



2016/2075(INI)

17.10.2016

AMENDMENTS

1 - 31

Draft opinion

Nedzhmi Ali

(PE589.219v01-00)

The evaluation of external aspects of the customs performance and management as a tool to facilitate trade and fight illicit trade
(2016/2075(INI))

Amendment 1
Notis Marias

Draft opinion
Recital B

Draft opinion

B. whereas networks of illicit activities have a detrimental impact on economies in terms of growth, jobs, foreign investment, integrity of markets, trade and loss of customs income, the latter loss being borne in the end by the European taxpayer;

Amendment

B. whereas networks of illicit activities have a detrimental impact on economies *of the EU Member States* in terms of growth, jobs, foreign investment, integrity of markets, trade and loss of customs income, the latter loss being borne in the end by the European taxpayer;

Or. el

Amendment 2
Zigmantas Balčytis

Draft opinion
Recital B

Draft opinion

B. whereas networks of illicit activities have a detrimental impact on economies in terms of growth, jobs, foreign investment, integrity of markets, trade and loss of customs income, the latter loss being borne in the end by the European taxpayer;

Amendment

B. whereas networks of illicit activities have a detrimental impact on economies in terms of growth, jobs, foreign investment, integrity of markets, *competition*, trade and loss of customs income, the latter loss being borne in the end by the European taxpayer;

Or. It

Amendment 3
Notis Marias

Draft opinion
Recital C

Draft opinion

C. whereas illicit trade is a primary concern for business and poses a significant threat with growing global risks, in terms of transparency, integrity and financial value, mirroring the use of global trade schemes and supply chains;

Amendment

C. whereas illicit trade is a primary concern for business and poses a significant threat with growing global risks, in terms of transparency, integrity and financial value, mirroring the use of global trade schemes and supply chains ***and measures should therefore be taken to combat this problem directly;***

Or. el

Amendment 4
Zigmantas Balčytis

Draft opinion
Recital C a (new)

Draft opinion

D. whereas counterfeiting ***generates*** large sums for transnational organised crime by means of illicit economic and business channels;

Amendment

Ca. whereas the illicit trade in tobacco products, and in particular the transport of contraband and counterfeit cigarettes, results each year in the Member States incurring losses of more than EUR 10 billion in revenues (customs, VAT and excise duties);

Or. It

Amendment 5
Marco Valli, Marco Zanni

Draft opinion
Recital D

Draft opinion

D. whereas counterfeiting ***generates*** large sums for transnational organised crime by means of illicit economic and business channels;

Amendment

D. whereas counterfeiting, ***the illegal arms trade and drug trafficking generate*** large sums for transnational organised crime by means of illicit economic and business channels;

Amendment 6
Zigmantas Balčytis

Draft opinion
Recital D a (new)

Draft opinion

Amendment

Da. whereas the increasing incidence of smuggling, trafficking and other forms of illegal and illicit trade not only have an impact on Member States' collection of customs duties and on the EU budget, but are also strongly associated with organised international crime, threats to consumers and negative effects on the functioning of the single market, which undermine a level playing field for all competing companies, particularly SMEs;

Or. It

Amendment 7
Notis Marias

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. Notes that the efficiency of customs procedures is crucial not only for trade facilitation, but also for law enforcement in terms of fighting the counterfeiting and smuggling of excisable goods entering the EU; considers that customs services are at the crossroads between secured movement of goods protecting consumers within the EU and the implementation of the provisions of trade agreements;

2. Notes that the efficiency of customs procedures is crucial not only for trade facilitation, but also for law enforcement in terms of fighting the counterfeiting and smuggling of excisable goods entering the EU **and combating the recycling of income from unlawful activities**; considers that customs services are at the crossroads between secured movement of goods protecting consumers within the EU and the implementation of the provisions of trade agreements;

Amendment 8
Raffaele Fitto

Draft opinion
Paragraph 2

Draft opinion

2. Notes that the efficiency of customs procedures is crucial not only for trade facilitation, but also for law enforcement *in terms of fighting* the counterfeiting and smuggling of excisable goods entering the EU; considers that customs services are at the crossroads between secured movement of goods protecting consumers within the EU and the implementation of the provisions of trade agreements;

