

## Newsletter Issue 5/31 January 2014

### MARITIME

#### SHIPPERS CALL FOR AN END TO EU CONSORTIA RULES

The Global Shippers' Forum, which represents cargo interests around the world, is urging the European Commission to stop treating shipping as a special case as far as competition rules are concerned.

Consortia Regulation No 906/2009 expires in April 2015, and Brussels is considering whether or not to renew it, or let the industry be treated in the same way as other sectors. At present, a shipping line consortium has a block exemption from EU competition laws if its market share is below 35%. A larger alliance is not necessarily unlawful, but members must conduct a self-assessment to ensure there is no abuse of its dominant position. Both the planned P3 Network between the three largest container lines in the world, and the expanded G6 alliance, would exceed the 35% limit on key trade lanes.

In the past, the threshold was 30% for conference lines, but was raised to 35% for all carriers when Europe outlawed collective pricing through conferences in 2008. Consortia arrangements between lines have no pricing element.

Please see the full article at the following [LINK](#). The press release from GSF may be found at this [LINK](#).

### ROAD

#### NO PLANS TO INTRODUCE MEGA TRUCKS EVERYWHERE IN THE EU

in response to some campaigners and [MEDIA REPORTS](#) which have clearly misunderstood what the Commission proposal to create the 'truck of the future' does — and what it does not do, the Commission has posted a blog, on its Communication website 'setting the facts right' , clarifying its intentions on the Weights & Dimensions Directive.

The post states that "What it [the proposal] does is to allow vehicle manufacturers to design a new, more streamlined cab for lorries and to attach aerodynamic wings at the back of trailers. These will cut fuel consumption and emissions of greenhouse gases by between 7–10%. What the proposal does not do is to introduce longer vehicles (sometimes called "mega trucks" or "gigaliners") everywhere in the EU. On the contrary, the proposal explicitly leaves it to

Member States to decide whether longer vehicles are appropriate in their circumstances or not, just as they do today – no changes there.”

The Commission moderates the concerns regarding possible safety risks and high infrastructure adaptation costs, arguing with the practical experience from countries already experiencing with longer lorries (study cases from [THE NETHERLANDS](#) and [DENMARK](#)).

For full article, please see the following [LINK](#).

### INTERMODAL LOBBY RELEASES OPEN LETTER ON WEIGHTS & DIMENSIONS DIRECTIVE

The International Union for Road-Rail Combined Transport (UIRR), the European Federation of Inland Ports (EFIP), the Community of European Railway and Infrastructure Companies (CER), the International Union of Wagon Keepers (UIP) and the European Barge Union (EBU) released an open letter this week, where they express their concern over the upcoming vote in the European Parliament on the amendment of Directive 96/53 on the weights and dimensions of road vehicles.

This concerns in particular the introduction of a new definition for "intermodal transport", as well as particular rules on short sea shipping. These changes are being proposed without a relevant impact assessment and without adequate consultation of the affected stakeholders involved in combined transport operations.[...] We would therefore urge decision makers to return to the original definition of combined transport included in Directive 92/106 and to consider any changes they may wish to make in this area in the framework of the revision of the Combined Transport Directive on the basis of a thorough impact assessment, the paper argues.

The paper comes before the vote on the Weight & Dimensions Directive in the TRAN Committee, scheduled on 11 February.

Please see the letter at the following [LINK](#).

CLECAT will send a letter to the Transport Committee on the 5<sup>th</sup> February to urge them to find a workable compromise that will work for all parties and member states concerned, including cross-border transport.

## RAIL

### COMMISSIONER KALLAS DETERMINED TO PUSH FOR THE 4<sup>TH</sup> RAILWAY PACKAGE

In a speech at the European Railway Award ceremony, jointly organised by the Community of European Railway and Infrastructure Industry (CER), and the Association of the European Rail Industry (UNIFE), Siim Kallas, the Commissioner for Transport, addressed the future of transport, considering the 4<sup>th</sup> Railway Package, Shift2Rail and the revised TEN-T policy the stepping stones for *“a new era in European transport infrastructure.”*

The Commissioner expressed his dismay that *“only 6% of passenger journeys made in Europe every year are by rail. That hasn’t really changed since 2000. Although it represents more than*

*8 billion people who are not adding to city traffic jams or to wider road congestion, I believe that number can be raised.”*

Kallas argued that in order to tackle the challenges posed by rising congestion and traffic demand, the solution would be to shift to other modes of transport such as rail and create a Single European Railway Area.

Finally, Commissioner Kallas touched upon the new public-private partnership Shift2Rail *“which triples our funding for research and innovation in rail. Over the next 7 years, almost €1 billion of public and private funds will be invested, reflecting the Commission’s strong commitment to rail. [...] Shift2Rail will help to develop technological advances that will be critical for the completion of the Single European Railway Area.”*

The speech at the railway event comes in the light of the plenary session of the European Parliament that will vote on the highly-disputed 4<sup>th</sup> Railway Package. Although the TRAN Committee voted comfortably in favour of the Commission’s proposal, initiatives continue before the Plenary to heavily dilute the proposals.

