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

NEWSLETTER
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News from Brussels

SLOVAK TRANSPORT MINISTER PRESENTS PRIORITIES TO TRAN COMMITTEE

On 13 July the Slovak transport minister Roman Brecely presented to the European Parliament Transport Committee Slovakia's transport priorities for its presidency of the EU Council. Dossiers of particular interest to the Slovak presidency, which runs until the end of 2016, include concluding revision of the EASA regulation; monitoring the Commission's negotiations for comprehensive aviation agreements with ASEAN, the UAE and Turkey; coordination of a common EU position on aviation emissions for the upcoming ICAO Assembly; pursuing discussions on shipping emissions in the IMO; and a focus on infrastructure and multi-modality for decarbonising European transport.

Nearly all MEPs who posed questions to the minister raised the issue of social dumping and differing minimum wage laws throughout Europe. Mr Brecely said that he does not foresee legislative work on these issues but a targeted clarification of the existing rules is essential. Slovakia was among the countries complaining about administrative barriers going beyond existing legislation, particularly in Germany and France, and Mr Brecely confirmed that Slovakia would be happy to discuss the issue if it is on the table.

Road

CONSULTATION "EUROVIGNETTE" DIRECTIVE LAUNCHED

The Commission has launched the consultation on the Review of Directive 2004/52/EC and Decision 2009/750/EC on the European Electronic Toll Service. The Consultation ends by 2/10/2016

Directive 1999/62/EC (the "Eurovignette" Directive) provides a detailed legal framework for charging heavy goods vehicles (HGVs - Initially only heavy goods vehicles with a total permissible laden weight above 12 tonnes) for the use of certain roads. The Directive aims to eliminate distortions of competition between transport undertakings by achieving step-wise harmonisation of vehicle taxes and establishment of fair mechanisms of infrastructure charging. It sets minimum levels of vehicle taxes for heavy commercial vehicles and provides for the way infrastructure charges should be set, including differentiation according to environmental performance.

The Eurovignette Directive does not oblige Member States to introduce user charges, but specifies that in the case user charges are applied, tolls should be related to the cost of constructing, operating and developing infrastructure. It has been amended twice (by Directives 2006/38/EC and 2011/76/EU), to include vehicles with a permissible laden weight between 3.5 and 12 tonnes and measures aiming at addressing the issues of traffic-based air pollution and noise as well as congestion.

Following ex-post evaluations of the current legislative framework which revealed persisting problems in the area of road infrastructure charging, the Commission intends to revise the Directive in order to promote fair and efficient road charging.

CLECAT has been invited to express its opinion on the appropriateness of the current EU legal framework relative to road infrastructure charging and the problems identified and the preliminary options for policy answers to these problems, as identified by the Commission in the preparatory work for a revision of the Directive.

CONSULTATION "ETTS" LAUNCHED

In parallel a consultation has been launched on Review of Directive 2004/52/EC and Decision 2009/750/EC on the European Electronic Toll Service (EETS). The consultation is available here.

Many roads in the EU are toll roads, i.e. vehicles must pay for their use. Most people are aware of the tolls on concession motorways e.g. in France or in Italy, which have a physical dimension with toll plazas across the motorways, where drivers pay in cash or cards proportionately to the distance covered. In central European countries, car drivers are more used to stickers (vignettes) affixed to the windshield, which give access to the road network of the country for a given period of time.

Besides those physical means of payment, it is possible, or even mandatory, on some roads to pay tolls electronically. E.g. in London, one must register on-line before entering the congestion charge zone, and pay upon receipt of an invoice. On the already mentioned toll plazas, special lanes are generally reserved for vehicles equipped with on-board transponders, which allow automatic calculation of the toll due and its deduction from the account of the user.

While it is generally proposed only as a handy alternative to manual payment for cars, electronic tolling is much more used for trucks. In Austria, Belgium, the Czech Republic, Germany, Hungary, Poland and Slovakia it is even the only practical means for trucks to pay for the roads, while in other countries (Croatia, France, Greece, Ireland, Italy, Portugal, Spain) most trucks use it because it is simpler.

