

Newsletter Issue 45 / 11 December 2015

NEWS FROM BRUSSELS

CLECAT WELCOMES AMBITIOUS AND TIMELY EU AVIATION PACKAGE

In a [PRESS RELEASE](#) issued on the 7th December CLECAT welcomed the European Commission's Aviation Package, as a step in the right direction of promoting a fair, open and transparent air transport market worldwide. However, greater clarity is required on the concrete actions which the Commission will take to implement the strategy, which must deal with specific cargo-related matters.

The package, which seeks to address the competitiveness of European aviation, is a timely initiative as the European air transport market seeks to adjust to competition from the Middle East and Asia. The shift in the global market's centre of gravity to the East, and increasingly to the South East, over the past decades, has undoubtedly affected Europe's position in the global supply chain, and as a global aviation hub.

As transport users, CLECAT members have a keen interest in a modern, innovative aviation sector which guarantees choice, quality, connectivity, transparency and fair competition. Air cargo serves specific market needs, namely the transport of high-value, perishable and time-sensitive goods. The booming aviation market in the Middle East and Asia both follows shifts in global supply chains, and opens up new opportunities for European businesses to source goods and access new export markets.

The Commission strategy therefore seeks to ensure growing access to these markets for European companies, and vice-versa, based on principles of fairness and transparency. CLECAT believes that the promotion of a fair, competitive international air cargo market is a welcome step from the Commission and a vital element in the health of the economy. Europe's location, existing aviation expertise and industry make it ideally positioned to be a global hub in an open, competitive international aviation market. As the new strategy addresses these issues on a general level, CLECAT looks forward to seeing specific cargo-related matters dealt with in future legislative proposals to implement the strategy.

CLECAT is looking forward to the new Commission strategy being put into practice, through negotiations with partners such as the Gulf countries and the Association of South East Asian Nations which would extend the EU open aviation market in return for commitment to fair and transparent competition. This would give freight forwarders, logistics companies and their customers a broader choice, and avoid counterproductive protectionism which only serves to limit choice and inflate prices for transport users.

A full CLECAT position paper on the strategy will be published shortly.

DIGITALISATION OF TRANSPORT DOCUMENTS – A PAPERLESS SUPPLY CHAIN



At the ninth event of the European Logistics Platform (ELP), 40 EU policymakers and industry stakeholders came together to discuss the digitalisation of transport documents and how to move to a paperless end-to-end supply chain. The event was hosted by Gesine Meissner MEP, member of the TRAN committee and the ELP Advisory Board.

The discussion focused on how to enhance and promote the digital process of transport documents that show great potential for the transport and logistics sector. One main challenge is that many Member States have not yet ratified the e-CMR - the convention establishing a digital transport document as a legal basis for transport.

Michael Bünning, Managing Director of BLG Automobile Logistics, called for a quick solution to get all Member States to ratify the e-CMR Protocol so transport operators can finally use the e-CMR consignment note which is currently only accepted by eight Member States plus Switzerland. Libor Lochman, Executive Director of CER (Community of European Railways), highlighted the importance of recognizing electronic transport documents by commercial partners like banks and insurances.

Astrid Schlewing, Head of Sector of the Unit Maritime Transport and Logistics, pointed out the significant work of the *Digital Transport and Logistics Forum* which was recently established to tackle these issues by identifying the tools to overcome the barriers and defining concrete actions to facilitate the recognition of electronic transport documents.

In conclusion, Søren Larsen, Vice-Chairman of the European Logistics Platform said: “Europe must move faster to a paperless supply chain environment for international and national transport. Therefore, all parties involved, including the Member States, need to work together and ensure the end-to-end data flow in a safe, reliable and efficient manner.”

For more information: www.europeanlogisticsplatform.eu

ROAD

CLECAT IN EP DEBATE ON THE ROLE OF ROAD TRANSPORT IN EU ECONOMIC DEVELOPMENT

At a European Parliament debate hosted by Polish MEP Kosma Zlotowski, Nicolette van der Jagt outlined the vital role of road transport in European economic development. She noted that true to say that freight forwarders who try to serve their clients in the best possible way continue to have reason to propose road transport solutions to their customers demanding affordable, fast and reliable door-to-door transport. It is correct that, as far as intra-European transport is concerned, users still perceive unimodal road as the benchmark for freight transport: it is competitive, dynamic and often irreplaceable – in particular for the beginning and of the end of the chain. But the industry needs to improve as well; compared to other modes road transportation sector holds the lowest productivity figures for persons employed and innovation uptake is relatively low.