CLECAT will issue another letter with its coalition (including ERFA and ESC) to urge the European Parliament to accept the report from the Transport Committee.

Please see the full speech from Commissioner Kallas at the following [LINK](#).

## POLAND URGED TO COMPLY WITH EU RULES ON THE SEPARATION OF ACCOUNTS IN RAIL

The European Commission is concerned that Poland should ensure full transparency by separating its accounts between infrastructure managers and railway operators (Directive 2012/34/EU). One of their main purposes is to ensure transparency in the use of public funds and a more rational allocation so that transport service providers may compete on an equal footing to the benefit of end users.

To date Poland has not yet fully transposed accounting rules such as the obligation to separate accounts for rail transport services and railway infrastructure management. The accounts must also reflect the prohibition to transfer public funds from one of these two sectors to the other, in order to avoid cross-subsidies.

Since this is contrary to existing EU rules, which aim at establishing an efficient EU internal market for rail, the Commission sent a reasoned opinion to Poland. In the absence of a satisfactory response within two months, the Commission may refer it to the Court of Justice of the European Union.

Please see the full press release at the following [LINK](#).

## AVIATION

### AIR CARGO INDUSTRY IN NEED OF “SOFT SKILLS” EDUCATIONAL PROGRAMMES

The final report of a two-year research project called “Identifying the educational needs for a vibrant air cargo industry in the future” has been published. The study was led by TIACA

through the Air Cargo Industry Education and Training Task Force, with the assistance of FIATA, IATA and ICAO.

Based on an educational matrix, the Task Force concludes that in the present there are numerous sources of air cargo training programmes but very few educational programmes, especially at higher academic levels. There is a growing need in the sector for certificated and accredited aviation-focused programmes that teach rising managers the so-called “soft skills” such as leadership, team building and creating and business ethics.

Some companies have the resources to invest on educational tools to support their staff on the transition to managerial positions while others instead focus on the traditional “on-the-job” training model. This represents a problem in the long term to create a well-rounded workforce, mainly of mid-level managers, who will replace the retiring old-experienced managers.

The four organisations are currently reviewing the results of the study to build an environment and structure aimed at supporting the development of those higher-level educational programmes that will strengthen the future managers of the air cargo industry.

Click [HERE](#) to read the report

### **TIACA CALLS FOR GLOBAL STANDARDS ON ADVANCE DATA FOR AIR CARGO SECURITY**

During his intervention at the last World Customs Organization’s (WCO) Annual Technical Experts Group on Air Cargo Security Conference, TIACA’s Secretary General, Doug Brittin, emphasized the need to develop common global standards and procedures to avoid potentially serious disruption to the flow of world trade. Meanwhile, significant further testing should take place into the provision of advance data for air cargo and mail parcels security screening.

Customs regulators are taking unilateral action to require submission of certain customs information for all air cargo shipments, in advance of aircraft departure, mentioned Brittin. He urged that instead ‘all regulatory parties coordinate this process through the WCO and that they consult more closely with industry before they move forward on establishing regulations’.

Brittin pointed out that although country specific advance data programs such as ACAS in the U.S, PRECISE in Europe and PACT in Canada were successful, there are still gaps in global standards, such as lack of compatibility between many carrier and forwarder IT systems, inaccurate or incomplete information, wide variations in the timing of data availability, and limited testing of forwarder capabilities, especially outside of the U.S.

In the future, TIACA suggests that customs and security regulators should work with industry to ensure data elements, analysis and messaging procedures, screening and response protocols are all standardized. Brittin advised that the best way to achieve this is by customs regulators and industry working collaboratively through the WCO while security regulators work to develop common ‘targeted’ cargo screening and compliance standards.

Click [HERE](#) to access the full article

## AGREEMENT ON RULES FOR NOISE-RELATED OPERATING RESTRICTIONS AT EU AIRPORTS

The Council of the EU endorsed on 29 January 2014 the compromise reached between the Council and the European Parliament on the regulation which introduces noise-related operating restrictions at Union airports. This legislative proposal was part of the Airport Package.

The regulation will make the noise assessment process more robust and put competent authorities in a better position to phase out the noisiest aircraft in the fleet. Because the rules are based on principles agreed by the International Civil Aviation Organisation (ICAO), the risk of international disputes in the event of third country carriers being affected by noise abatement measures is reduced.

The regulation only applies to larger airports, with more than 50 000 civil aircraft movements per year. It covers aircraft engaged in civil aviation, while military, customs and police aircraft are excluded.

Click [here](#) to access the European Commission's press release.

