		

Question IV.3. Human capacity

- 1) Please point out the number of customs officers working at the sea ports on the Silk Road in 2020 and 2021.

	2020	2021
Number of officers		
Not applicable		

- 2) Please point out the number of customs officers working at the rail BCP at the external border of the EU on the Silk Road in 2020 and 2021.

	2020	2021
Number of officers		
Not applicable		

Question IV.4. Technical equipment

- 1) Please provide information on the technical equipment used at the sea ports - numbers by year 2020 and 2021.

Year 2020

Equipment in 2020	If you use it, please mark with "x"	How often did you use this equipment (everyday, once - twice a week, once a month)
Sniffer dogs		
Large X-Ray installations		
Scan Vans		
Endoscopes		
Other:		

If other, please explain

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Year 2021

Equipment in 2021	If you use it, please mark with "x"	How often did you use this equipment (everyday, once - twice a week, once a month)
Sniffer dogs		
Large X-Ray installations		
Scan Vans		
Endoscopes		
Other		

If other, please explain

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2) Please provide detailed information on the technical equipment at the railway BCP– numbers by year 2020 and 2021.

Year 2020

Equipment in 2020	If you use it, please mark with “x”	How often did you use this equipment (everyday, once - twice a week, once a month)
Sniffer dogs		
Large X-Ray installations		
Scan Vans		
Endoscopes		
Other:		

If other, please explain

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Year 2021

Equipment in 2021	If you use it, please mark with “x”	How often did you use this equipment (everyday, once - twice a week, once a month)
Sniffer dogs		
Large X-Ray installations		
Scan Vans		
Endoscopes		
Other		

If other, please explain

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Question IV.5. Customs Declaration

Please provide the total number of customs declarations (transit and clearance) for goods arriving directly from China at the EU entry points in 2020 and 2021

	2020	2021
Number of customs declaration		
Not applicable		

Chapter V. Asses the current division in enforcement between the MS involved

The questions under Chapter V generally refer to the cooperation between law enforcement authorities on the Silk Road, the exchange of information between law enforcement authorities and finally the relation with China customs on the Silk Road.

Question V.1. The cooperation of the customs authorities with law enforcement and other agencies or services.

1) Does your customs administration cooperate on the Silk Road with law enforcement agencies or other services?

If yes,

- with whom and what is the level of cooperation?
- what is the legal framework, if possible

AGENCIES/ ENTITIES	YES/NO	LEVEL OF COOPERATION*	Legal Framework
Border Guards			
Police			
Railway Security /inspectorate			
Market Surveillance			
Health Authority			
Veterinary Inspection			
Sanitary Inspection			
Other, please specify			

*Please use - level of cooperation – *never, sometimes, often, very often do know not*

- 2) Does your customs administration cooperate with its neighbouring customs administrations?

YES	
No	
Do not know	

- 3) If yes, in which area? Can you identify the strengths and weaknesses of this cooperation
If not, could you explain the reasons (why)?

Rail transport	
Maritime transport	
Do not know	

- 4) Which areas in relation to the cooperation with neighbouring countries, in your opinion, need to be improved and how?

Rail transport	
Maritime transport	
Do not know	

Question V.2. The exchange of information with other law enforcement agencies

- 1) Is there an exchange of information between customs authority and law enforcement agencies or other services in matters relating to the Silk Road?

YES	Maritime	Rail
NO	Why?	
Do not know		

2) If yes, what kind of information is exchanged?

Rail transport	
Maritime transport	
Do not know	

3) Do you exchange pre-arrival information with law enforcement agencies or other services

YES	
NO	
Do not know	

4) What are the communication channels used to exchange information with law enforcement agencies or other services?

Rail transport	
Maritime transport	
Do not know	

Question V.3. The cooperation with Chinese Customs on the Silk Road

1) Does your country cooperate with Chinese Customs in the area of Silk Road?

YES	Regular basis	Occasionally
In which project or initiative?		
NO	Why?	
Do not know		

2) How can you define this cooperation in terms of efficiency?

very good	good	poor	insufficient	don't know

3) Does your country has a customs liaison officer in China?

YES	
NO	