She noted that CLECAT is largely worried and disillusioned by new burdensome reporting requirements applicable to intra-EU movements of Union goods. CLECAT fears that this may lead to a proliferation of national rules which may have a considerable impact on our members' business and services and which are threatening the Union acquis. Added more red tape through national legislation makes road transport increasing complex adding to the burdens and costs faced by operators and users.

NEW DRAFT LIST OF SERIOUS INFRINGEMENTS IN ROAD TRANSPORT

Following the resolution of the European Parliament, rejecting the list of serious infringements of the Union rules which may lead to the loss of good repute by the road transport operator, in December 2014, and the request to submit a new list, the European Commission presented earlier this month a new draft measure of serious infringements in road transport to the TRAN Committee of the European Parliament. The draft establishes a common list of categories, types and degrees of serious infringements of Union rules in commercial road transport which may lead to the haulier's loss of good repute. It also stipulates when repeated serious infringements shall be regarded as more serious. During the debate, Members acknowledged that the Commission had addressed its concerns expressed in 2014. They appreciated improvements concerning the transportation of dangerous goods and the 12-day rule. However, it was pointed out that enforcement and implementation is a weak point in the EU's road transport market. Members invited the Commission to tackle infringements leading to unfair competition (such as illegal cabotage and falsified documents). The Commission will make appropriate proposals in the forthcoming revision of Regulations 1071/2009 and 1072/2009.

RAIL

COUNCIL ADOPTS ITS POSITION ON RAILWAY SAFETY AND INTEROPERABILITY

On 10 December 2015, the Council adopted its **position at first reading** on directives on **railway safety and interoperability**, and a regulation on the **European Railway Agency (ERA)**. Together, these legislative acts make up the **technical pillar of the fourth railway package**. To conclude the procedure, they still need to be formally approved by the European Parliament at second reading.

For more information on the new systems, please click [here](#).

The other proposals under the fourth railway package, known as the political or market pillar, are being negotiated with the Parliament.

[Council position at first reading on railway safety](#)

[Council position at first reading on railway interoperability](#)

[Council position at first reading on the ERA](#)

Source: [European Council Press Release](#), 10/12/2015

PRESENTATION OF A STUDY ON RAILWAY INFRASTRUCTURE FINANCING

A presentation on the study on "The results and efficiency of railway infrastructure financing within the EU" will take place in the next TRAN Committee on the 21st of December. The study analyses the results, efficiency and effectiveness of EU investment in rail infrastructure with a specific focus on cross border rail projects.

The study is available [HERE](#)

AIR

EUROPEAN COMMISSION PUBLISHES NEW AVIATION STRATEGY

As noted above, the European Commission has adopted a new [AVIATION STRATEGY FOR EUROPE](#), which aims to shape a comprehensive strategy for the whole EU aviation ecosystem. In this context, the priorities are to boost the competitiveness of European aviation, particularly by accessing growth markets, tackling capacity constraints and inefficiencies, and maintaining high security and safety standards.

Access to growth markets can be achieved through new external aviation agreements with key countries and regions in the world, including China, the Gulf countries and ASEAN, which would include strict requirements on fair competition, due to concerns over subsidy and state control of airlines in these regions. The agreements would allow greater market access for EU carriers in third countries, and vice-versa, on the condition that fair competition principles are respected. The Commission will also bring forward proposals to replace the existing regulation on unfair commercial practices in air transport with a more effective instrument.

The strategy proposes to tackle limits to growth in the air and on the ground through completion of the Single European Sky, as well as examining the effectiveness of legislation on ground handling services and airport charges.

Regarding digitalisation, the Strategy proposes a legal framework to ensure safety and legal certainty for industry and addresses concerns related to privacy and data protection, security and the environment. In addition, appropriate investments into technology and innovation will secure Europe's leading role in international aviation.

The Commissions says that it will shortly request authorisation from the Member States to begin negotiations on the comprehensive air service agreements. The strategy is otherwise light on policy proposals, with further action required to implement its provisions.

Source: [EUROPEAN COMMISSION PRESS RELEASE](#), 7/12/2015

HEARING ON COMPETITION IN INTERNATIONAL AVIATION

A hearing on competition in international aviation will take place in the next TRAN Committee of the European Parliament on the 22nd of December. The event will consist of one panel with six experts and will focus on the international dimension of competition in aviation. The presentations will be followed by a question and answer session with Members.

Confirmed speakers include: **Mr Alain Lumbroso**, Economist, OECD-International Transport Forum (Paris); **Mr. Athar Husain Khan**, CEO, Association of European Airlines; **Mr John Hanlon**, Secretary General, European Low Fares Airline Association; **Mr Dirk Polloczek**, President, European Cockpit Association; **Mr Olivier Jankovec**, Director General, Airports Council International Europe; and **Mr Klaus Geil**, Head of Sector, External aviation policy, DG MOVE

The hearing program is available [HERE](#)

Source: [EUROPEAN PARLIAMENT NEWS](#), 10/12/2015

MARITIME

EUROPEAN SHIPOWNERS WANT SHIPPING REINTRODUCED IN COP21 TEXT

European shipowners join the European Commission, MEPs and various stakeholders in calling for shipping to be brought back in the text currently negotiated in the context of the COP21 climate talks in Paris.

