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News from Brussels

COMMISSION PUBLISHES GUIDANCE TO RESUME TRAVEL

On 13 May, the European Commission presented [a package of guidelines and recommendations](#) to help Member States gradually lift travel restrictions and allow tourism businesses to reopen, after months of lockdown, while respecting necessary health precautions.

The measures include, *inter alia*:

- A [chapeau communication](#) on tourism and transport in 2020 and beyond;
- A [common approach](#) to lifting restrictions of free movement at EU internal borders in a gradual and coordinated way, mirroring the progressive lifting of domestic restrictions;
- A [common framework](#) to support the gradual re-establishment of transport whilst ensuring the safety of passengers and personnel.

While the package mainly relates to tourism and transport related thereto, it includes some references to freight transport. For example, the [common approach](#) to lifting restrictions of free movement at EU internal borders sets out that previous measures on freight should remain in place as long as restrictions on the movement of persons remain in place and freight flows also remain liable to be affected. More specifically, it refers to the previous measures and recommendations on the flow of

goods, free movement of workers exercising critical occupations, transit and repatriations of passengers and crews. These should continue to be applied consistently and in a coordinated way by all Member States. Moreover, it notes that Member States should continue using the network of national transport contact points for COVID-19 response coordinated by the Commission. Lastly, it includes provisions on the protection of transport workers, e.g. stating that appropriate personal protective equipment (PPE) must be utilised.

The package follows the pathway set by the [Joint European Roadmap](#), published by the Commission on 15 April in cooperation with the European Council.

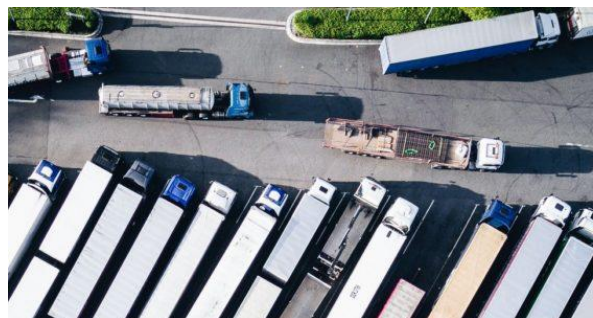
Source: [European Commission](#)

CALL FOR IMPACT ASSESSMENT 1ST MOBILITY PACKAGE

The European Centre for International Political Economy (ECIPE), an independent and non-profit policy research think tank, issued earlier this week a [blog](#) on the ongoing work on the social and market access aspects of the 1st Mobility Package.

It noted that “stakeholders from industry and government are calling for a proper impact assessment of the proposals, fearing that policymakers may eventually take decisions without having looked at the implications for the Single Market and CO2 emissions. The legislative train proceeded without an appropriate economic, social and environmental impact assessment, which stands in clear opposition to the commitment of the EU to evidence-based policymaking. Estimations show that 7 peripheral EU Member States – Lithuania, Latvia, Estonia, Poland, Hungary, Romania, Bulgaria – will alone emit additional 3.2 million tons of CO2 per year. If the current agreement prevails, all of 570,000 trucks will be returning home every 8 weeks navigating 780 million suboptimal or empty kilometres annually. As a result, the European transport system and businesses will face inefficiencies, higher fuel consumption and lack of transport capacity, while EU citizens will encounter more pollution and congestion.”

Quoting CLECAT, it said: “The European Commission should live up to its promises made last December and come forward with a proper impact assessment on both the revised rules for cabotage and the obligation to return trucks home every 8 weeks,” argued CLECAT Director General Nicolette van der Jagt, stressing that “the otherwise inevitable environmental damage as well as further Single Market fragmentation must be prevented before the 1st Mobility Package comes into force.”



“The obligation of the return of the truck will lead to inefficiencies in the transport system and the increase of unnecessary emissions, pollution and congestion, while the cabotage restriction on combined transport will diminish its effectiveness to support multi-modal freight operations,” explained Ms van der Jagt, emphasising that “these measures, together with the introduction of a ‘cooling-off’ period, are in stark contrast to the transport decarbonisation objectives of the European Green Deal, as they will create inefficiencies in the operational processes of road hauliers and lead to an enormous increase in CO2 emissions due to vehicles running at suboptimal or even empty loads.”



