

487 (443.112)  
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# European Communities

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EUROPEAN PARLIAMENT

# Working Documents

1975-1976

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13 November 1975

DOCUMENT 373/75

## Report

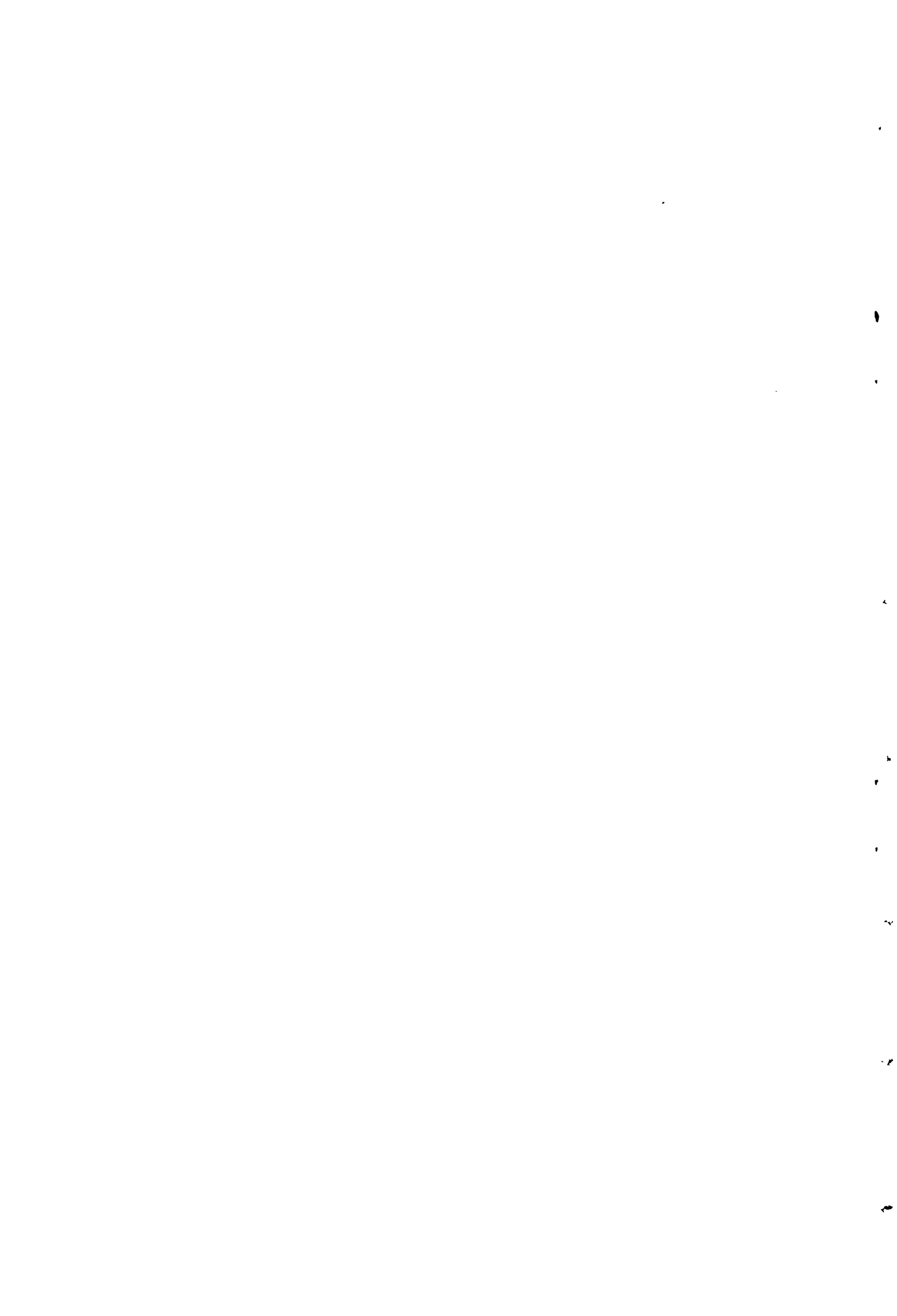
drawn up on behalf of the Committee on External Economic Relations

on the recommendation from the Commission of the European Communities to the Council (Doc. 253/75) for a decision accepting on behalf of the Community several annexes to the International Convention on the Simplification and Harmonization of Customs Procedures

Rapporteur : Mr H.H. DYKES

1 : 2

PE 42.129/fin.