‘The talks in Paris are a unique opportunity to give a clear signal to the Member States of the International Maritime Organisation (IMO) that they need to act decisively in order to further regulate CO2 emissions from ships on a global level. It would provide support for their ability to move forward and give new impetus to ongoing discussions, which we hope will very soon reach fruition’ said Patrick Verhoeven, ECSA Secretary General.

Shipping, together with aviation, had been included in earlier versions of the draft agreement on climate change. The latest version however, which was released yesterday, makes no reference to these two industries.

The IMO has already made strides when it comes to the shipping industry’s carbon footprint. In 2011 it adopted universal measures that made shipping the first industrial sector to have a binding global regime in place to reduce its CO2 emissions. Entered into force in 2013, they require a gradual improvement of energy efficiency for newly built ships through intermediary targets, culminating in the requirement that all ships constructed after 2025 be 30% more efficient than those built in the 2000s.

However, the IMO’s work on CO2 emissions reduction is far from completed. It remains firmly on its agenda and will be considered again at the next meeting of the IMO Marine Environment Protection Committee in April 2016. The shipping industry supports the establishment, as soon as possible, of a mandatory system of data collection from individual vessels, understanding that the possibility of further market based measures might be revisited after an IMO analysis of the data submitted by ships.

Source: [ECSA News](#), 10/12/2015

INDUSTRY COALITION OFFERS ‘CLARITY’ ON NEW CONTAINER WEIGHING RULES

The World Shipping Council (WSC), the TT Club, the International Cargo Handling Coordination Association (ICHCA), and the Global Shippers’ Forum (GSF) jointly released a new Frequently Asked Questions (FAQ) document to address issues arising from the new container weighing regulations.

The amendments to the SOLAS (Safety of Life at Sea) Convention require packed shipping containers to have a verified gross mass (VGM) before they can be loaded on a ship for export.

The amendments were adopted by the IMO (International Maritime Organization) to enhance maritime safety and reduce the dangers to containerships, their crews, and all those involved in container transport throughout the supply chain. The FAQs have been developed by the industry coalition in response to numerous questions from shippers, carriers, forwarders, and terminal operators about the steps they must take to ensure successful implementation of the new regulations.

This initial FAQs document seeks to clarify how the SOLAS container weight verification requirements will function in various situations. It identifies commercial and operational arrangements that will have to be addressed, and it flags issues that must be dealt with by national governments, the organisations said.

The FAQs are based on actual questions from affected stakeholders, and they will be expanded as new issues emerge. Stakeholders are invited to approach any of the collaborating organisations with additional questions that may come up. Contact details of ‘subject-matter experts’ from each of the organizations can be found at the end of the FAQs document.

“Container safety is a shared responsibility, and all parties have an interest in improving the safety of ships, the safety of cargo and the reduction of the risks to the lives of ships’ crews and others throughout the containerised supply chain,” the organisations said in a joint statement.

The FAQs document can be accessed here:

<http://www.ttclub.com/loss-prevention/publications/container-weighing/>

ECSA PRESENTS PROPOSALS FOR EU MARITIME STRATEGY

On 8 December, CLECAT attended the presentation of ECSA’s [PROPOSALS FOR THE EUROPEAN COMMISSION’S REVIEW OF EU SHIPPING POLICY](#). These include proposals to foster the EU’s global leadership in the shipping sector, as well as other proposals which will help complete the internal market for shipping, give a boost to jobs in the maritime cluster and help reduce the continent’s CO2 emissions through co-modality and a shift of passengers and cargo to sea.

ECSA calls on the Commission to identify key barriers to short-sea shipping in Europe and to remove them, and to complete the single market particularly regarding reporting formalities and the ports services regulation. The sixteen proposals are accompanied by a better regulation checklist, including an international subsidiarity test to ensure that EU shipping regulation has added value above what can be achieved at international level, as well as seeking alignment with IMO better regulation principles and ensuring transparency and stakeholder involvement.

The EU Transport Commissioner, Violeta Bulc, welcomed the proposals and called for a multi-modal focus to ensure an integrated logistics approach. On short-sea shipping she said that an effective Motorways of the Sea policy is needed, speeding up processes and shortening business cycles, along with support to create a European single window. She addressed the issue of mega-ships, saying that concerted action is needed by all parties, including terminal operators, to maximise efficiency and throughput. Citing the example of the Port of Dubai, she said that the major challenge for Europe is digitisation and automation, where Europe must not lose touch with technology in order to be a leader. She further called on shipping associations to cooperate with associations in other modes, given the high degree of policy and commercial overlap between modes, following the principle of the value network, rather than value chain.

