



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.01.2004  
COM(2003) 851 final

Proposal for a

**COUNCIL DECISION**

**on the conclusion of an Agreement in the form of an Exchange of Letters  
between the European Community and the Czech Republic modifying the Agreement  
concluded on 13 April 2000 concerning the extension of the common communication  
network/common systems interface (CCN/CSI) within the framework of  
the Convention on a common transit procedure**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

1. The implementation of the computerised transit system introduced by Decision n° 1/99<sup>1</sup> of the Joint Committee on Common Transit requires the use of an international computer network to enable the exchange of information between the competent authorities of the Parties to the Convention of 20 May 1987 on a common transit procedure<sup>2</sup>.
2. By Decision n° 2/99 of the Joint Committee, the network to be used by all Contracting Parties to the aforementioned Convention is the Common Communications Network/Common Systems Interface (CCN/CSI), developed by the European Community; agreements laying down the necessary arrangements were to be concluded between the Community and each of the partner countries concerned<sup>3</sup>.
3. The relevant agreement between the Community and the Czech Republic was concluded by exchange of letters on 13 April 2000<sup>4</sup>.
4. The agreement foreland down a system of pre-financing under which the Czech Republic had to advance a flat-rate sum for the annual cost of the use of the network and replenish a reserve for contingencies and future development, from which the Commission had to deduct the cost of the support services to that country.
5. Following the inclusion of the Czech Republic in the PHARE networking project, and the conclusion of contracts for CCN/CSI support services to that country on 25 November 2002, the expenses relating to the provision of these services in the Czech Republic are now paid from the pre-accession funds instead of under the arrangements laid down in the Agreement of 13 April 2000.
6. Consequently, the existing Agreement must be amended in order to terminate the application of the arrangements foreseen.
7. The Commission proposes that the Council conclude an agreement with the Czech Republic amending the agreement concluded on 13 April 2000, on the basis of the text contained in Annex I.

---

<sup>1</sup> OJ L 65, 12.3.1999, p. 50.

<sup>2</sup> OJ L 226, 13.8.1987, p. 2.

<sup>3</sup> Article 1 Appendix I of the Convention was amended as follows: The following new paragraph is inserted as paragraph 1a in article 23a: '1a. For the exchange of information in paragraph 1, the Common Communications Network/Common System Interface (CCN/CSI) of the Community shall be used by all contracting Parties. The financial participation of the EFTA countries and other related issues shall be agreed between the Community and each of the EFTA countries. OJ L 119, 7.5.1999, p. 53.

<sup>4</sup> OJ L 102, 27.4.2000, p. 59.

Proposal for a

## COUNCIL DECISION

**on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Czech Republic modifying the Agreement concluded on 13 April 2000 concerning the extension of the common communication network/common systems interface (CCN/CSI) within the framework of the Convention on a common transit procedure**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2) thereof;

Having regard to the proposal from the Commission<sup>5</sup>

Whereas:

- (1) The Community concluded an agreement with the Czech Republic on 13 April 2000 on the extension to that country of the common communication network/common systems interface, CCN/CSI
- (2) The Agreement provides for pre-financing by the Czech Republic of expenditure by the Commission on the provision of the relevant services;
- (3) On 25 November 2002 the Commission concluded contracts for the provision of these services to the Czech Republic under the Phare networking project.
- (4) It is therefore necessary to amend the agreement of 13 April 2000 so as to terminate the application of the arrangements foreseen in the existing Agreement;
- (5) Item XI of the Agreement specifies that the parties may modify it by mutual agreement;

HAS DECIDED AS FOLLOWS:

### *Sole Article*

The Council authorises the Commission to conclude, for the European Community, an agreement in the form of an exchange of letters with the Government of the Czech Republic amending the Agreement concluded on 13 April 2000, laying down the procedure for the extension of the common communication network/common systems interface (CCN/CSI), according to the text in Annex I.

---

<sup>5</sup> OJ C [...] [...], p. [...]

Done at Brussels, [...]

