EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

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DRAFT REPORT

on the recommendation for a Council Decision concerning the accession of Bulgaria and Romania to the Convention of 26 July 1995, drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes
(COM(2007)0211 – C6-0168/2007 – 2007/0079(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Jean-Marie Cavada

(Simplified procedure – Rule 43(1) of the Rules of Procedure)

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 26 July 1995, drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes (COM(2007)0211 – C6-0168/2007 – 2007/0079(CNS))

(Consultation procedure)

The European Parliament,

– having regard to the Commission recommendation (COM(2007)0211),

– having regard to Article 3(4) of the Act of Accession of Bulgaria and Romania, pursuant to which the Council consulted Parliament (C6-0168/2007),

– having regard to Rules 51 and 43(1) of its Rules of Procedure,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A6-0000/2007),

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 Commission and to the Governments of Bulgaria and Romania.

EXPLANATORY STATEMENT

The Act of accession of Bulgaria and Romania[1] concluded in 2005 simplified accession by those countries to the conventions (and protocols) concluded by the Member States on the basis of Article 34 of the EU Treaty (former Article K.3 of that treaty) or Article 293 of the EC Treaty.

Annex I to the Act of accession lists the seven relevant conventions and protocols in the justice and home affairs sphere, including: the Convention of 26 July 1995, drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes; the Protocol of 29 November 1996, drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the use of information technology for customs purposes; the Protocol of 12 March 1999, drawn up on the basis of Article K.3 of the Treaty on European Union, on the scope of the laundering of proceeds in the Convention on the use of information technology for customs purposes and the inclusion of the registration number of the means of transport in the Convention; and the Protocol of 8 May 2003, established in accordance with Article 34 of the Treaty on European Union, amending, as regards the creation of a customs files identification database, the Convention on the use of information technology for customs purposes.

Owing to the use of this simplified system, there is no longer any need to negotiate and conclude specific accession protocols. In order for the Convention of 26 July 1995 on the use of information technology for customs purposes and the protocols thereto to come into force in respect of Bulgaria and Romania, the Council simply needs to adopt, following consultation of Parliament[2], a decision determining the date on which the convention and the protocols thereto are to enter into force.

Your rapporteur therefore proposes that the Council decision be approved without amendment.

[1] OJ L 157, 21.6.2005, p. 203.
[2] In accordance with Articles 3(3) and (4) of the Act of Accession of Bulgaria and Romania, OJ L 157, 21.6.2005, p. 203.