CLECAT
european association for forwarding, transport, logistics and customs services

NEWSLETTER

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News from Brussels

THIRD DIGITAL TRANSPORT AND LOGISTICS FORUM PLENARY

On 16 March CLECAT attended the third plenary meeting of the European Commission’s Digital Transport and Logistics Forum. The meeting considered progress made so far in the subgroups of the Forum, which are dealing with electronic transport documents and cargo flow optimisation along corridors respectively.

The team within the first subgroup, which was mapping acceptance and barriers for electronic transport documents, found divergences between EU Member States as to their degrees of acceptance for e-Air Waybills, e-CMR and other such documents. Reasons include some countries still requiring paper documents alongside electronic submissions, the diversity of stakeholders involved, lack of ratification of international conventions, and extensive conditions being imposed by legislation for the use of electronic documents. The team analysing potential for multi-modal digital transport documents has been assessing levels of commonality between modal documents, and the potential for re-use of data from one mode to another. They will proceed to clarify what level of harmonisation is required, which barriers need to be addressed first, and how intermodal document handling can be facilitated.

The second subgroup presented the objectives of their work, which will be carried out using the Scandinavia-Mediterranean corridor in order to have the most holistic view. The subgroup will assess bottlenecks related to IT and digital infrastructure, issues and inefficiencies in digitalisation, interoperability bottlenecks, as well as other physical bottlenecks which can be solved or eased by digitalising. Port community systems, such as DAKOSY at Hamburg which was also presented, will be an important part of this work.

The next plenary meeting will be held in September.

Road

TRAN COMMITTEE DEBATES SOCIAL DUMPING IN TRANSPORT

Rapporteur: Jens Nilsson (S&D, SV) Opinion to EMPL.

On 15 March 2016 the TRAN Committee of the European Parliament debated amendments tabled to Jens Nilsson's draft opinion on social dumping in the EU. The draft opinion calls for monitoring and enforcing compliance with existing rules of social legislation covering the transport sector and for improvement of the European legislation in this area. The Rapporteur insisted on the importance of social rights, working conditions and fair competition in the transport sector. The draft opinion asks the Commission and Member States to eliminate unfair business practices such as precarious contracts (bogus self-employment, zero-hour contracts or pay-to-fly schemes), letter-box companies and flags of convenience, in order to ensure the social protection of workers.

Although MEPs broadly agreed on the need for clear stance against social dumping, it became clear that there was no common understanding of when social dumping ends and fair competition starts. Shadow rapporteurs considered that action against social dumping should not undermine the free movement of goods, services and workers or the right of establishment. Others believed that there was no contradiction between enforcing proportionate transport regulation, including social legislation, and fair competition. There was a broad support for better implementation of existing legislation and stepping up inspections, an area in which the Committee would like to see the Commission take a stronger role as guardian of the treaties. Views diverged on the creation of a European road transport agency and a "black list" to force non-compliant companies out of business.

Eddy Liégeois, Head of Unit land transport in DG MOVE, said: 'It is difficult to define social dumping. It would be dangerous to try to draw legal obligations or sanctions on the basis of this concept'. He also referred to the proposal on the posting of workers directive, published last week by the Commission.

Full draft opinion and amendments are available here.

SECTORAL TRAFFIC BAN FOR TRUCKS IN TIROL

IRU condemns the adoption of the sectoral traffic ban on a section of the A12 motorway in the Inn valley in Tirol, Austria by July 2018. The ban will affect all trucks over 7.5 tonnes based on the types of goods being transported.

Michael Nielsen, IRU General Delegate to the EU, said, "The adoption of the sectoral traffic ban comes only a few days after the European Commission stated that such a traffic ban would fail to comply with the principle of proportionality by being one of the least effective measures to improve air quality standards while seriously restricting the free movement of goods. The idea that these transports can be carried by rail is an illusion due to the clear lack of capacity now and in 2018." This is Tirol's third attempt to introduce such a sectoral traffic ban. The European Court of Justice has already stated twice before that the measure would not comply with EU law.