With so many electronic tolling systems in Europe, vehicles frequently travelling across the continent must be equipped with a good dozen of on-board units to be able to pay tolls in each country. To help them, the European Union provided for the creation of a European Electronic Toll Service (EETS), a service which allows seamless payment of electronic road tolls across the EU with a single on-board unit, under one contract and a single invoice.

An EETS was to be offered to trucks and buses in 2012, and to other vehicles (notably cars) in 2014. So far, however, the concept has not become reality. The Commission is therefore critically looking at what went wrong and intends to revise its legislation so that the EETS can be offered to EU citizens and businesses as soon as possible. The legislative revision will equally provide the opportunity to look at electronic tolling from a wider perspective, and check if the objectives of the existing legislation were not set too narrowly (or too widely).

More information on the ex-post evaluation of the EETS legislation and on the preliminary ideas for its revision can be found at http://ec.europa.eu/smart-regulation/roadmaps/index_en.htm).

Maritime

HMM CONFIRMS PLANS TO JOIN 2M ALLIANCE

Hyundai Merchant Marine has confirmed plans to join the 2M alliance of Maersk and Mediterranean Shipping Co in yet another twist to this unprecedented shake-up of the global container shipping industry.

The three lines revealed they were in talks earlier in the month as HMM was completing debt restructuring negotiations.

In a statement on Thursday, HMM said it had signed a memorandum of understanding with 2M for providing a joint service to begin from April 2017, after finalising negotiations and approval procedures in each country.

The MOU signed between the three carriers is a binding agreement in regard to HMM's entry to the 2M vessel-sharing agreement.

By accessing the 2M network, HMM will be able to strengthen its service offering and achieve improved cost competitiveness, the line said. The 2M carriers will benefit from a reinforced service competency in Asia and improved network cover in the transpacific trades.

HMM said the announcement marked the successful completion of all conditions set out in the voluntary agreement with creditors from March 2016, and in accordance with the completion of such preconditions, the planned debt-for-equity swap by creditors will be executed as planned.

"Upon completion of said debt-for-equity swap, the financial structure of HMM will be significantly improved and puts HMM in sound position to meet future challenges," the statement said.

A HMM spokesperson added that the line would work on "increasing operational competency in the second half of this year to continue improving profitability of our company".

MSC said in a statement that the addition of HMM to the 2M vessel sharing agreement "will allow us to offer improved services on our transpacific trade".

The expansion of 2M to three lines has fuelled speculation that Maersk could be interested in buying HMM, once it has had a chance to work with the carrier.

15/7/ 2016 - First published on www.lloydslist.com

LUFTHANSA CARGO TALKING TO AMAZON, ALIBABA ON POSSIBLE CO-OPERATION

Lufthansa Cargo is in talks over possible cooperation with e-retail giants Amazon and Alibaba as it seeks to build new revenue streams against a backdrop of declining traditional air freight markets, but insists any partnerships with e-commerce customers would not bypass freight forwarders.

A company spokesman told Lloyd's Loading List: “We are talking to representatives of the e-commerce industry to evaluate future cooperation. However, there is no intention to do any business without the freight forwarders. Rather, we are looking forward to generate additional business and to mandate forwarders with it.”

He would not elaborate further on what exactly was under discussion, with observers speculating on whether the focus was on securing dedicated capacity via block-space agreements or dedicated fleet agreements. Amazon has demonstrated its commitment to secure additional transport capacity, especially during periods of peak demand such as Christmas, as well as seeking to align its logistics chain with the growing demand from customers for shorter delivery schedules.

High-profile evidence of Amazon’s commitment to secure additional transport capacity include multi-year deals signed this year with air cargo aircraft operators Atlas Air and ATSG for the supply and operation of of 20 B767 freighters each.

The desire among cargo airlines such as Lufthansa Cargo to expand their business for the booming e-commerce segment come as market conditions in their core business has stagnated. Interviewed earlier this week by Reuters about a reported 15-20% slump in air freight prices this year compared to last year and the significant over-capacity in the sector, Lufthansa Cargo’s CEO Peter Gerber said: “It’s a landslide (the price situation). With prices falling so quickly, we have to cut costs.”

Confirming these comments to Lloyd's Loading List, a spokesman said the cost-cutting was part of the company’s “adjusted” strategy, CARGO eVOLUTION, which also includes opening up “new customer segments” such as e-commerce.