Amendment

2. Notes that the efficiency of customs procedures is crucial not only for trade facilitation, but also for *effective and expedient* law enforcement *with regard to* the counterfeiting and smuggling of excisable goods entering the EU; considers that customs services are at the crossroads between secured movement of goods protecting consumers within the EU and the implementation of the provisions of trade agreements;

Or. it

Amendment 9
Notis Marias

Draft opinion
Paragraph 3

Draft opinion

3. Believes that trade facilitation should include rules on the transparency, integrity and accountability of customs procedures;

Amendment

3. Believes that trade facilitation should include rules on the transparency, integrity and accountability of customs procedures *with which all Member States must comply*;

Or. el

Amendment 10
Marco Valli, Marco Zanni

Draft opinion
Paragraph 3

Draft opinion

3. Believes that trade facilitation should include rules on the transparency, integrity and accountability of customs procedures;

Amendment

3. Believes that trade facilitation should include ***common and standardised*** rules on the ***methods***, transparency, integrity and accountability of customs procedures;

Or. it

Amendment 11
Marco Valli, Marco Zanni

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance; considers it necessary to ensure that there are homogeneous control techniques among Member States for filtering at ports and borders by promoting modern, risk management-based control strategies;

Amendment

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance; ***regrets that there is currently a factual gap in the type of controls within the Union that favours some access routes, in particular ports, to the detriment of others, where the checks carried out are more stringent***; considers it necessary to ensure that there are homogeneous ***and standardised*** control techniques among Member States for filtering at ports and borders by promoting modern, risk management-based control strategies;

Or. it

Amendment 12
Notis Marias

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance; considers it necessary to ensure that there are homogeneous control techniques among Member States for filtering at ports and borders by promoting modern, risk management-based control strategies;

Amendment

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance ***and must be improved***; considers it necessary to ensure that there are homogeneous control techniques among Member States for filtering at ports and borders by promoting modern, risk management-based control strategies;

Or. el

Amendment 13
Raffaele Fitto

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance; considers it necessary to ensure that there are homogeneous control techniques among Member States for filtering at ports and borders by promoting modern, risk management-based control strategies;

Amendment

4. Is of the opinion that the quality and performance of customs controls on the transit of goods, particularly for shipment and transport operations at ports and borders, is of the first importance; considers it necessary to ensure that there are homogeneous control techniques among Member States for filtering at ports and borders by promoting modern, ***technologically advanced and*** risk management-based control strategies;

Or. it

Amendment 14
Petri Sarvamaa

Draft opinion
Paragraph 5

Draft opinion

5. Considers that Member States should concentrate customs controls and, to the extent possible, other relevant border controls, on high-risk consignments that are selected *on a random basis* using common selectivity criteria, including those relating to the nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders and means of transport;

Amendment

5. Considers that Member States should concentrate customs controls and, to the extent possible, other relevant border controls, on high-risk consignments that are selected using common selectivity criteria *and picked randomly*, including those relating to the nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders and means of transport;

Or. en

Amendment 15
Raffaele Fitto

Draft opinion
Paragraph 5

Draft opinion

5. Considers that Member States should concentrate customs controls and, to the extent possible, other relevant border controls, on high-risk consignments that are selected on a random basis using common selectivity criteria, including those relating to the nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders and means of transport;

Amendment

5. Considers that Member States should concentrate customs controls and, to the extent possible, other relevant border controls, on high-risk consignments that are selected on a random basis using common selectivity criteria, including those relating to the nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, *regulatory* compliance record of traders and means of transport;

Or. it

Amendment 16
Marco Valli, Marco Zanni

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. *Believes that the fight against the smuggling of counterfeit goods requires special measures and calls on Member States to provide for a common protocol for controls to combat such abuses;*

Or. it

Amendment 17
Petri Sarvamaa

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. *Notes that customs administration and modernisation are costly; believes that one of the key objectives of reforms of customs procedures and operations should be achieving higher efficiency which would lead to cost reductions and savings in the long run;*

Or. en

Amendment 18
Zigmantas Balčytis

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. *Feels that better coordination is needed between OLAF, customs authorities and market surveillance authorities in order not only to combat counterfeiting, but also to curb the trade in illegal products that infringe intellectual property laws in the EU;*

Amendment 19
Petri Sarvamaa

Draft opinion
Paragraph 6 b (new)