Wim van de Camp MEP, who is the European Parliament’s rapporteur for the mid-term review of the EU Maritime Strategy, called for a policy package for maritime transport similar to the one unveiled for aviation by the Commission the previous day. He also called for proper integration of short-sea shipping with inland waterway transport.

Mark Frequin, Director General for Infrastructure in the Dutch Ministry of Transport and Mobility presented the priorities of the upcoming Dutch Presidency of the Council, including agreement on the EU Ports policy, and a more pragmatic approach in the IMO. Special attention will be given to short sea shipping, with a conference organised by the Dutch Presidency in the Netherlands early 2016 to discuss its potential in revitalising coastal shipping. He also called for clear guidelines on state aid to ports so as to ensure a level playing field, and noted that the Dutch Maritime Strategy 2015-2025 seeks to avoid duplicating the IMO and EU approaches, so as to reduce red tape.

CUSTOMS

UCC IMPLEMENTING ACT AND TRANSITIONAL DELEGATED ACT

Following adoption by the Commission, the UCC Implementing Act has now been published and is available [HERE](#). It is now scheduled to be published in the EU Official Journal in late December 2015. It is in the interest of clarity, precision and predictability that the Implementing Act intends to ensure the existence of uniform conditions for the implementation of the UCC and a harmonised application of procedures by all Member States.

The Transitional Delegated Act is currently going through the EU Commission Inter Service Consultation procedure, with a view to securing agreement and being adopted by the Commission by the end of December 2015.

GENERAL

WORKSHOP ON INSIDER THREATS TO CRITICAL INFRASTRUCTURE

CLECAT will participate to a workshop on 'EU Insider Threats to Critical Infrastructure' organised by DG Home on the 17th December in Brussels. The workshop aimed to bring together all relevant stakeholders with the aim of establishing the key issues associated with insider threats in the Critical Infrastructure domain. This workshop will seek to map issues and challenges associated with development and implementation of insider threat approaches.

The workshop, building on lessons from the earlier Insider Threat Workshop held in 2012 and 2014, was welcomed by CLECAT and other participants as it stressed the urgent need to address the insider threat issue at both national and EU level. Following these workshops the Commission intends to invite Member States authorities and Industry to another joint session in early 2016 to discuss concrete steps to be considered.

FIRST EU-WIDE RULES TO IMPROVE CYBERSECURITY: DEAL WITH EP

On 7 December 2015, the Luxembourg presidency of the Council reached an informal agreement with the European Parliament on common rules to strengthen network and information security (NIS) across the EU.

The new directive will set out cybersecurity obligations for operators of essential services and digital service providers. These operators will be required to take measures to manage cyber risks and report major security incidents, but the two categories will be subject to different regimes.

More information is available at the [COUNCIL WEBSITE](#).

FORTHCOMING EVENTS

CLECAT MEETINGS:

Air Logistics Institute

- 2 March 2016, Brussels **new!**

Supply Chain Security Institute

- 2 March 2016, Brussels **new!**

Road Logistics Institute

- 3 March 2016, Brussels **new!**

Sustainable Logistics Institute

- 3 March 2016, Brussels **new!**

Customs and Indirect Taxation Institute

- 4 March 2015, Brussels

OTHER EVENTS with CLECAT PARTICIPATION

CORE meetings

- 11 December, Leiden

GLEC Multi Modal Action Group meeting

- 17 December, Schiphol

Workshop on 'EU Insider Threats to Critical Infrastructure'

- 17 December, Brussels

ACEA Stakeholders event

- 16 February, Brussels

DTLF Plenary meeting

- 16 March & 20 September 2016

ITF 2016 Summit on Green and Inclusive Transport

- 18-20 May Leipzig, Germany

EU meetings

European Parliament

Transport Committee

- 21 December 2015, (afternoon), Brussels
Draft Agenda (tbc) available [HERE](#):
 - Presentation by the Policy Department of the Study on "The Results and Efficiency of Railway Infrastructure Financing within the EU";
 - Exchange of views with the Commission and stakeholders on Uber;
 - 22 December 2015, (morning and afternoon), Brussels
Agenda (tbc) available [HERE](#):
 - Hearing on competition in international aviation
 - 25 January 2016, Brussels
 - 15-16 February 2016, Brussels
- ##### Plenary Session
- 2 December 2015, Brussels
 - 14-17 December 2015, Strasbourg