“We want to give ourselves access to new customer groups and are focusing on introducing new services and products.”

But he played down suggestions in the Reuters article that the company was looking at dealing with customers directly, rather than via freight forwarders as it seeks to develop new lines of business.
“This refers to our upcoming door-to-door B2P-product called myAirCargo, that is going to be marketed particularly to Lufthansa passengers and which will involve forwarders,” he underlined.

Lloyds Loading List | Friday, 08 July 2016

Customs

IMCO COMMITTEE ADOPTS KALLAS REPORT ON CUSTOMS INFRINGEMENTS AND SANCTIONS

The report of Kaja Kallas (ALDE/Estonia) on the proposal for a directive on customs infringement and sanctions was adopted yesterday by the IMCO Committee, with 24 votes in favour, 4 against and 3 abstentions.

A large majority of the compromise amendments presented before the vote and already discussed between the rapporteur and the other political groups, were adopted.

CLECAT sees the report of the IMCO Committee as an improvement compared to the initial proposal of the European Commission. CLECAT particularly appreciates the clarification that sanctions proposed under the Directive are non-criminal sanctions; the better distinction made between intention and negligence; the removal of the concept of strict liability; the imposition of fines based on customs duties evaded instead of the valuation attached to the goods; and the introduction of a settlement option.

In spite of these concrete progresses, CLECAT has strong reservations with the introduction of the possibility for Member States to apply criminal sanctions in certain cases.

The vote of the IMCO report in Parliament plenary session is expected to take place on the 22nd of November 2016. CLECAT will pursue the dialogue with Members of the European Parliament and Permanent Representations.

ELECTRONIC CUSTOMS MULTI ANNUAL STRATEGIC PLAN 2016

After having been endorsed by the CPG (Customs Policy Group) in June, the MASP version 2016 and its annexes have recently been published on DG TAXUD website.

As a reminder, the MASP is a management and planning tool for customs IT projects setting down a strategic framework and milestones. Its endorsement takes place in the CPG, on the basis of the advices provided by the ECCG (Electronic Customs Contact Group) and the consultations with the TCG (Trade Contact Group). The MASP is related to the UCC Work Programme, which specifically supports the development of electronic systems and the transitional measures related to the UCC, but includes other IT projects going beyond the scope of the UCC such as AEO Mutual recognition, Safety and Security, and Single Window.

MASP Revision 2016 has been initiated in March 2015 and follows MASP Revision 2014. It provides the progress made and an up-to-date overview of all future customs projects and envisaged IT requirements as well as a detailed planning.

More information is available here.

Rail

ONE BELT ONE ROAD INITIATIVE

CLECAT participated at the end of last month at a Brainstorming meeting organised by the European Commission on China OBOR: Opportunities and Challenges for Europe. The aim of this meeting was to seek for the point of view of the European Industry.

In 2013, China launched its 'One Belt, One Road' (OBOR) initiative. OBOR is China's broadly sketched vision of how it plans to boost regional integration in its wider neighbourhood. The initiative is unprecedented in terms of China's financial engagement and the innovative network-based project design which is intended to contribute to a more inclusive global governance. It contrasts sharply with existing treaty-based integration concepts where the geographical scope, partner countries, strategy, principles and rules were clearly defined at the outset. China's new development vision has been seen as an alternative to regional trade agreements which do not include it; as a strategy for asserting its leadership role in Asia in response to the US pivot to Asia; as an economic outreach towards Asian countries for resolving territorial and maritime disputes by exporting China's domestic development policies; as a means of tapping into new sources of growth to check the marked downturn in its economy; as a tool for tackling the socio-economic divide between its inland and coastal provinces; and finally, as a venue for addressing security challenges on its western periphery as well as energy security issues.

The response to China's regional integration vision has been mixed. While the idea of enhancing connectivity has drawn considerable interest, given the huge infrastructure gaps across Asia, scepticism regarding China's potential hegemonic ambitions has prevailed notably among regional rivals India and Japan as well as the USA. Whether OBOR will be mutually beneficial for China and the EU will depend on the two sides agreeing on the 'rules of the game', including for joint projects in third countries. Potential synergies between OBOR and the EU connectivity initiatives are being explored under the EU-China Connectivity Platform. Onee of the main aims of the Connectivity Platform is to guarantee that transport markets could rely on free, fair and undistorted competition based on regulatory convergence, a level playing field and sustainability and promote cooperation in transport areas such as infrastructure, equipment, technologies, standards, engineering and construction.