SURVEY ON FUEL EFFICIENCY IN SMALL & MEDIUM ROAD CARRIERS



CLECAT would like to invite road freight carriers with small- and medium-sized fleets to fill in a short survey that the Kuehne Logistics University is conducting on fuel efficiency.

The survey is designed specifically for small- and medium-sized road freight carriers that operate their own vehicles. The survey should be filled out by somebody in the management level, preferably the managing director, the fleet manager or the sustainability manager if applicable. The results will be used to identify recommendations for actions for industry stakeholders.

The survey wants to give a voice to road carriers and find out what role the topic of environmental sustainability plays in their business and how small- and medium-sized carriers cope with the increasing legislation, customer demand and public opinion. The focus is on CO2 emissions and specifically on fuel efficiency as the most tangible factor.

The survey can be accessed [here](#) and runs until the end of May.

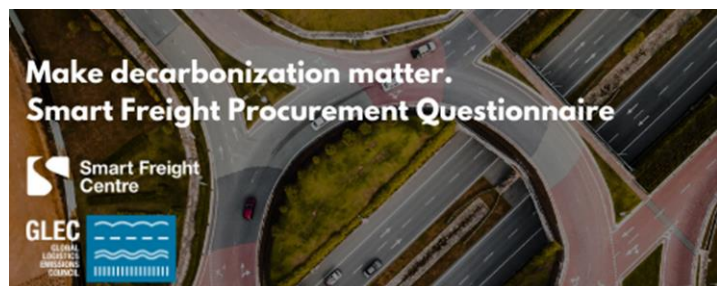
Sustainable Logistics

SMART FREIGHT PROCUREMENT QUESTIONNAIRE

Earlier this week, CLECAT participated in the launch of the Smart Freight Procurement (SFP) Questionnaire. CLECAT has contributed to the development of the questionnaire to ensure that it is appealing for LSPs and freight forwarders.

The SFP Questionnaire is a best practice tool that buyers of freight transportation and logistics services can use in the tender process with suppliers as a decision criterion to assess their decarbonisation efforts. Designed to be used by shippers, forwarders and logistics service providers of all sizes, the questionnaire covers all transport modes and logistics sites across any logistics supply chain.

The SFP Questionnaire consists of 25 questions for the RFI phase (planning) and 13 supplementary questions for the RFQ phase (tendering). Additionally, 8 KPI suggestions are provided for use in the contracting phase. Notably, the questionnaire is designed in a modular system, meaning that companies can remodel the questionnaire according to their needs and pick out only those questions that are relevant to them.



The SFP Questionnaire builds on the [Smart Freight Procurement Guidelines](#), which aim to enable companies to reduce GHG emissions and air pollutants through their freight transport and logistics procurement. CLECAT believes that this questionnaire can be of considerable benefit as it is a practical and user-friendly tool, helping assess and collaborate with carriers on the decarbonisation of transport and logistics in a fully transparent way.



The SFP Questionnaire and a complimentary usage manual can be downloaded free of charge via the Smart Freight Centre [website](#). Please note that the questionnaire is now in a practical testing phase, with a possibility to submit feedback until December 2020.

Road

DSLVL WELCOMES TOLL ADVANTAGES FOR CNG/LNG TRUCKS

The German Federal Association for Freight Forwarding and Logistics (DSLVL) has welcomed the decision taken by the Transport Committee in the German Bundestag on 6 May 2020 to continue exempting gas-powered trucks from tolls until 31 December 2023. On 14 May, the German Bundestag debated the legislative proposal and decided to exempt CNG and LNG-powered commercial vehicles from the truck toll until 31 December 2023 as part of an amendment to the Federal Highway Toll Act. According to DSLVL, this will give companies in the sector considerably more planning security for investments in alternative drive systems.

Currently, the only alternative to diesel propulsion available on the market for heavy commercial vehicles, CNG and LNG vehicles are a suitable bridging technology that can help reduce CO₂ emissions in the road freight sector, argues DSLVL. DSLVL also called for drive technologies to be geared to the practical and economic requirements of everyday freight forwarding, developed quickly to reach market maturity. Moreover, a nationwide loading and refuelling infrastructure must be established.