*For the Council  
The President*

## ANNEX I

### EXCHANGE OF LETTERS

**between the European Community, of the one part, and Czech Republic, of the other part, modifying the agreement concluded on 13 April 2000 concerning the extension to the Czech Republic of the use of the Common Communications Network/Common System Interface (CCN/CSI) for the New Computerised Transit System (NCTS) on the basis of Decision 2/99 of the EC/EFTA Joint Committee on common transit**

*A. Letter from the European Commission*

Sir,

Concerning the agreement concluded by exchange of letters on 13 April 2000 extending to the Czech Republic the use of the Common Communications Network/Common System Interface (CCN/CSI) for the New Computerised Transit System, and with reference to item XI of that Agreement, I would like to propose the following amendment on behalf of the European Community:

1. Following the conclusion, on 25 November 2002, of contracts under the Phare networking project for CCN/CSI services to the Czech Republic, the statement prepared in January 2003 shall be the final statement of accounts under the arrangements agreed on 13 April 2000.
2. The application of the provisions of the agreement is hereby terminated.

I would be grateful if you could confirm the agreement of the Czech Republic to the above.

*B. Letter from the Czech Republic*

Sir,

I have the honour to acknowledge receipt of your letter concerning the amendment of the agreement concluded by exchange of letters on 13 April 2000 extending to the Czech Republic the use of the Common Communications Network/Common System Interface (CCN/CSI) for the New Computerised Transit System, which reads as follows:

" Concerning the agreement concluded by exchange of letters on 13 April 2000 extending to the Czech Republic the use of the Common Communications Network/Common System Interface (CCN/CSI) for the New Computerised Transit System, and with reference to item XI of that Agreement, I would like to propose the following amendment on behalf of the European Community:

1. Following the conclusion, on 25 November 2002, of contracts under the Phare networking project for CCN/CSI services to the Czech Republic, the statement prepared in January 2003 shall be the final statement of accounts under the arrangements agreed on 13 April 2000.
2. The application of the provisions of the agreement is hereby terminated.

The Czech Republic has the honour to confirm its agreement with the commitment taken in this letter, on a reciprocal basis, by the European Community.

<b>FINANCIAL STATEMENT</b>					
		DATE:			
1.	BUDGET HEADING: B5-303 and 6093 (statement of revenue)	APPROPRIATIONS:			
2.	TITLE: Customs 2000 and revenue accruing from the participation of the non-member countries in customs co-operation agreements; termination of pre-financing arrangements				
3.	LEGAL BASIS: Decision N° 2/99 of the EC-CEFTA joint committee "Common Transit" of 30 March 1999 modifying Appendix I of the Convention of 20 May 1987. OJ L 119 p. 53, of 07/05/99. + Agreement (exchange of letters) of 13 April 2000, OJ L 102, 27.4.2000, p. 59				
4.	AIMS: Termination of pre-financing arrangements for use of CCN/CSI network by the Czech Republic				
5.	FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR [n] (EUR million)	FOLLOWING FINANCIAL YEAR [n+1] (EUR million)	
5.0	EXPENDITURE – Voir commentaires - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER		0, 02813340	0	
5.1	REVENUE – Voir commentaires - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL		0	0	
		[n+2]	[n+3]	[n+4]	[n+5]
5.0.1	ESTIMATED EXPENDITURE				
5.1.1	ESTIMATED REVENUE				
5.2	METHOD OF CALCULATION: After deduction of the cost of services up to 24/11/02 and taking into account the final payment requests from contractors, the balance at 31/1/03 amounted to +/- €28.133,40				
6.0	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES	
6.1	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			NO	
6.2	WILL A SUPPLEMENTARY BUDGET BE NECESSARY?			NO	
6.3	WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?			<del>YES</del> NO	
OBSERVATIONS: The agreement of 13 April 2000 requires the Commission to inform the Czech Republic, before July each year, of the flat-rate amount to be transmitted the following 15 May as an advance for CCN/CSI services. In 2002 DG TAXUD informed the Czech Republic that in view of the inclusion of these services to the Czech Republic in the Phare networking project, the advance to be made for 2003 was 0. Following the establishment of the final statement of account as at 31/1/03, therefore, procedures were put in hand to repay the balance to the Czech Republic, via item 6093 of the statement of revenues.					