Source: IRU Press Release 17/3/16

Rail

ERFA CALLS FOR REVISION RAIL FREIGHT CORRIDORS REGULATION

In a policy document published earlier this week ERFA calls for a revision of the Rail Freight Corridor Regulation to unlock the growth potential for longer distance rail freight. Although the current Rail Freight Corridor (RFC) regulation has been successfully established, it is only the first step to achieving more competitive rail freight services. ERFA seeks to:

- strengthen the leadership of the RFCs. ERFA calls for a neutral European coordinator to drive forward a European approach;
- include specific targets for the RFC supported by KPIs for monitoring cost and quality;
- accountability and transparency for the RFCs: annual strategy meetings with all key stakeholders (including end customers), where key actors are held to account;
- include a new approach to capacity for freight trains maintaining existing capacity, but providing more flexibility;
- improve coordination for the handing of long-distance international freight trains.

The full Position Paper is available here.

ERFA LEADS THE CALLS FOR RAIL TO RAISE ITS GAME

At ERFA's annual event the EU Commission's Head of Transport Henrik Hololei led calls for the rail sector to raise its game. Making a plea for the sector and Member States to move away from creating barriers to a more competitive sector, Mr Hololei expressed his regret for the lowering of the original ambition in 4th Railway Package political pillar. Nevertheless he underlined that this is an important step forward towards the Single European Rail Area.

The readiness and the momentum of independent rail operators to drive forward dynamic change in the rail sector was highlighted by ERFA President Irmtraut Tonndorf. ERFA will tackle the cost and quality issues facing the rail sector as a priority. The achievement of "quick wins", relatively small investments in quality that can result in big improvements on the performance of rail, must be at the centre of any action plan to improve performance of the rail corridors. ERFA will also focus on close collaboration with enforcement and competition authorities to push forward greater market-orientation in the sector. In particular Ms Tonndorf highlighted current EU rules requiring infrastructure providers to reduce costs and user charges, which need urgent enforcement.

In the debate held on 15 March in occasion of the ERFA event the moderator MEP Wim van de Camp urged the sector to be proactive in finding solutions. Not all the challenges faced by the rail sector would be solved by the 4th Railway Package and new, innovative ideas would be needed from within the sector. EU policy makers should support this.

Matthew Walsh, Executive Vice-President of Genesee and Wyoming highlighted how greater stability, coordination and consistency between and within the various regulatory regimes of the European rail market would allow for the same productivity enhancements, investment and freight rail volume growth experienced in North America and Australia.

Samskip CEO Jens Holger Nielsen urged political action to support the more sustainable rail sector vis-à-vis the road sector and highlighted the concern that rail monopolies are still a major issue stifling competition, making rail less attractive to customers.

Closing the debate Hellen van Dongen from the Dutch Transport Ministry highlighted the Dutch Presidency's initiative for a strong commitment from the EU Member States to deliver high performance of the corridors. The challenge is on the rail sector to respond and grasp the opportunities.

Speeches and presentations of the event are available here.

TRAN VOTES ON TECHNICAL PILLAR 4TH RAILWAY PACKAGE

The TRAN Committee voted earlier this week on the three technical files of the 4th Railway package, including: Interoperability of the rail system within the European Union (recast); Railway safety (recast); and European Union Agency for Railways and repeal of Regulation (EC) No 881/2004.

The approval of the recommendations for three files making up the technical pillar of the fourth rail package confirms the Committee's endorsement of the agreement reached with Council last year. This technical pillar is intended to reduce costs for rail operators and manufacturers, increase transparency and contribute to the creation of a single European rail area.

Air

REVITALISED CARGO 2000 RELAUNCHED AS CARGO IQ

Air freight performance quality initiative Cargo 2000 (C2K) relaunched on 16 March as Cargo iQ as part of a strategic transformation programme including a 'Smart Data Project' that will add 110 million lines of performance data annually that its 82 members can 'mine' and a new certification scheme to bring added external credibility.

The IATA-led industry initiative insisted that the changes were far more than a rebrand, and many of its 82 airline and freight forwarding members enthused about the revitalised initiative, particularly its new 'big data' element, which they said allowed members to identify and compare key indicators such as transit time performances on specific lanes, as well as the performance levels of individual stations and cargo handlers. Under the Smart Data Project, data generated by all the members are pooled, providing a rich resource from which to identify a wide range of performance indicators, members told Lloyd's Loading List.

Members also welcomed the rebranding, arguing that the reference in the old Cargo 2000 name to the year 2000 had sometimes undermined perceptions of the initiative and the good work that it had achieved.