To establish the guidelines, the freight forwarding, transport and logistics associations DSLVL Bundesverband Spedition und Logistik, Bundesverband Möbelspedition und Logistik (AMÖ), Bundesverband Güterkraftverkehr Logistik und Entsorgung (BGL), Bundesverband Paket und Expresslogistik (BIEK) and Bundesverband Wirtschaft, Verkehr und Logistik (BWVL) propose a commercial vehicle summit at the German Federal Chancellery. The legislative proposal will be presented to the German Bundesrat in July 2020.

Source: [DSLVL](#)

THREE COUNTRIES REFERRED TO EU COURT FOR FAILING TO UPGRADE ROAD TRANSPORT REGISTERS

The Commission has decided to refer Cyprus, the Netherlands and Portugal to the Court of Justice of the EU as they did not upgrade their registers of road transport companies.

As required by the [Commission Implementing Regulation \(EU\) 2016/480](#), all Member States should have upgraded the connection between their registers and the revised European Registers of Road Transport Undertakings (ERRU) by 30 January 2019. Since Cyprus, the Netherlands and Portugal have not upgraded their connections within the legal deadline, the Commission has decided to refer the cases to the Court of Justice of the EU.

The ERRU allows information exchange between Member States on road transport companies established in the EU. It is an essential instrument to ensure enforcement of EU legislation and fair competition among operators in the road transport sector. The Commission opened an EU



infringement procedure against the three countries by sending a letter of formal notice to the national authorities in July 2019, followed by a reasoned opinion in November 2019.

Source: [European Commission](#)

Maritime

MOTORWAYS OF THE SEA STAKEHOLDER WORKSHOP



On 14 May, CLECAT joined the EU maritime stakeholder workshop on shaping the future maritime dimension of the Trans-European Transport Network (TEN-T), the Motorways of the Sea (MoS), in the framework of the upcoming revision of the TEN-T Regulation.

The European Coordinator for the MoS, Prof. Kurt Bodewig, presented a new notion of a sustainable, seamless and smart 'European Maritime Space', encompassing all maritime infrastructure elements, which he recommended to be developed as part of the revised TEN-T Regulation. He specified that the update was needed in relation to new market realities (e.g. volume growth, scale increases), new societal challenges (climate, air pollution, noise, urbanisation), new needs (digitalisation, automation, e-commerce) and as a consequence, the changing role of European ports.

Participants then had an interactive discussion on what shall be the main objectives and policy priorities for a sustainable, seamless and smart European Maritime Space in the revised TEN-T guidelines. CLECAT argued that the review should take into account the new factors, such as the European Green Deal and the enhanced digitalisation of maritime transport. For the envisaged European Maritime Space to be seamless, a better integration within the logistics chain was needed, which required improvements both in terms of ports' infrastructure (e.g. cargo handling, terminals) and their hinterland connections. The development of last-mile connections by rail, inland waterways and road when necessary was also a highly important prerequisite, while further digitalisation efforts would improve transport management in the whole supply chain, leading to savings in terms of time, cost and emissions, as well as a better use of existing capacity.

Participants agreed that the development of sustainable freight transport services and the transition to alternative fuels for shipping was a key objective. CLECAT echoed the European Sea Ports Organisation (ESPO) in that the short-sea shipping should be recognised as a sustainable transport mode, alongside inland waterways and rail, in the European Green Deal.

DCSA PUBLISHES NEW TRACK & TRACE STANDARDS

On 14 May, the Digital Container Shipping Alliance (DCSA), published [Release 1.2 of the Track & Trace Interface Standards](#). One of the main new features is a push model for data distribution. This feature allows customers to subscribe to updates and have updated Track & Trace data sent to them, making it easier to track the location of cargo.



In addition, Interface Standards release 1.2 provides the following three updates: a differentiation between event types, such as Shipment, Equipment, Transport and Transport Equipment; Mode of Transport has been added to Transport Event and Transport Equipment Events; and 'Booking Reference' as an identifier for shipment(s) has changed to be optional in 'Event' outputs. In late May/early June, Track & Trace API definitions reflecting these changes will be published on [Swaggerhub](#).

Digital Container Shipping Association (DCSA) is a neutral, non-profit group founded by major ocean carriers to digitise and standardise the container shipping industry. DCSA member carriers include: MSC, Maersk, CMA CGM, Hapag-Lloyd, ONE, Evergreen, Yang Ming, HMM and ZIM.

