

(English version)

**Question for written answer E-002220/24
to the Commission**

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(22 October 2024)

Subject: Security-related concerns regarding current EU customs scanning equipment and the Customs Control Equipment Instrument funds

Both the Draghi report on Europe's global competitiveness and the new European defence industrial strategy⁽¹⁾ have uncovered significant gaps in Europe's industrial capacity. These gaps have led to Europe being economically dependent on high-risk non-EU countries. This poses credible threats to the security of the EU and the wider Schengen area. One such threat is Chinese cyber warfare, including espionage and alleged data theft through China-produced scanning equipment at the EU's external borders.

1. Will the Commission support the development of European 'champions' and EU-based partnerships with trusted allies to provide border scanning equipment and services that are controlled and inspected by the EU?
2. Is it the Commission's view that the Customs Control Equipment Instrument funds could be extended to include defence products, for instance by classifying border scanning equipment as defence-related, and achieving this through transparent award procedures?
3. Will the Commission take steps to ensure that border and customs control scanning equipment is procured solely through transparent public tenders, restricted to EU companies and EU-based partnerships, thereby guaranteeing the security of EU and Schengen area borders as well as cybersecurity?

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Answer given by Mr Šefčovič on behalf of the European Commission
(5 January 2025)

As stated in a previous answer to Written Question E-004137/2022, the Commission already has multiple EU-funded innovation projects on non-intrusive inspection for customs security, also in collaboration with trusted partners under cluster 3 'Civil Security for Society' of Horizon Europe⁽¹⁾.

EU-wide investment in civil security fosters Europe's economic security and strategic autonomy. The Commission will continue investing in civil security innovation to support the competitiveness of Europe's industry.

As stipulated in the Customs Control Equipment Instrument (CCEI) regulation (Regulation (EU) 2021/1077⁽²⁾), customs control equipment should be used primarily for customs controls, but may also be used for additional purposes, such as border controls and security.

Directive 2009/81/EC concerning public procurement in the fields of defence and security applies to supply of sensitive equipment⁽³⁾. The assessment of the directive must be done on a case-by-case basis to ensure that the equipment in question genuinely falls within the scope.

The mission letter⁽⁴⁾ to Executive Vice-President for Prosperity and Industrial Strategy pointed to a revision of the procurement Directives.

The aims of the revision of the public procurement framework would be strengthening the strategic role of public procurement and the EU added value of public procurement through the security of supply for strategic technologies, products and services.

Regarding customs control equipment, as envisioned in a previous reply E-003419/2023, the Commission has taken action to protect EU security by introducing additional measures in the second CCEI call.

¹ https://defence-industry-space.ec.europa.eu/eu-defence-industry/edis-our-common-defence-industrial-strategy_en.

⁽¹⁾ https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe_en

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R1077>

⁽³⁾ Defined in the directive as equipment 'for security purposes, involving, requiring and/or containing classified information'. The application of the defence procurement directive depends exclusively on the qualification of the equipment as sensitive and not on the character of the contracting authority: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0081>

⁽⁴⁾ https://commission.europa.eu/document/6ef52679-19b9-4a8d-b7b2-cb99eb384eca_en