## CUSTOMS

### SIXTH JAPAN-EU JOINT CUSTOMS COOPERATION COMMITTEE

On 24 January 2014, the EU and Japan held their sixth Customs Cooperation Committee in Tokyo. The Director General of the Customs and Tariff Bureau, the Ministry of Finance of Japan, Mr Yutaka Miyauchi, and the Director General of Taxation and Customs Union at the European Commission, Mr Heinz Zourek, chaired the meeting.

The discussions were about reinforcing the cooperation between Japanese customs authorities and EU's customs authorities. In this context, the main issues raised were on AEO recognition, especially the need to develop an automated recognition; on risk cargo assessment, and the necessity to enhance the knowledge on the specificities of the global supply chain in order to perform efficient risk management procedures; and on the Trade Facilitation Agreement of the WTO, endorsed in December in Bali, which implies that developed countries will have a role to play in helping developing and less developed countries in the implementation of the requirements contained in the Agreement.

The press release issued by DG TAXUD is available [HERE](#).

### JAPAN'S 24-HOUR ADVANCED MANIFEST CARGO RULE

On March 8, 2014, Japan's version of the 24-hour advanced manifest rule for containerised cargo shipments will come into effect, requiring advance submission of shipping details for security screening prior to loading of cargo on board the vessel at origin. This move is well underway around the world and it can be expected that this will be the norm for all trading nations within the next few years.

By applying the new regulation, Japan is following in the footsteps of the USA, Canada and Europe. Shipments that don't contain the necessary information in shipping instructions will

be rejected for loading by customs authorities. Japan will require NVOCCs to file documents in compliance with the Advanced Filing Requirement for each of their house bills of lading so the identity of the shipper and consignee cannot be concealed. Unlike in the US and Canada, there will not be a "carrier option" for filing. NVOCCs will need to make their own filing arrangements.

## GENERAL

### CLECAT JOINS INDUSTRY CONSULTATION AT ITF

Nicolette van der Jagt participated on behalf of CLECAT and FIATA at the annual consultation meeting which took place on the 31st January in Paris to debate with the ITF and other stakeholders priority issues relating to the summit themes, which in 2014 is *Transport for a Changing World*. The International Transport Forum annual summit will take place between 21-23 May 2014, in Leipzig, Germany, the leading global summit for transport ministers and decision-makers [\*TRANSPORT FOR A CHANGING WORLD\*](#).

Ms van der Jagt was invited to provide a presentation for Session 1: *How shifts in global economic balance are affecting transport*. She presented the freight forwarding perspective on how changes to the global distribution of economic activity, how these changes will affect investment decisions and trade flows and the challenges governments face in responding to these global economic shifts and key considerations or approaches that could assist decision-making.

### FREIGHT TRANSPORT IN CITY CENTRES DEBATED IN EP

CLECAT participated in a policy debate on EU freight transport in city centres, hosted by Gesine Meissner MEP and organized by EuroCommerce.

The focus of the debate was on the simplification and minimum level of harmonisation that could be achieved at local level to access city centres. When retailers and wholesalers deliver to town centres, they would then waste less time and resources on the planning of deliveries. This will also reduce congestion and any negative impact on the environment by increasing the efficiency of transport operations.

Gesine Meissner MEP said: "Freight transport is a key priority and initiatives such as a public consultation on access restrictions, which may increase the efficiency of operations and move commerce forward, are welcomed."

EuroCommerce's report [COMMERCE ON THE MOVE](#) was released during the debate. The report includes recommendations for an efficient and sustainable EU freight transport policy is the result of a consultation among logistics experts from retail and wholesale. The debate comes after the recent release of the Commission's [WORKING DOCUMENT](#) on urban logistics, which highlights the lack of focus and co-ordination of urban logistics actors.

Please find the full press release at the following [LINK](#).

## FORTHCOMING EVENTS

- 4 March 2014, [FERRMED CONFERENCE](#): “Efficient multimodal transport in Europe through FERRMED standards” EU Parliament in Brussels
- 6 March, [TRANSPORT WEEK](#), Gdansk
- 2-3 April, [MARKET PLACE SEMINAR](#), Trieste
- 21-23 May, [ITF SUMMIT](#), Leipzig

### CLECAT MEETINGS

#### Security Institute

- 6 May (morning)

#### Air Freight Institute

- 6 May (afternoon)

#### Maritime Institute

- 7 May (morning)

#### Sustainable Logistics Advisory Body

- 7 May (afternoon)

#### Road Institute

- 19 March 2014, Zurich (joint meeting with FIATA)

#### Board and General Assembly

- 3<sup>rd</sup> June, Brussels

### EUROPEAN PARLIAMENT

#### Transport and Tourism Committee Meeting

- 10-11 February 2014
- 17-18 March 2014

#### Plenary Session

- 3-6 February 2014
- 24-27 February 2014
- 10-13 March 2014
- 2-3 April 2014 (Brussels)
- 14-17 April 2014

### COUNCIL

#### Transport Council

- 14 March 2014
- 5 June 2014

#### Environment

- 3 March 2014
- 13 June 2014