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News from Brussels

SAVE THE DATE: FFF16 AIR CARGO LOGISTICS: GROUND FOR CHANGE?



The Freight Forwarders Forum 2016, entitled “Air Cargo Logistics: Ground for Change?”, will be held on 16 November in partnership with Brussels Airport, at the nearby Van Der Valk Hotel. The event will address topics including e-freight, optimisation of the air cargo logistics chain and efficient border and security management.

CLECAT’s Freight Forwarders Forum takes place once a year, offering the freight forwarding and transport policy communities an occasion to discuss policy and business issues affecting the logistics, freight forwarding and customs services sector.

The Forum typically features keynote speeches from political and business leaders, and several panel discussions on topical issues involving experts from across industry, academia and public authorities. In addition, the Freight Forwarders Forum offers excellent networking opportunities for stakeholders involved in logistics, freight forwarding and customs services.

Already confirmed speakers include Alain Lumbroso, Economist at the International Transport Forum; Lothar Moehle, Director Security Standardisation at DB Schenker; Steven Polmans, Head of Cargo, Brussels Airport; Christian Doepgen of the International Transport Journal; and Ariaen Zimmerman, Executive Director of CargoIQ.

The full conference programme will be released shortly but for now **save the date!**



HIGH LEVEL CONFERENCE ON EU CUSTOMS: MAKING A DIFFERENCE IN MODERN TRADE?

CLECAT President Steve Parker will be a key note industry speaker at the High Level Conference on “EU Customs – Making a difference in modern trade?” taking place on 7 September 2016 at the World Customs Organisation in Brussels.

The conference is to be opened by Commissioner Pierre Moscovici who is providing the opening address, and is co-organised by AmCham EU, CLECAT, EuroCommerce supported by EurTradeNet, the European Express Association, the Foreign Trade Association, IATA and the World Shipping Council.

The conference, which will be attended by leading company representatives, industry experts and top regulators, aims to challenge attitudes on the role customs play as an economic driver, both in Europe and on the global market. In particular, participants will seek to identify the areas that hold customs policy and procedure back from playing a more central and positive role in trade facilitation, without undermining the controls necessary for safety, security and equal treatment.

The event is on invitation only, but please contact CLECAT in case you would like to join us at this key event.

Road

NEW ITALIAN LAW ON POSTING OF WORKERS

A new law on the posting of workers covering also the transport sector entered into force in Italy on 23 July 2016. The implementing decree is yet to be adopted and a number of important issues remain are still to be clarified.

The main aim of the law is to grant the posted workers the same working and employment conditions applicable in the country where the posting takes place. This means paying the same minimum wage and the days of leave provided by the relevant collective agreement. Other provisions include: maximum work periods and minimum rest periods; minimum paid annual holidays; minimum wage packages, including overtime rates; conditions of temporary transfer of workers; health and safety in the workplace; protective measures for certain groups (pregnant women, children and youth) and equal treatment for men / women and other provisions on non-discrimination.

The Italian decree specifically mentions only cabotage as falling under the new law.

Before each posting, the posting company must send to the Italian Ministry of Labour various information, including the number of workers involved, the date of start and ending of the posting, the place of performance of the service. Companies posting workers in Italy are obliged to communicate the posting details before 24:00 of the day preceding the beginning of the posting and communicate all subsequent modifications within 5 days.

During the period of posting and up to 2 years after the posting, the posting company should store (with a copy in Italian) the employment contract, the payslips, the statements about the start, the end and the duration of working time, the documentation proving the payment of salaries, the public communication concerning the establishment of the employment relationship, the certificate related to the applicable social security legislation.



The law also foresees the appointment of an **Italian representative** of the undertaking on the national territory. This representative must be able to respond to requests from the enforcement services and must be in possession of a certain number of documents of the undertaking.

CLECAT will keep its members informed on any further details on the new law and the implementation provisions.

