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Brussels News

EP VOTES ON MOBILITY PACKAGE 1

During the plenary mini-session 3-4 April 2019 in Brussels, MEPs adopted the remaining files of the mobility package as below (adopted texts):

- [Minimum requirements on maximum daily/weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs](#) - Wim Van de Camp (EPP, NL)
- [Occupation of road transport operator and access to the international road haulage market](#) - Ismail Ertug (S&D, DE)
- [Posting drivers in the road transport sector](#) - Merja Kyllönen (GUE/NGL, FI).

CLECAT REFLECTIONS ON VOTE EP 1ST MOBILITY PACKAGE

After almost two years of discussions, the European Parliament has taken a final position on the social and market related proposals of the Mobility Package, released in May 2017. CLECAT supported the initial objectives of the European Commission, which were to increase enforceability, to enhance focus on fighting illegal practices and to simplify the current rules. Different interpretations of the rules has led in recent years to internal market fragmentation and disproportionate national measures that hamper free movement in the single market.

Commenting on the positions adopted by the European Parliament, Ms Nicolette van der Jagt, Director General of CLECAT, noted: "It remains to be seen whether the compromise reached on posting in international road transport will be feasible in practice. The patchwork of administrative

national individual regulations will not be resolved by this for the time being.” CLECAT has always called for the exclusion of the Posting of Workers directive to international transport. This will increase the administrative burden in the sector with complex new rules (with different national legislations and minimum wages per Member State depending on the truck, goods transported, age of the driver etc.). Equally, it will be difficult for carriers to underpin the sector's CO2 reduction efforts as it will increase empty runs.

Excluding bilateral transport (plus one extra activity of loading and/or unloading in each direction, or zero on the way out and up to two on return) is far from sufficient to guarantee a well-functioning internal market for road transport. The Parliament has recognised that one key element for improving enforcement is having a reliable way to register when and where the truck has crossed a border and to localise loading and unloading activities. However, it still needs to be seen whether the ambitious timelines will be achieved to make this happen with the smart tachograph.

The European Parliament position on cabotage does not come as a surprise as the transport experts in the European Parliament already supported further restrictions of market liberalisation. The existing restriction on the number of cabotage operations (3 operations within 7 days) will be replaced with a 3-day time limit during which the unlimited number of operations will be permitted. Following the end of the above-mentioned 3-day period, there will be a ‘cooling-off’ period of 60 hours for vehicles, which must be spent in the country of establishment before the vehicle can start another cabotage operation. Then, vehicles will be obliged to return to the country of residence once every 4 weeks and perform at least one loading or one unloading of goods.

“One of the objectives of the review of the legislation was to simplify enforcement of cabotage. The Parliament has made current cabotage operations more complex by adding a ‘cooling-off’ period even though posting rules already apply as of day 1. It would lead to considerable efficiency losses and capacity gaps in road freight transport. On top of this, the obligation to regularly return the vehicles to the country of establishment will lead to an undesirable increase in empty kilometres and emissions,” Ms van der Jagt commented.

With regards to new rules on driving and resting times, CLECAT regrets that the driving and resting time rules have been changed without the proposal by MEP Wim van de Camp, which would have allowed sleeping in the cabin for the 45-hour weekly rest, subject to certain conditions of parking areas related to service and security.

The Parliament positions, some of which were adopted with a very narrow majority, correspond in many respects to those of the EU Council of Transport Ministers. This paves way for trilogue negotiations with the Council and the European Commission to bring this important reform package for road freight transport into force and to create a new European regulatory framework. Ms van der Jagt noted that the trilogues will offer the final opportunity for necessary corrections and for more flexibility. However, it is doubtful whether the trilogues will start before the second half of 2019.

Brexit

NO-DEAL BREXIT PREPAREDNESS

As part of preparations for exiting the EU, the UK Government recently released [EU Exit guidance for food, drink and farming sector stakeholders](#) including seven key food, drink and agriculture related



government communications. The information concerns, *inter alia*, how to import organic produce if the UK leaves the EU with no deal, VAT and customs procedures for goods moving between Ireland and Northern Ireland in case of no deal. The guidance information aims to ensure that businesses are prepared for a potential no-deal scenario.

In addition, the UK Government further updated the following information:

- [Importing and exporting plants and plant products if the UK leaves the EU without a deal;](#)
- [UK border inspection posts: contact details;](#)
- [EU Exit: Avoiding a hard border in Northern Ireland in a no deal scenario;](#)
- [Placing manufactured goods on the UK market if there's no Brexit deal;](#)
- [Placing manufactured goods on the EU internal market if there's no Brexit deal;](#)
- [Declaring your goods at customs if the UK leaves the EU without a deal;](#)
- [Exporting active substance manufactured in the UK if we leave the EU without a deal;](#)
- [Facts on the future of intellectual property laws following the decision that the UK will leave the EU.](#)

In order to stay informed on Brexit preparedness measures in the UK, CLECAT advises its members to [subscribe to the UK government's websites](#) to receive updates by email.