By letter of 16 September 1975 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the recommendation from the Commission of the European Communities to the Council for a decision accepting on behalf of the Community several annexes to the International Convention on the Simplification and Harmonization of Customs Procedures.

The President of the European Parliament referred this recommendation to the Committee on External Economic Relations.

On 17 September 1975 the Committee on External Economic Relations appointed Mr Dykes rapporteur and considered this recommendation at its meeting of 4 November 1975.

At the same meeting the committee unanimously adopted the motion for a resolution and explanatory statement.

Present: Mr Kaspereit, chairman; Mr Dykes, rapporteur; Mr Bayerl, Mr Brégégère, Lord Castle, Mr D'Angelosante, Mr De Clercq, Mr Didier, Mr Klepsch, Mr E. Muller, Mr Nyborg, Mr Schulz, Mr Spicer, Mr Thornley and Mr Vetrone.

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A

The Committee on External Economic Relations hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the recommendation from the Commission of the European Communities to the Council for a decision accepting on behalf of the Community several annexes to the International Convention on the Simplification and Harmonization of Customs Procedures.

The European Parliament,

- having regard to the recommendation from the Commission of the European Communities to the Council<sup>1</sup>;
  - having been consulted by the Council (Doc. 253/75);
  - having regard to the report from the Committee on External Economic Relations (Doc. 373/75);
1. Welcomes the Commission's recommendation as a further step towards the liberalization of international trade;
  2. Approves of the Commission's recommendation.

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<sup>1</sup> OJ No. C237, 17.10.1975, p. 2

EXPLANATORY STATEMENT

1. The International Convention on the Simplification and Harmonization of Customs Procedures was drawn up by the Customs Cooperation Council (CCC) and signed in Kyoto (Japan) in June 1974<sup>1</sup>. The 126 members of the CCC include the Member States of the Community. The Community as such is a contracting party to the Convention.
2. The purpose of the Convention is to facilitate international trade in goods through arrangements covering the entire customs legislation.
3. The Convention will benefit not only the industrialized countries, but especially also the developing ones, since the customs services of both often still have to contend with administrative difficulties that can act as a barrier to trade.
4. The Kyoto Convention provides for around 30 annexes, each dealing with a particular sector of customs legislation.

These annexes therefore directly affect the operation of the Customs Union and hence the implementation of the Community's commercial policy.

5. Each annex is regarded as a separate convention and may be accepted - as it stands, or subject to certain reservations - or rejected separately by the parties.

It is stipulated, however, that on signature or ratification of, or accession to the Convention at least one annex must be accepted. Accordingly, at the time of signature the Community accepted the annex concerning customs warehouses.

6. The annexes now under consideration are intended to give further substance to the Convention. These annexes concern the following matters:

- D1 : Rules of origin
- D2 : Documentary evidence of origin
- D3 : Control of documentary evidence of origin
- E6 : Temporary admission for inward processing
- E7 : Duty-free replacement of goods
- F6 : Repayment of duties and taxes at importation

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<sup>1</sup> OJ No. L 100, 21 . 4 . 1975

The Commission of the European Communities recommends that the Council accept, subject to certain reservations, four of these annexes (D1, D2, E6 and F6) and reject two of them (D3 and E7). The reasons put forward by the Commission for its recommendations are of a purely technical nature and your committee does not consider it desirable to go into them in detail.

It is enough to mention that the system provided for by the Convention and its annexes is in general more complicated and more stringent than the Community's own arrangements.

7. In view of the technical nature of the annexes in question, the Committee on External Economic Relations sees no reason to comment on them and accordingly approves the recommendation without reservation.

8. At the same time your committee is somewhat surprised that the opinion of the European Parliament is being sought on the annexes although it was not consulted on the Convention itself.

9. In conclusion, the Committee on External Economic Relations wonders why Article 113 of the EEC Treaty was not used as the legal basis for the Council's decision concluding the Convention, since the latter comes within the scope of commercial policy. This article is in fact quoted in the preamble to the present recommendation.