Source: [DCSA](#)

Rail

EC CALLS FOR TRANSPOSITION OF SINGLE EUROPEAN RAILWAY AREA LEGISLATION

The Commission today decided to send a letter of formal notice to Croatia, Slovenia, and Spain for failing to correctly transpose certain provisions of the EU rules on establishing a Single European Railway Area ([Directive 2012/34/EU](#)).

The Directive aims at creating a more competitive framework, by covering the regulatory oversight and financial architecture within the railway sector, the power of national regulators, the framework for investment in rail, and fair and non-discriminatory access to rail infrastructure and rail related services.

In November 2012, Member States adopted the Directive and agreed to transpose the rules into national law by 16 June 2015. The Member States concerned now have four months to reply. Otherwise, the Commission may decide to send a reasoned opinion.

€9 MILLION STATE AID TO PROMOTE SHIFT TO RAIL IN ITALY

On 15 May, the European Commission approved, under EU State aid rules, Italian aid measures to encourage the shift of freight transport from road to rail in the area of the port of the city of Genoa.

The road and rail infrastructure from and to the port was severely impacted by the collapse of the Morandi bridge in August 2018. The measures, which have an overall budget of €9 million and will run until end 2020, aim at maintaining or increasing the share of freight transported by rail from and to the port of Genoa. The aid takes the form of a subsidy to logistics companies and multimodal transport operators, with the goal of encouraging the use of rail transport and intermodal solutions in the context of serious infrastructural disruptions to the rail network. Support will also be granted, in the form of a subsidy, to the concessionaire of rail services in the port of Genoa to compensate the additional costs borne due to the infrastructural disruption.

The public support will be provided in relation to rail freight transport services and operations carried out over the 15 months following the collapse of the bridge. The Commission found that the aid is beneficial for the environment, as it supports rail transport, which also decreases road congestion.



This is particularly important in this case due to the severe disruptions in traffic and connectivity experienced by the city of Genoa as a result of the collapse of the Morandi bridge in 2018. The Commission concluded that the measures comply with EU State aid rules, in particular the [2008 Commission Guidelines on State aid for railway undertakings](#).

More information will be available on the Commission's [competition](#) website, in the public [case register](#) under the case number SA.53615 once confidentiality issues have been resolved.

Air

ICAO PROMOTES COVID-19-FREE PUBLIC HEALTH CORRIDORS

On 13 May, the International Civil Aviation Organisation (ICAO) announced that it is encouraging the establishment of special COVID-19-free Public Health Corridors (PHCs) to address the “extensive and varied” country-to-country border restrictions now in place due to national pandemic measures.

In an attachment and appendix to its [latest bulletin](#), ICAO underscored to national governments that current disruptions to international air movements have “severely disrupted the global aviation network, including the transport of essential items such as medical supplies and food.”

To keep supply lines open, and access to needed supplies better assured, the ICAO Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) has recommended that PHCs be established where COVID-19-free or ‘clean’ crew, aircraft, airport facilities, and passengers can continue to undertake their urgently-needed work. Guidance relating specifically to flight crew conducting essential cargo operations is appended to the [new ICAO bulletin](#).

The ICAO PHC concept is COVID-19 specific and has been developed using a risk-based approach, taking relevant safety management principles and all relevant World Health Organization (WHO) and aviation sector pandemic guidance into account. The PHC will be regularly reviewed and updated based on the latest COVID-19 data available, and was introduced by ICAO in a recent [webinar](#).

Source: [ICAO](#)

EC CALLS ON SLOVENIA TO IMPLEMENT AVSEC LEGISLATION

On 14 May, the European Commission sent a letter of formal notice to Slovenia, inviting the country to fully implement [Regulation \(EC\) No 300/2008](#) that establishes common rules in civil aviation security. This Regulation requires Member States to regularly update their national aviation security legislation. Such legislation defines organisational structures, responsibilities and mechanisms to monitor compliance at national airports, airlines and aviation security-related entities. This is to ensure that any security issue is swiftly detected and corrected.

Slovenia has not formally updated its aviation security legislation, and therefore does not fulfil all required conditions to effectively ensure that aviation security measures are implemented correctly. The Commission has therefore decided to send a letter of formal notice to Slovenia, giving it four months to address the Commission's concerns. Otherwise, the Commission may decide to send a reasoned opinion.