Maritime

ECSA ENDORSE THE GLOBAL COMMITMENT OF EU STRATEGY FOR LOW-EMISSION MOBILITY

On 25 July, ECSA (The European Community Shipowners' Associations) published a press release welcoming the approach taken by the Commission in its communication on a European Strategy for low-emission mobility which points out that all transport sectors need to contribute towards reducing the EU's greenhouse gas emissions and air pollutants.

"We believe that shipping obviously must be part of the global solutions to limit the increase in the global temperature as we clearly are also a global contributor to the carbon emissions", commented ECSA Secretary General Patrick Verhoeven.

"We fully agree with the aim of the EU to secure a robust and mandatory global agreement for the collection and reporting of greenhouse gas emissions from international shipping in the International Maritime Organisation as mentioned in the Commission's communication. We also look forward to seeing a proposal to align the EU MRV Regulation with the global system. Finally, we support the Commission in ensuring that IMO timely delivers on the next steps. We believe that a global agreement is both needed and possible", he added.

Stating that shipping is currently one of the most energy efficient modes of transport, ECSA reminds that the predictions of the IMO show a potential increase of CO₂ emissions emitted by shipping industry in the future. ECSA explains that the international shipping industry is committed to developing CO₂ reductions across the world merchant fleet that are both ambitious and realistic.

"Overall, we welcome the comprehensive approach of the EU strategy, which focuses also on supporting multi-modality, alternative fuels, digitalisation and innovation", Patrick Verhoeven concluded.

The entire press release is available [here](#).

Air

AIR FREIGHT VOLUMES SHOW DECREASE IN FIRST QUARTER 2016

The latest update of global freight data collected by the International Transport Forum at the OECD through April 2016 shows that:

- International trade related air freight volumes, in tonnes of goods moved, considered as a lead indicator, remain below the pre-crisis level both in the EU area and in the US.
- Exports to BRICS and Asia remain the locomotives of growth.



- Surface freight volumes, measured in tonne-kilometres of goods transported, show signs of a slowing down in China and in the EU.

In the EU-28, air freight volumes remain below the pre-crisis levels. Total external trade by sea, measured in tonnes of goods carried, has been growing above the pre-crisis level since the first quarter of 2015. Exports and imports continue to display diverging trends. Total exports transported by sea reached 38% above pre-crisis peak in the EU-28 while imports stagnate below pre-crisis levels (-5%). EU-28 trade with the neighbouring countries remains stagnant with the exception of trade by road with the Balkan region and trade by rail and road with Turkey.

Overall, the EU area surface freight volumes measured in tonne-kilometers remain stagnant, reflecting weak domestic demand.

More information available [here](#).

Source ITF-OECD

Customs

IMPLEMENTING ACT SETTING OUT CORRELATION TABLE BETWEEN CUSTOMS AND WASTE CODES

On 28 July, the Commission adopted an implementing act setting out a preliminary correlation table between codes of the Combined Nomenclature provided for in Council Regulation (EEC) No 2658/87 and entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. This correlation table is intended to step up the enforcement of the Waste Shipment Regulation whereby customs officials will be able to identify potential waste streams more easily. The table will thus serve as a tool to assist in curbing illegal exports of waste out of the EU. This regulation is in line with the further measures foreseen by the Commission in its Circular Economy Action Plan adopted on 2 December 2015 to help ensure that the Waste Shipment Regulation is properly implemented and that illegal shipments causing raw materials leakage are addressed more effectively.

The Commission Implementing Regulation (EU) 2016/1245 is available [here](#).

Rail

SINGLE RAILWAY AREA: EC REFERS GREECE, LUXEMBOURG AND ROMANIA TO COURT OF JUSTICE

On 22 July, the European Commission decided to refer Greece, Luxembourg and Romania to the Court of Justice of the EU for failing to transpose into national law Directive 2012/34/EU establishing a single European railway area.

The Directive aims at strengthening the role of national rail regulatory bodies, in particular as regards their competence for rail facilities, such as terminals and stations. It requires Member States to base their relations with infrastructure managers on multi-annual contracts setting out mutual obligations as regards the structure of payment and the infrastructure service quality to be provided to railway undertakings. This Directive also contains requirements for financial transparency so that railway



undertakings and infrastructure managers keep and publish separate accounts and control financial flows.