Draft opinion

Amendment

6b. Stresses OLAF's role in investigating the evasion of import duties (including conventional, anti-dumping and countervailing duties) on all types of commodities and goods – especially involving: false declarations of origin (in both preferential and non-preferential regimes) and undervaluation and wrong description of goods; calls on OLAF to play a more active role in the coordination of related investigations by national customs services of EU Member States and other partners both inside and outside the EU;

Or. en

Amendment 20
Petri Sarvamaa

Draft opinion
Paragraph 6 c (new)

Draft opinion

Amendment

6c. Points out that regular Joint Customs Operations play a vital role in safeguarding EU public finances by identifying where the risks lie on specific trade routes, and protecting the citizens and legitimate businesses by preventing illegal products from entering the EU; calls on OLAF to step up providing support for the customs authorities of EU countries as well as some non-EU

countries to carry out more joint customs operations by means of its technical infrastructure, IT and communications tools, and strategic analysis, administrative and financial support, in order to improve the effectiveness of customs services in conducting targeted checks at European level;

Or. en

Amendment 21
Notis Marias

Draft opinion
Paragraph 7

Draft opinion

7. Considers, *with regard to the protection of the EU's financial interests, that, while not questioning the need to conclude ambitious and wide-ranging trade agreements with the EU's major trading partners aiming at reducing and eliminating customs tariffs*, it is necessary to make a careful further assessment of the effects of implementation of Free Trade Agreements (FTAs) on the Union budget, in terms of the loss of own resources in the form of custom duties (which currently account for 12 % of the Union's budgetary resources);

Amendment

7. Considers it necessary to make a careful further assessment of the effects of implementation of Free Trade Agreements (FTAs) on the Union budget, in terms of the loss of own resources in the form of custom duties (which currently account for 12 % of the Union's budgetary resources);

Or. el

Amendment 22
Marco Valli, Marco Zanni

Draft opinion
Paragraph 8

Draft opinion

8. Believes that the Commission

Amendment

8. Believes that the Commission

should better monitor on a risk basis countries benefiting from preferential treatment, notably in order to verify the implementation of rules of origin and cumulation; considers, in this context, checking of the originating status of imported products and the adequacy of the documents granting preferential treatment to be a key component of control strategies and traceability;

should better monitor on a *standardised* risk basis countries benefiting from preferential treatment, notably in order to verify the implementation of rules of origin and cumulation; considers, in this context, checking of the originating status of imported products and the adequacy of the documents granting preferential treatment to be a key component of control strategies and traceability;

Or. it

Amendment 23

Marco Valli, Marco Zanni

Draft opinion

Paragraph 10

Draft opinion

10. Supports the inclusion of anti-fraud clauses in trade and investment agreements so as to protect the financial interests of the Union, encompassing tax fraud and tax evasion, trade-based corruption and money laundering; invites the Union, in addition, to make more use in all future trade agreements of precautionary and safeguard measures, such as the suspension of preferences under an anti-fraud clause or the management of administrative error clauses introduced into FTAs;

Amendment

10. Supports the inclusion of anti-fraud clauses in trade and investment agreements so as to protect the financial interests of the Union, encompassing tax fraud and tax *avoidance and tax* evasion, trade-based corruption and money laundering; invites the Union, in addition, to make more use in all future trade agreements of precautionary and safeguard measures, such as the suspension of preferences under an anti-fraud clause or the management of administrative error clauses introduced into FTAs;

Or. it

Amendment 24

Marco Valli, Marco Zanni

Draft opinion

Paragraph 10 a (new)

Draft opinion

Amendment

10a. *Stresses the need to present a proposal containing harmonised rules concerning the definition of criminal offences and sanctions in cases of organized and transnational crime in order to prevent and combat illegal activities effectively;*

Or. it

Amendment 25
Raffaele Fitto

Draft opinion
Paragraph 11

Draft opinion

11. Believes, furthermore, that it is crucial *that* enterprises in the EU *should* have access to rapid anti-dumping procedures, bearing in mind the potential losses to both national budgets and the EU budget arising from distortions of competition attributable to unfair trade practices or partners;

Amendment

11. Believes, furthermore, that it is crucial *to make it easier for* enterprises in the EU *to* have access to rapid anti-dumping procedures, bearing in mind the potential losses to both national budgets and the EU budget arising from distortions of competition attributable to unfair trade practices or partners;

