

EUROPEAN PARLIAMENT

2004



2009

Session document

FINAL
A6-0352/2007

4.10.2007

REPORT

on the recommendation for a Council decision concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the treaty on European Union on mutual assistance and cooperation between customs administrations
(COM(2007)0216 – C6-0170/2007 – 2007/0073(CNS))

Committee on the Internal Market and Consumer Protection

Rapporteur: Horia-Victor Toma

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the recommendation for a Council decision concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997 drawn up on the basis of Article K.3 of the treaty on European Union on mutual assistance and cooperation between customs administrations

(COM(2007)0216 – C6-0170/2007 – 2007/0073(CNS))

(Consultation procedure)

- having regard to the Commission recommendation to the Council (COM(2007)0216),
 - having regard to Article 3(4) of the Act of Accession of Bulgaria and Romania, pursuant to which the Council consulted Parliament (C6-0170/2007),
 - recalling the efforts of consecutive Bulgarian and Romanian governments to meet the respective benchmarks provided for the activation of the simplified accession procedure,
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A6-0352/2007),
1. Approves the Commission recommendation;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Asks the Council to consult Parliament again if it intends to amend the Commission recommendation substantially;
 4. Instructs its President to forward its position to the Council and the Commission and to the Governments of Bulgaria and Romania.

EXPLANATORY STATEMENT

This Commission Recommendation for a Council Decision is intended to make the adjustments required due to the accession of Bulgaria and Romania to the Convention on mutual assistance and cooperation between customs administrations, in accordance with Article 3, paragraphs 3 and 4 of the 2005 Act of Accession of Bulgaria and Romania¹.

This Act has introduced a simplified system for the accession of both countries to the conventions (and protocols) concluded by the Member States on the basis of Art. 34 TEU (previously Art. K.3 TEU) or Art. 293 EC. It is indeed not anymore necessary, as in the past, to negotiate and conclude specific accession protocols to these conventions which would have implied ratification by 27 States.

Article 3(3) of the Act provides simply that Bulgaria and Romania accede to these conventions and protocols by virtue of the Act of Accession. Article 3(3) and 3(4) of the Act of Accession provide that, to that effect, the Council shall adopt a decision in order to determine the date on which these conventions shall enter into force for Bulgaria and Romania and to make all the necessary adjustments to these conventions required by reason of the accession of the two new Member States. This would include, in any event, the adoption of the conventions in the Bulgarian and Romanian languages, so that these versions can be "equally authentic". The Council shall act on a recommendation of the Commission, after consulting the European Parliament.

Annex I to the Act of Accession gives the list of the conventions and protocols concerned. The list includes the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations.

¹ OJ 21.6.2005, L 157, p.203.

PROCEDURE

Title	Accession of Bulgaria and Romania to the Convention of 18 December 1997 on mutual assistance and cooperation between customs administrations
References	COM(2007)0216 - C6-0170/2007 - 2007/0073(CNS)
Date of consulting Parliament	11.6.2007
Committee responsible Date announced in plenary	IMCO 19.6.2007
Committee(s) asked for opinion(s) Date announced in plenary	CONT 19.6.2007
Not delivering opinions Date of decision	CONT 4.6.2007
Rapporteur(s) Date appointed	Horia-Victor Toma 16.7.2007
Discussed in committee	12.9.2007 3.10.2007
Date adopted	3.10.2007
Result of final vote	+: 16 -: 0 0: 0
Members present for the final vote	Edit Herczog, Pierre Jonckheer, Lasse Lehtinen, Toine Manders, Arlene McCarthy, Nickolay Mladenov, Bill Newton Dunn, Zita Pleštinská, Zuzana Roithová, Leopold Józef Rutowicz, Christel Schaldemose, Andreas Schwab, Nicola Zingaretti
Substitute(s) present for the final vote	Wolfgang Bulfon, Giovanna Corda, Joel Hasse Ferreira