Member States had to bring into force the measures necessary to comply with the Directive by 16 June 2015. As Greece, Luxembourg and Romania failed to do so, the Commission sent these Member States a letter of formal notice in July 2015 followed by a reasoned opinion in February 2016. Given that national transposition measures have not yet been adopted, the Commission has decided to refer these Member States to the Court of Justice of the EU.

On the basis of the procedure set out in Article 260(3) of the Treaty on the Functioning of the European Union (TFEU), the Commission will request the Court of Justice to impose a daily penalty payment on Greece, Luxembourg and Romania until the law is fully transposed into national legislation. The Commission proposes daily penalty payments of € 30 310,80 for Greece, € 8 710,00 for Luxembourg and € 29 091,40 for Romania.

Source European Commission

General

SAVE THE DATE - CONFERENCE ON SHAPING THE FUTURE OF THE CORE NETWORK CORRIDORS

The European Economic and Social Committee (EESC), together with the Region of Lombardy and a group of Italian stakeholders as well as the European Commission (DG MOVE), organises an European Conference entitled 'Shaping the future of the European Core Network Corridors – Improved dialogue for smart and sustainable transport' on 24 - 25 October 2016 in Milan, Italy.

This European conference is another step in the process of shaping Europe's core network corridors. The Connecting Europe Facility has already allocated most of its resources earmarked for the core network corridors and the European coordinators are implementing the measures and actions set out in the work plans. They highlight the importance of the use of ITS, efficient management and the promotion of future-oriented clean transport solutions.

The conference will begin with keynote speeches by high-level policy-makers and civil society representatives, followed by in-depth discussions in three parallel breakout sessions:

- Better dialogue for better solutions, with a focus on specific projects in regions where participatory dialogue could have clear added value and potential for improving implementation.
- Financing solutions, presenting the possibilities of the CEF, EFSI and structural/regional funds, PPP solutions.
- Efficient smarter and greener transport solutions and corridors.

For more information, you can contact Erika Paulinova (Erika.Paulinova@eesc.europa.eu) from the EESC. As the Conference is only at the stage of the Save the Date, more information (agenda, registration) will come in the next weeks.

EU PLANS TO MODIFY ANTI-DUMPING REGULATION

During the discussion on China's a so-called Market Economy Status (MES) under WTO rules, the college of Commissioners has proposed to modify the calculation method for dumping.



Currently, under Section 15 of the Chinese WTO Accession Protocol, China can be treated as a non-market economy (NME) in anti-dumping proceedings, if Chinese firms cannot prove that they operate under market economy conditions. This means that in anti-dumping procedures other methodologies than the use of domestic prices to compute the dumping margin are allowed. These other methodologies have generally proven to lead to higher anti-dumping duties. Obtaining Market Economy Status (MES) has therefore been one of China's major foreign policy objectives since 2003. China has claimed that, according to Section 15(d) of the WTO Accession Protocol, the Section 15 provision allowing for NME methodology expires after 11 December 2016, resulting in a legal obligation to grant MES to China after that date.

However, instead of granting China MES the college of commissioners proposed to change the EU's methodology to calculate dumping. In current alleged dumping cases, EU investigators compare Chinese export prices to those of other countries, rather than to domestic prices in China. This would no longer be possible if the EU grants China MES. Under the EU's proposed new model, dumping investigations would take into account prevailing international prices and distortions caused by state interventions.

It is expected that the EU maintains a strong trade defense system, which means keeping trade tariffs against China in place, thereby hindering free trade flows between the EU and China. The Commission will make a proposal before the end of the year on this matter.

Source: ESC

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

Plenary Session

12-15 September, Strasbourg

3-6 October, Strasbourg

Transport and Tourism Committee

1 September, Brussels

26 September, Brussels

Council of the European Union

1-2 December - Transport, Telecommunications and Energy Council

5 December - Transport, Telecommunications and Energy Council

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