Cargo iQ members said the decision of the world's largest international air cargo carrier, Emirates SkyCargo, to join – along with four other members – was further evidence of the new added value of the initiative. These additional members include three airports, Frankfurt, Brussels, and Vienna, following a decision to allow full membership for organisations other than airlines and freight forwarders.

Other organisations such as cargo handler Swissport have had associate status for some time.

This year, the group will also implement a new audit and certification scheme, "which is focused on giving the Cargo iQ Quality Management System Certification higher international recognition".
IATA's global head of cargo Glyn Hughes commented: "The air cargo industry continues to face enormous challenges and in order to fulfil the value proposition shippers demand, we must focus much more on delivering quality.

"Cargo iQ's new approach to benchmarking and the use of smart data will help ensure we can indeed meet that objective. I welcome this brand refresh as Cargo iQ marks the start of a new chapter for the great work initiated by Cargo 2000."

Source: Lloyd's Loading List

Maritime

BOX CARRIER SCHEDULE RELIABILITY FALLS TO 12-MONTH LOW

Container line schedule reliability fell to its worst level in 12 months in February when the average on-time performance slipped by seven percentage points to 62.7%, according to a new report from Drewry Supply Chain Advisors. Drewry said the on-time average had fallen in each of the previous five months and was now at its lowest point since the US west coast labour dispute in February 2015, when average reliability fell to 55.2%.

Moreover, deviations from expected time of arrival were increasing, rising to 1.2 days in February, up from 0.9 days in January. "Only two of the 10 trades covered were able to improve their on-time average in February versus January," Drewry said. "The transatlantic trade got over the weather-affected issues from the start of the year to register a 19.6 point rise to 60.8%, putting it back close to its 2015 average, while the Europe-South America trade gained four points to 89.1%."

The best-performing carriers maintained their leading slots in February, but the overall deterioration lowered the bar and each of the three most reliable carriers saw their performance decline. Japan's MOL was in pole-position with an average on-time performance of 73.6%, down from 82.7% in January. Wan Hai came in second at 71.4%, down from 79.5%, and Maersk Line took third place with an average on-time performance of just 70.1%, down from 77%.

MSC and Zim were the only carriers to make any improvement on their January performance and the widespread malaise saw the spread from the most to least reliable carriers narrow to 18 points. "A raft of missed sailings to coincide with Chinese New Year and the subsequent operational adjustments will have contributed to the weaker performance," said Drewry supply chain research manager Simon Heaney.

"Worryingly, it seems that reliability is indeed now on a prolonged downwards trend, although the severity witnessed in February was probably exaggerated by the effects of Chinese New Year. We expect March to show a small month-on-month improvement but for on-time averages over the coming months to remain below the series-high performances of the second half of 2015."

Source: Lloyd's

Customs

PREPARING FOR THE UCC REALITY

CLECAT's President Steve Parker will speak on the 'Impact and remaining wishes after the Introduction of the UCC for the Forwarding Industry' at an event organised by Sidley on the 27th April at the WCO in Brussels.

On May 1, 2016 the long-awaited Union Customs Code (UCC) comes into force in the European Union, with the aim of streamlining and simplifying customs rules and processes. The new legislation will have significant implications for businesses involved in global trade in goods. Sidley is organising an interactive roundtable discussion featuring, senior members of the trade and business community, national legislators and the European Commission, to explore the key changes and impact of the UCC, its effects on various segments of business and what future areas need to be addressed to make the EU dream a reality.

This event is open to senior managers and directors responsible for their organization's European and international customs policies. If you are interested in the joining the event please contact the CLECAT secretariat to receive an invitation.

BUSINESS-CUSTOMS COLLABORATION: TOGETHER FOR THE FUTURE

On 16 March 2016, CLECAT participated to an event entitled "Customs and trade: together for the future", jointly organised by Voka and Flows in Antwerp.

Focusing on the necessity for customs and trade to cooperate in order to ensure a successful implementation of the UCC and mutual benefits, the debates were divided in three parts:

The first session presented the main changes in the new Customs Code and their impacts on business. Robert Murphy, Senior policy adviser for customs at CLECAT, stressed the importance of the different guidance for implementation currently being developed by the European Commission together with other stakeholders including CLECAT. He welcomed elements of the new UCC legislation but emphasised that there remains much work to do to fully achieve the objectives and benefits of the UCC.