Air

CONTINUED DOWNWARD TREND IN AIR FREIGHT DEMAND

On 3 April, IATA released a report stating that data for global airfreight markets indicates that the demand for air cargo in February, measured in freight tonne kilometres (FTKs), decreased by 4.7% year-on-year. According to IATA, this marked the fourth consecutive month of negative year-on-year growth and represents the worst performance in the last three years.

Simultaneously, available capacity, measured in available freight tonne kilometres (AFTKs), increased by 2.7% year-on-year, marking the 12th month in a row in which capacity growth exceeds demand growth.

Source: [IATA](#)

Maritime

FIATA BEST PRACTICES GUIDE ON THE QUALITY OF CONTAINERS

The International Federation of Freight Forwarders Associations (FIATA)'s Multimodal Transport Institute (MTI) has released the [Best Practices Guide on Container Shipping and the Quality of Containers](#), which aims to examine the current situation and outline best practices that could be implemented voluntarily by all parties moving cargo through ports. These best practices may help reduce inefficient behaviour that leads to delays and unnecessary supply chain costs.



FIATA Sea Transport Working Group, led by Mr Jens Roemer, noticed that the container quality at empty pick up has decreased significantly and that there are practical considerations that frequently lead to disputes, additional costs and disruptions in the supply chain. There is thus a concern that shipping lines, as owners of the containers, neglect their duties related to the quality of containers for cost reasons. The problem is that a freight forwarder is often considered responsible and has very little choice but to accept additional charges in order to avoid delays and delay-related extra charges.

Two surcharges in particular are outlined for criticism: container cleaning and repair. In order to improve the situation, FIATA suggests that best practice in this instance is for forwarders not to accept such surcharges and to ask for proof. Above all, FIATA highly recommends insisting on a joint survey of the container that is said to be improper. Furthermore, the document outlines best practice for empty pick up and assessment of containers; it argues that any additional costs incurred through poor quality containers must be picked up by the shipping line.

Customs and Trade

ADVANCED EDUCATION PROGRAMME CUSTOMS AND EXCISE

In May, the University of Antwerp and the University of Liège, in collaboration with Belgium's FPS Finance and the private sector, will organize a number of specialized customs classes aimed to explore the issue of calculation of customs duties to be paid when trading goods. The classes will be devoted to three main topics: Customs valuation, tariff classification and rules of origin. The advanced module is designed to ensure that participants achieve an operational level of competence.

This advanced module is part of the advanced track of the academically oriented specialisation programme 'Customs and Excise', developed around the [EU Customs Competency Framework](#). The module consists of five days of classes (between 20 - 24 May) from 9.00 a.m. to 12.30 p.m. and from 1.30 p.m. to 5.00 p.m. after lunch. All classes are taught in English and involve a high degree of interaction. Participants who attend all classes and pass the exam at the end of the advanced module receive a certificate. The advanced training will take place at the University of Antwerp.

More information on the advanced module and its individual classes you can find in the [Programme Brochure](#) or on the [website of the University of Antwerp](#).

WTO MEMBERS ADVANCE WORK ON NEW IMPORT LICENSING WEBSITE AND DATABASE

A new import licensing website and database are expected to be launched in late 2019 or early 2020 by WTO members, as part of overall efforts to improve transparency of notifications to make all members aware of new or updated import licensing laws and procedures. The new website and database are based on members' notifications and the work carried out in the Import Licensing Committee since 1995. Of the 164 WTO members, profiles have already been prepared and uploaded for 138 members, and work is under way for another 12.

Members were encouraged to review and verify the information contained in their individual profiles in order to ensure the accuracy of the website before it goes public. This will also provide an opportunity for members to update their data if necessary.



Source: [World Trade Organization](#)

EU TRADE NEGOTIATIONS WITH INDONESIA AND MERCOSUR

On 5 April, the European Commission published two reports summarising the progress made during the latest negotiating rounds for the EU-Indonesia and EU-Mercosur trade agreements.

The Commission reported that the seventh round of negotiations with Indonesia brought about good progress particularly on the chapters on sanitary and phyto-sanitary measures, rules of origin and investment. The chapters on trade remedies and customs are now close to completion at technical level. The latest round of negotiations for a trade agreement between the EU and Mercosur covered trade in goods, specific rules applicable to wines and spirits, rules of origin, government procurement, intellectual property including geographical indications, rules in respect of state-owned enterprises and subsidies.