Or. it

Amendment 26
Notis Marias

Draft opinion
Paragraph 11

Draft opinion

11. Believes, furthermore, that it is crucial that enterprises in the EU should have access to rapid anti-dumping procedures, bearing in mind the potential losses to both national budgets and the EU

Amendment

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budget arising from distortions of competition attributable to unfair trade practices or partners;

budget arising from distortions of competition attributable to unfair trade practices or partners *that have a detrimental effect on small and medium-sized enterprises*;

Or. el

Amendment 27
Zigmantas Balčytis

Draft opinion
Paragraph 12

Draft opinion

12. Calls for closer customs cooperation, both within the Union and with third countries, *with a view to more efficiently* combating illicit trade at the EU's borders and helping policymakers in the mapping of market and international supply chain vulnerabilities, as well as the tracking of interconnections between actors involved in illicit trade activities;

Amendment

12. Calls for closer customs cooperation, both within the Union and with third countries, *for actions to be stepped up aimed at* combating illicit trade at the EU's borders and helping policymakers in the mapping of market and international supply chain vulnerabilities, as well as the tracking of interconnections between actors involved in illicit trade activities;

Or. It

Amendment 28
Notis Marias

Draft opinion
Paragraph 12

Draft opinion

12. Calls for closer customs cooperation, both within the Union and with third countries, with a view to more efficiently combating illicit trade at the EU's borders and helping policymakers in the mapping of market and international supply chain vulnerabilities, as well as the tracking of interconnections between actors

Amendment

12. Calls for closer customs cooperation, both within the Union and with third countries, with a view to more efficiently combating illicit trade at the EU's borders and helping policymakers in the mapping of market and international supply chain vulnerabilities, as well as the tracking *and elimination* of

involved in illicit trade activities;

interconnections between actors involved
in illicit trade activities;

Or. el

Amendment 29
Zigmantas Balčytis

Draft opinion
Paragraph 12 a (new)

Draft opinion

Amendment

12a. Notes that significant results have been achieved and large amounts of contraband goods seized in the course of a number of joint customs operations which were carried out thanks to cooperation between OLAF, the Member States and various third countries' services; calls for such operations to be continued;

Or. It

Amendment 30
Raffaele Fitto

Draft opinion
Paragraph 13

Draft opinion

Amendment

13. Points out, furthermore, the need for an effective sharing of statistical information related to EU import controls in order to detect gaps in the data required to develop mitigation strategies for dismantling illicit trade networks, and to address the source of the problem by preventing the import of IPR-infringing goods **or** new means and routes of smuggling; believes it is necessary to foster both administrative cooperation between customs authorities at international level and the development of partnerships with business, in order to counter customs violations and circumvention of tax

13. Points out, furthermore, the need for an effective sharing of statistical information related to EU import controls in order to detect gaps in the data required to develop mitigation strategies for dismantling illicit trade networks, and to address the source of the problem by preventing the import of IPR-infringing goods **and the establishment of** new means and routes of smuggling; believes it is necessary to foster both administrative cooperation between customs authorities at international level and the development of partnerships with business, in order to counter customs violations and

obligations;

circumvention of tax obligations;

Or. it

Amendment 31
Petri Sarvamaa

Draft opinion
Paragraph 14

Draft opinion

14. Acknowledges that effective enforcement of IPRs is an overarching objective, to be steadily pursued by customs authorities for the benefit of the EU single market and through appropriate cooperation with trade partners in the context of FTAs, so as to tackle IPR infringements in international supply chains in such areas as counterfeiting (trademark infringements), piracy (copyright infringements), smuggling of sensitive products such as pharmaceuticals or highly taxed goods, geographical indications and marking of origin, shipping and selling of counterfeit products, and tax evasion;

Amendment

14. Acknowledges that effective enforcement of IPRs is an overarching objective, to be steadily pursued by customs authorities for the benefit of the EU single market and ***EU citizens and*** through appropriate cooperation with trade partners in the context of FTAs, so as to tackle IPR infringements in international supply chains in such areas as counterfeiting (trademark infringements), piracy (copyright infringements), smuggling of sensitive products such as pharmaceuticals or highly taxed goods, geographical indications and marking of origin, shipping and selling of counterfeit products, and tax evasion;

Or. en