Sustainable Logistics

EU LEARN PROJECT - KICK START FOR THE GLEC FRAMEWORK

Smart Freight Center led a consortium bid to the European Commission to drive the acceptance and use of the GLEC Framework. The project proposal, called LEARN ("Logistics Emissions Accounting and Reduction Network") has been selected as the top-ranked proposal. CLECAT is a member of the consortium and will start working on the project in September. The project has a timeframe of 30 months. The focus will be to expand the discussion about the GLEC Framework to other sectors, building networks with public authorities, researchers, training providers and certification organizations among others.

The consortium will work with these groups to develop support materials such as application and certification guidelines and training material to help increase the take-up of carbon accounting and reporting in the logistics sector. In discussion with network members we will also take initial steps to investigate a framework for including a broader range of environmental impacts within a logistics ecolabel.

EU TO INTRODUCE LIMITS ON TRUCK CO2 EMISSIONS

The European Commission will propose limits on CO2 emissions from trucks, following in the footsteps of the United States and Japan, and new fuel efficiency standards for cars and vans after 2020, according to a draft document seen by Reuters.

The European Union has introduced a limit of 95 grams of CO2 per kilometer (g/km) by 2021 for cars and vans but has so far not done the same for trucks, although they are responsible for around a quarter of road transport emissions and that share of emissions could increase by 2030, according to the Commission.

"The Commission will, therefore, speed up analytical work on design options for standards for heavy duty vehicles and will launch a public consultation to prepare the ground for a legislative proposal," the document says. The document contains a list of proposals to lower the CO2 footprint of transport, including a "legislative proposal to set fuel efficiency standards for heavy duty vehicles" and a revision of emissions standards for cars and vans post-2020.

Some European nations had called for the EU to introduce limits on the amount of CO2 emitted by trucks, which pump out a large proportion of CO2 emissions but only account for a small fraction of vehicles on the road.

The industry, which includes manufacturers Daimler, Renault and Volkswagen, has typically resisted introducing targets for trucks on the grounds that their different shapes and sizes make a "one-size-fits-all" approach to limiting CO2 emissions difficult and fuel efficiency has already helped lower their carbon footprint.

Europe has lagged behind other countries such as the United States, China, Japan and Canada which have already introduced fuel efficiency standards for trucks.

The U.S. standards on truck emissions could lead to a 33 percent reduction of fuel consumption rates from 2010 levels, according to researchers.

To prepare the ground for the new limits the Commission will propose a law on the certification of CO2 emissions and fuel consumption of new trucks - namely a CO2 test procedure - as well as a law on monitoring and reporting lorries' fuel consumption. The fuel efficiency targets will initially only be for engines. "Over time this will be expanded subsequently to all categories based on the full monitoring data," the document says.

Source: Reuters

Forthcoming events

CLECAT MEETINGS

Customs and Indirect Taxation Institute

7 September, Brussels (morning)

Road Logistics Institute
20 October, Berlin

Sustainable Logistics Institute
20 October, Berlin

Supply Chain Security Institute
21 October, Berlin

Air Logistics Institute
21 October, Berlin

2016 FREIGHT FORWARDERS FORUM
16 November, Brussels (morning)

Board & General Assembly
16 November, Brussels (afternoon)

OTHER EVENTS WITH CLECAT PARTICIPATION

Conference “EU Customs – Making A Difference In Modern Trade?”
7 September, Brussels

European Transport Forum
27 September, Brussels

FIATA World Congress
3-8 October 2016, Dublin

Conference ‘Law and logistics: the way forward’
12/13 October 2016, Antwerp

GLEC event on launch methodology
15 November, Brussels

ELP Forum on the Future of Logistics
15 November, Brussels

2016 FREIGHT FORWARDERS FORUM
16 November, Brussels (morning)

FEPORT Second Annual Stakeholders’ Conference
8 December, Brussels

EP/COUNCIL MEETINGS

European Parliament
Transport and Tourism Committee
11/12 July, Brussels
1 September, Brussels

Council of the European Union

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