

ECASBA POSITION PAPER



HARMONISATION OF BORDER CONTROLS - GENERAL

BACKGROUND:

Effective border controls are essential for the security of a country, preventing as they do the import of illegal, dangerous, counterfeit, and other undesirable goods and materials, controlling immigration and preventing the spread of diseases. They also serve to ensure that all duties and taxes are collected where due. Whilst historically border controls have been an extension of national sovereignty, pan-European developments such as the Union Customs Code and the introduction of electronic customs and ship reporting have driven the need for harmonisation and standardisation of rules, regulations, and procedures Europe-wide.

ECASBA POSITION:

Given the vital role played by the ship agent in ensuring that ships, cargoes, and passengers comply with all relevant and appropriate border controls, ECASBA and its member associations should be consulted immediately any new developments in laws or procedures related to border controls, including customs, immigration, port health and phytosanitary matters and other ship-reporting functions, are proposed or developed.

The following issues are important for the agent:

- Limiting the liability of the ship agent (“As Agents Only” or “Said to Contain”) must be recognised by the authorities and Member States
- Recognition by border authorities of the ship agent as a vital and active partner in the fight against the import of illegal, dangerous, counterfeit, and other undesirable goods and materials, controlling immigration and preventing the spread of diseases
- Harmonising and simplifying reporting requirements across all Member States, including the adoption of a standard dataset
- Introducing a fully electronic reporting environment allowing for data input using machine to machine and graphic user interfaces
- Aligning time frames for controls and reporting across authorities and Member States
- Re-using of data across, and between, authorities and Member States
- Controls should be applied on the basis of an analysis of individual risk
- For consistency, there should be a level playing field between Member States in terms of application of regulations, operational and inspection requirements, and sanctions.

PARTIES INVOLVED:

Depends on the specific control. See individual policy papers

VALIDITY:

Ongoing

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