Source and full reports: [European Commission](#)

Rail

LACK OF FLEXIBILITY IN RAIL FREIGHT

Congestion, high prices and a lack of flexibility belong to the recurring issues which are raised regarding the persisting problems in rail freight. In an interview at last week's RailTech Europe 2019 event, Mr Pier Eringa, CEO of the Dutch infrastructure manager ProRail, argued that there is too much capacity wasted on the congested Dutch railway network. As particularly problematic he noted that "these train paths are requested, and then cancelled on short notice. Then they are not used".

Flexibility, or rather the lack thereof, lies amongst one of the main issues for rail freight. This situation is created through the current international timetabling procedures, which require railway undertakings to request a train path eight months in advance of the timetable change. Where a path is requested on short notice, its approval is subject to the availability of residual capacity, which is often very scarce. Furthermore, generally priority is given to passenger traffic.

On the Dutch side, the issue of flexibility was addressed by Mr Eringa, who argued that capacity should also be used more flexibly, *inter alia*, by allowing cancelled train paths to also be used without relying entirely on requests being made long in advance. Mr Eringa further emphasised that as rail freight is reliant on attractive pricing, efficiency and simplicity in cross-border traffic, it should generally be made simpler, for example by harmonisation measures such as the European Rail Traffic Management System (ERTMS).

RailNetEurope (RNE), the network of European railway Infrastructure Managers and Allocation Bodies, also proposed a solution to address this issue through the request method "rolling planning request". According to RNE, this system is based on safeguarded capacity, which is dedicated to later requests and assigned to this purpose in the capacity model. Thereby, railway undertakings should be able to request paths at any time and still get high quality paths.

Source: [Railfreight](#)



MODAL SHIFT IN SWITZERLAND

On 26 March, the Swiss Federal Office of Transport hosted a workshop about the Swiss modal shift policy, arguing that while 650.000 trucks have been shifted away from the road in the past 20 years in Switzerland, the ultimate ambition of the Swiss government for the Swiss Alpine structure was not yet achieved. Nonetheless, the Swiss representative noted that the Swiss modal shift can be considered a success.

Modal shift policy has been in place in Switzerland since the signing of a bilateral agreement with the EU in 2000. The policy aims at reducing the number of trucks that drive through the Alps, by way of a modal shift to rail through the creation of a new railway link (Neue Eisenbahn-Alpentransversale - NEAT), as well as the introduction of a heavy-vehicle fee on the corridor. The railway link includes the Lötschberg Base Tunnel (2008), the Gotthard Base Tunnel (2016) and the Ceneri Base Tunnel, which shall be opened in 2020, thereby clearing the entire north-south axis for 4-metre height trains.

The representative of the Swiss Federal Office of Transport, Mr René Sigrist, noted that Switzerland has a policy on capacity allocation for freight, the Network Utilisation Concept. Mr Sigrist explained that “in this concept, the allocation is based on the use of the network in a standard hour, setting capacities for passengers and freight in the yearly timetable. This allocation ratio is set for the next six years”. He noted that the 2019 timetable was designed based on this methodology, allowing for six freight trains per hour in the Gotthard Tunnel. While the actual capacity is higher, this is the minimum capacity that should be available.

Source: [RailFreight](#)

Digitalisation

EP VOTES ON NEW RULES FOR SHARING PUBLIC SECTOR DATA

On 4 April, the European Parliament approved the [Open Data and Public Sector Information Directive](#) that will significantly improve the availability and innovative use of public and publicly-funded data, helping in turn to fuel the development of data-intensive technologies such as artificial intelligence.

The new rules are successors to the [Public Sector Information Directive](#) (2003/98/EC, reviewed in 2013) that governs the re-use of data generated by public sector bodies for commercial and non-commercial purposes. This includes for example traffic data which can be used for transport planning and legal or financial information. In 2018, the Commission adopted the [2018 Data Package](#), addressing for the first time different types of data (public, private, scientific) within a coherent policy framework, making use of different policy instruments. Any re-use of personal data under the [Directive on Open Data and Public Sector Information \(PSI\)](#) must be in full respect of the rights and obligations contained in the [EU General Data Protection Regulation](#).

The upcoming Implementing Act will make a selection of datasets of particular socio-economic importance (High Value Datasets) freely and openly available across the EU, via Application Programming Interfaces (APIs).

The text adopted by the European Parliament has to be formally approved by the Council of the EU. Member States will then have to implement the revised rules within two years before they take effect.



The Commission will start working with the Member States on the identification of the high-value datasets which will be set out in an Implementing Act.

Source: [EU Commission](#)

General

COLLABORATIVE INNOVATION DAYS 2019



On 4 April, CLECAT joined the Collaborative Innovation Day 'Logistics Information Spaces from data to value', which was hosted by the Alliance for Logistics Innovation through Collaboration in Europe

(ALICE), of which CLECAT is a member, and ERTICO ITS Europe. During the event, experiences and knowledge on industry and public initiatives, such as research and innovation projects in the field of logistics were shared.