The second session focused on the cross border aspect of the UCC, the different speakers underlining that the new code presented challenges but also opportunities and that customs-customs partnership and customs-business partnership were crucial to address them properly. The examples of projects between the Netherlands and Belgium on temporary storage and centralised clearance were given.

The third session was about sanctions related to customs infringements. The European Commission presented its legislative proposal aiming at harmonising the definition given to different types of infringement and at offering a frame for the different sanctions related to them. The Netherlands and Belgium customs presented how they nationally dealt with customs infringements.

In his closing speech, Kristan Vanderwaeren, new Director General of the Belgian General Administration of Customs and Excise, acknowledged that UCC implementation would be the result of a joint effort at European level.

He emphasized that controls and trade facilitation were two sides of the same coin, and that both customs and business would benefit from a common approach.

UCC E-LEARNING PROGRAMME

The European Commission (DG TAXUD) recently published the Level 1 of its UCC eLearning Programme, providing an overview about what the UCC is bringing and focusses on the key features, the impact on customs authorities and trade and the transitional measures in place to move from Community Customs Code (CCC) to the new UCC.

The UCC EU eLearning programme is developed (Level 1 to be completed by Level 2 and 3) by DG TAXUD in collaboration with a pool of customs experts from national authorities and the private sector in order to support the implementation of the Union Customs Code (UCC) and its Delegated Act (DA) and Implementing Act (IA), entering into force on 1 May 2016. The programme is addressed to both customs officers and economic operators in the European Union.

The programme is available for free (download + courses). In the frame of the Learning Level 2, different modules will be designed to allow a selection of single modules in function of professional competency needs.

More information on the UCC eLearning Programme available here.

General

CONSULTATION ON ENVIRONMENTAL NOISE DIRECTIVE

The Commission is evaluating – in the context of “Better Regulation” –the Environmental Noise Directive with a view to regulatory fitness. The Commission already collected the views of enterprises and public bodies by means of dedicated interviews but is now seeking further views through an on-line public consultation.

Noise from transport and industry is regulated by the “Environmental Noise Directive”, which requires Member States to take a common approach to the management of noise by mapping noise from transport and industry and drawing up actions plans to address it. These action plans need to be publically consulted. The collected data also serve to develop measures to reduce noise at source (e.g. EU legislation which imposes limits on the noise created by individual cars, trains, aircrafts or industrial equipment).

The Environmental Noise Directive does not require Member States to take specific noise reduction measures, nor does it set limit or target values for noise pollution. This remains the responsibility of Member States.

Full text of the Environmental Noise Directive available here.

More information on the Evaluation Roadmap and Questionnaire available here.

2016 ITF SUMMIT SESSION DETAILS NOW ONLINE

The first batch of session descriptions for the 2016 Summit programme are now available on the ITF Summit website. Outlining the core questions and issues around which debate will take place in the 13 panel discussions and other formats, theses short introductions will help Summit participants to plan their individual Summit agenda and get most out of their time in Leipzig – and to benefit from the early booking discount rates that are available until 12 April.

The co-founder and Chief Technical Officer of Tesla Motors, JB Straubel, Siemens Mobility CEO Jochen Eickholt and Kitack Lim, the new Secretary-General of the International Maritime Organization (IMO) are among the many high-level speakers that will attend the 2016 Summit on “Green and Inclusive Transport”.

CLECAT, FIATA, IRU, ESC and Smartfreight center are organising a side event at the ITF on the 22nd May in Leipzig.

The programme is available here.

GLOBAL SUPPLY CHAIN DAY – SITL PARIS

TLF, CLECAT and the ESC are jointly organising a full afternoon Forum entitled ‘How to Facilitate Trade and ensure Security & Customs Compliance’ during the SITL in Paris on the 22nd March 2016.

The event includes three panels discussing several initiatives that have been taken to facilitate trade in a new global context. The WTO Trade Facilitation Agreement from 2014, the first major multilateral deal in years, is expected to significantly simplify and modernise customs procedures around the world. It will allow for more harmonized taxation, better cooperation between border agencies, and enhanced trade facilitation, all with the aim to boost international trade. This session will take stock of the progress made and challenges of reaching tangible benefits in the current global context.

Embracing digitalisation in air freight has been a high on the agenda of the air cargo industry. Launched by IATA in 2006, e-freight became an industry-wide initiative involving carriers, freight forwarders, ground handlers, shippers and customs authorities. Digitalisation in the air freight sector needs a collaborative from the cargo supply chain. The panel will debate how more progress can be made to involve more players, including SME’s in this initiative.

