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Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the EU-CTC Joint Committee established by the Convention of 20 May 1987 on a common transit procedure as regards amendments to that Convention

COUNCIL DECISION (EU) 2022/...

of ...

**on the position to be taken
on behalf of the European Union within the EU-CTC Joint Committee
established by the Convention of 20 May 1987 on a common transit procedure
as regards amendments to that Convention**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on a common transit procedure ('the Convention')¹ was concluded by the Union by means of Council Decision 87/415/EEC² and entered into force on 1 January 1988.
- (2) Pursuant to Article 15(3), point (a), of the Convention, the Joint Committee established pursuant to Article 14(1) of the Convention (the 'EU-CTC Joint Committee') may adopt, by means of decisions, amendments to the Appendices to the Convention.
- (3) The EU-CTC Joint Committee is to adopt a Decision on the amendment of Appendices I, IIIa and IV to the Convention in early 2022.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the EU-CTC Joint Committee, as the Decision will have legal effects in the Union. As the EU-CTC Joint Committee usually meets only once a year, it is appropriate to allow the Union's position to be expressed either at an upcoming meeting or by means of a written procedure.

¹ OJ L 226, 13.8.1987, p. 2.

² Council Decision 87/415/EEC of 15 June 1987 concerning the conclusion of a Convention between the European Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure (OJ L 226, 13.8.1987, p. 1).

- (5) Annex B to Commission Delegated Regulation (EU) 2015/2446¹ and Annex B to Commission Implementing Regulation (EU) 2015/2447² have been amended by, Commission Delegated Regulation (EU) 2021/234³ and Commission Implementing Regulation (EU) 2021/235⁴, respectively. Those Annexes lay down the common data requirements, formats and codes for the transit declaration, in order to better harmonise the common data elements for the storage of information and for its exchange between customs authorities, as well as between customs authorities and economic operators. Those amendments were necessary to ensure inter-operability between the customs electronic systems used for the different types of declarations and notifications. Therefore, Appendix IIIa to the Convention, which mirrors Annex B to Delegated Regulation (EU) 2015/2446 and Annex B to Implementing Regulation (EU) 2015/2447, should be amended accordingly.

¹ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

² Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

³ Commission Delegated Regulation (EU) 2021/234 of 7 December 2020 amending Delegated Regulation (EU) 2015/2446 as regards common data requirements, and Delegated Regulation (EU) 2016/341 as regards the codes to be used in certain forms (OJ L 63, 23.02.2021, p. 1).

⁴ Commission Implementing Regulation (EU) 2021/235 of 8 February 2021 amending Implementing Regulation (EU) 2015/2447 as regards formats and codes of common data requirements, certain rules on surveillance and the competent customs office for placing goods under a customs procedure (OJ L 63, 23.02.2021, p. 386).

- (6) The amendments to Appendix IIIa to the Convention require the renumbering of paragraphs and sections. Therefore, references to Appendix IIIa in Appendix I to the Convention should be aligned with the new numbering.
- (7) Appendix IV to the Convention sets out the rules on mutual assistance for the recovery of claims. Those rules are important as they safeguard the financial interests of the common transit countries, of the Union and of the Member States. Those rules should be revised in order to align them with the respective Union rules,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in an upcoming meeting of the EU-CTC Joint Committee or by means of a written procedure in the EU-CTC Joint Committee shall be based on the draft Decision of the EU-CTC Joint Committee attached to this Decision⁺.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council

The President

⁺ See document ST 7680/22 ADD 1.