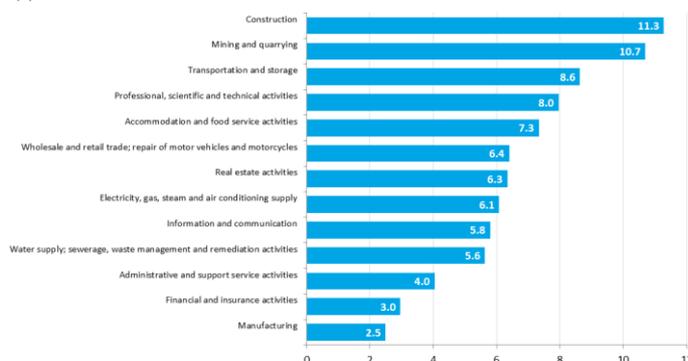
At the event, the European perspective on logistics data sharing was provided by Gzim Ocakoglou, Deputy Head of Unit at the European Commission's DG MOVE, who presented the Digital Transport and Logistics Forum (DTLF), and the proposal for a Regulation on electronic Freight Transport Information (eFTI). Next to the European perspective, representatives of the Netherlands, Finland and Spain presented the public authority initiatives in the field in their respective Member States.

The second part of the day focused on experiences and approaches from recent years in research projects. In that regard, the AEOLIX and SELIS projects presented results from their living-labs, including business cases for e-Commerce logistics and platform interoperability.

LOGISTICS INDUSTRY IN TOP 3 OF HIGH-GROWTH ENTERPRISES

On 2 April, Eurostat published statistics stating that in 2017 the number of high-growth enterprises in the European Union (EU) increased by 6% compared with 2016. According to the data for 2017, the number of high-growth enterprises in the EU was 190 000, compared with 180 000 in 2016.

Year on year change in the number of high-growth enterprises, 2016-2017 (%)



ec.europa.eu/eurostat

High-growth enterprises are defined as enterprises with an average annualised growth in the number of employees of more than 10 % per year over a three-year period and at least 10 employees when the growth began. High-growth enterprises play an important role in contributing to economic growth and job creation. These enterprises provided jobs for around 16 million employees: a year-on-year increase in employees of 5%.



The number of high-growth enterprises increased in all economic sectors for which figures are available. The highest increases were in 'construction' (11.3 %) and 'mining and quarrying' (10.7 %), followed by 'transportation and storage' (8.6 %) and 'professional, scientific and technical activities' (8.0 %). The smallest increase was in 'manufacturing' (2.5 %).

Source: [Eurostat](#)

WTO REPORTS ON GLOBAL TRADE DEVELOPMENTS IN 2018

On 2 April, WTO announced that world trade will continue to face strong headwinds in 2019 and 2020 after growing more slowly than expected in 2018. WTO economists expect merchandise trade volume growth to fall to 2.6% in 2019 — down from 3.0% in 2018. Trade growth could then rebound to 3.0% in 2020, however, this would depend on easing of trade tensions

Trade growth in 2018 was weighed down by several factors, including, *inter alia*, new tariffs and retaliatory measures affecting widely-traded goods, weaker global economic growth, volatility in financial markets and tighter monetary conditions in developed countries. The slowdown in merchandise trade volume growth in 2018 was broad based, reflecting weaker import demand in both developed and developing countries, although some regions were more strongly affected than others. The deceleration of trade in 2018 was driven primarily by Europe and Asia due to their large share in world imports (37% and 35%, respectively). The WTO notes that heightened trade tensions cannot explain all of the trade slowdown but they undoubtedly played a significant role as consumers and firms anticipated new trade measures taking effect.

Forward-looking trade indicators have turned negative in recent months, including the WTO's World Trade Outlook Indicator (WTOI). In February the WTOI index fell to 96.3, below its baseline value of 100, signalling slowing trade growth into the first quarter of 2019.

Source and full report: [World Trade Organization](#)

Forthcoming events

CLECAT MEETINGS

Maritime Institute meeting

11 April, Antwerp, Belgium

Air/Security Institute meeting

18 April, Schiphol Airport, The Netherlands

Board/General Assembly

26 June, Paris, France

OTHER EVENTS WITH CLECAT PARTICIPATION

Sector Statement Group

23 April, Brussels



ACEA Workshop on High Capacity Road Transport
7 May, Brussels

Global Liner Shipping Conference
13-15 May, Hamburg

EP/COUNCIL MEETINGS

European Parliament TRAN Committee
11 April, Brussels
24-25 July, Brussels

European Parliament Plenary
15-18 April, Strasbourg

European Transport Council
6 June, Brussels

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