The last panel will debate the new EU Customs Code and the challenges for the business community. The new EU Customs Code will take legal effect across all EU Member States from 1 May 2016. There will be a number of important changes to how goods cross EU borders and some transitional arrangements will operate until 2020.

This new Code is will greatly impact the way the administrations work, but will also influence the working procedures of shippers, freight forwarders and customs agents. The panel will define the challenges and opportunities from the perspectives of these stakeholders. Join the debate and listen to what are the most critical changes and how to prepare for this.

Speakers include amongst others Steve Parker, President CLECAT, Herbert de Saint-Simon, TLF Overseas President, Lothar Moehle, DB Schenker, Jean-François Auzeau, TLF Overseas, Gérard Tessaud, Custom Director at Renault, Lance Thompson, Chair UN/CEFACT Trade Facilitation, Stefane Noll, Cargo e-Business, IATA, Godfried Smit, ESC and Pascal Meyer, Chanel

The programme is available here.

For more information www.sitl.eu

TEN-T CORRIDOR WORK PLANS PRESENTED TO EP

At the TRAN Committee earlier this week Mr Onidi, Director in DG MOVE, pointed out that the second corridor work plans have all been approved by the Member States without objection. The Commission is now focusing on performance indicators in order to decide on the allocation of investments, the removal of technical obstacles, as well as on the projects' time-frame.

He added that the core network corridors and the second corridor work plans will be discussed with Members, Ministers and stakeholders at the TEN-T Days in Rotterdam in June, alongside five issue papers on crosscutting topics in transport such as Intelligent Transport Systems and multi-modality.
Some Members expressed concerns about the choice of projects. They stressed that projects requiring substantial funding had often been selected. Such projects absorbed a large share of the available budget and would take several decades to implement. This would be difficult for citizens to comprehend and would work to the detriment of local projects.

On the question of whether there was an analysis of the costs and the consequences of non-implementation of those projects, the Commission replied that all projects had been selected on the basis of a cost-benefit analysis entailing a strict audit. Other Members drew attention to the fact that EU-funding should be primarily used to kick-start national projects at an early stage, thereby encouraging national investment.

Members were also informed that Chinese investors were interested in European projects and negotiations concerning their participation would respect European standards. Mr Onidi assured Members that the Commission was very keen to provide stakeholders with all the important documents including evaluations and reports. Only certain confidential documents were excluded.

Other questions focused on the way the Committee could best support the implementation of the TEN-T network. The Commission replied that a continuous monitoring of the documents provided was appreciated in order to establish a coherent TEN-T framework and to improve the choice of evaluation and future projects.

Source: TRAN News

Forthcoming events

CLECAT MEETINGS

Customs and Indirect Taxation Institute
10 June 2016, London

Board/General Assembly
22 June 2016, Rotterdam

Rail logistics institute
22 June 2016, Rotterdam

OTHER EVENTS WITH CLECAT PARTICIPATION

SITL – CLECAT/TLF/AUTF/ESC workshop Global Supply Chain Day
22-25 March, Paris

T&E Conference on decarbonisation of road transport
23 March, Brussels

Road Freight Conference
19 April, Brussels

Port Finance International
20-21 April Antwerp

Sidley Meeting on the Introduction of the UCC
27 April, Brussels

Contact Group UIC / FIATA Meeting
12-13 May Shenzhen, China

ITF 2016 Summit on Green and Inclusive Transport
18-20 May Leipzig, Germany

TEN-T Days and Dutch Presidency Conference
22-23 June, Rotterdam, Netherlands

UIC Rail Freight Conference
22-23 June Rotterdam, Netherlands

DTLF Plenary meeting
20 September, Brussels

European Parliament

Transport and Tourism Committee
7 April 2016, Brussels
25/26 April 2016, Brussels

Council of the European Union

Transport, Telecommunications and Energy Council
6 June 2015

Contact

Nicolette van der Jagt
Director General CLECAT

Rue du Commerce 77, B-1040 Brussels, Belgium
Tel +32 2 503 4705 / **Fax** +32 2 503 47 52
E-mail nicolettevdjagt@clecat.org / info@clecat.org
@CLECAT_EU