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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
Subject:	Regulation establishing the Union Customs Code and the European Union Customs Authority - Partial mandate for negotiations with the European Parliament

I. INTRODUCTION

1. On 17 May 2023, the Commission submitted the proposal¹ for a Regulation of the European Parliament and of the Council establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013.
2. The proposal is based on Articles 33, 114 and 207 of the Treaty on the Functioning of the European Union and aims at establishing a more cost-efficient and effective cooperation framework governing the Customs Union, with the main objectives of reducing compliance costs for administrations and businesses and of enabling the EU Customs to better protect the financial and non-financial interest of the EU and its Member States as well as the Single Market.

¹ ST 9596/23 +ADD 1 + ADD 2 + ADD 3 + ADD 4.

II. WORK WITHIN THE COUNCIL

3. The Working Party on Customs Union examined the proposal since June 2023 under the Swedish, Spanish, Belgian, Hungarian and Polish Presidencies.
4. During the Swedish Presidency the Directors General on Customs were invited to exchange views on the main aspects of the proposal.
5. The Spanish and the Belgian Presidencies conducted detailed first analysis of the proposal which focused fundamentally on clarifying and understanding the new elements.
6. During the Hungarian Presidency in-depth second analysis of the text was performed with compromises emerging on some parts of the proposal, notably relating to the EU Customs Authority and the Data Hub.
7. The Spanish, Belgian and Hungarian Trio partners organised 73 meetings of the Customs Union Working Party in order to progress as quickly as possible.
8. The Polish Presidency convened 34 meetings of the Customs Union Working Party dedicated to the examination of the reform package. These meetings allowed Member States to continue to engage in in-depth technical discussions on the proposal and resulted in the preparation of the Presidency compromises. On 20 June the Presidency launched an informal silence procedure on a consolidated compromise² which allowed the Presidency to gather broad support for the proposal.
9. The Presidency is of the view that a balanced compromise text on the proposal has emerged from discussions amongst Member States. A few provisions put in brackets (notably the seat of the EUCA, simplified tariff treatment, allocation of revenues from the handling fee) are excluded from mandate for negotiations with the European Parliament.

² ST 10017/1/25 REV1.

III. CONCLUSION

10. The Permanent Representatives Committee is invited to confirm agreement on the text as set out in document 10462/25 which shall constitute the partial mandate for negotiations with the European Parliament.
11. In accordance with the approach to legislative transparency endorsed by Coreper on 14 July 2020³, and in full consistency with Regulation (EC) 1049/2001 and the Council's Rules of Procedure, the text of the partial mandate thus agreed will be made public unless the Permanent Representatives Committee objects.

³ ST 9493/20.