Customs and Trade

LAUNCH OF ICS2

On 15 March 2021, the European Union will launch a new EU customs pre-arrival security and safety programme, supported by a large-scale information system called ICS2 (Import Control System 2). Recently, the EU Commission's DG TAXUD started its communication campaign to ensure the logistics industry and other stakeholders will be ready for this major change in customs procedures.

The ICS2 programme will help establish an integrated EU approach to reinforce the customs risk management framework. It is a core delivery of the Union Customs Code, the EU customs risk management strategy and action plan adopted by the Council in 2014. It will support improved risk-based customs controls whilst minimising burden for legitimate trade across the EU's external borders. It will do this through improved data-driven customs security processes, adapted to global business models. Its implementation is an essential EU customs instrument for managing entry security and safety border controls. It is the first line of defence in terms of protecting the internal market and EU citizens.

The programme involves a complete overhaul and reform of the existing regime from IT, legal, customs risk management/controls and trade operational perspectives. As a result, the existing Import Control System (ICS), will be phased-out and replaced by the ICS2. As an advance cargo information system, ICS2 will collect data about all goods entering the EU prior to their arrival. Economic Operators will have to declare safety and security data to ICS2, through a so-called Entry Summary Declaration. The obligation to start filing such declarations will not be the same for all Economic Operators. It will depend on the type of services that they provide in the international movement of goods and is linked to the three release dates of ICS2 (15 March 2021, 1 March 2023, and 1 March 2024).

All economic operators involved in handling, shipping and transporting of cargo, express or postal consignments will be affected by ICS2, and need to start getting ready for it. This requires adaptation of business processes, taking steps to ensure high quality and precise data is provided, developing or updating their IT systems for exchange of information, and providing training and support to their staff. If the different economic operators are not ready in time and the necessary data has not been submitted to ICS2, consignments and cargo will be stopped at EU Customs borders, and customs will not proceed with goods clearance. It should also be noted that poor quality declarations will either be rejected or subject to unnecessary interventions and may result in sanctions for non-compliance.

In order to inform the freight forwarding, logistics and customs service industry, CLECAT already organised a workshop for its Members together with DG TAXUD and more will follow this year at EU and national level. More detailed information on the releases of ICS2, frequently asked questions and factsheets in different languages can be found on the newly launched [dedicated ICS2 website of the Commission](#).

Source: [European Commission](#)



POSTPONEMENT OF NEW VAT E-COMMERCE RULES

On 8 May, the European Commission proposed to postpone the entry into force of the new e-commerce VAT rules by six months, including the provisions affecting the import of low value consignments. That decision is to take account of the difficulties that businesses and EU Member States are facing at the moment with the COVID-19 crisis. Once adopted by the Council, the rules will apply as of 1 July 2021 instead of 1 January 2021, giving Member States and businesses enough time to prepare.

On 5 December 2017, EU Member States agreed on certain reforms to the VAT rules as a response to the challenges of growing volumes of e-commerce and the related significant tax fraud and evasion caused by it. The new VAT e-commerce rules introduced a VAT liability for online marketplaces: they will become 'deemed suppliers' in relation to the sales of goods of a value less than €150 facilitated through their platforms. Some of these reforms have a significant impact on existing customs formalities relating to the import of low value consignments. The change with the biggest impact on customs formalities is the removal of the import VAT *de minimis* threshold. Consequently, all goods imported into the EU have to be declared for VAT purposes, regardless of their value, while at the same time respecting the €150 exemption on customs duties. With a view to enabling the implementation of these new VAT provisions, certain customs rules were adapted. For example, a new simplified form of customs declaration for the release for free circulation of low value consignments was created. Notably, a level playing field was created within the new framework, where new simplifications and facilitation will be available to freight forwarders.

CLECAT has expressed mixed feelings about this proposal for delay of the VAT e-commerce package. On the one hand, the delay is welcomed because there would not have been sufficient time to implement the changes for both the public and private sector. Already without COVID-19, the time for implementation was short due to late clarity on the legislation, procedures and technical specifications. Next to that, the implementation would have started at the same time as the ending of the Brexit transitional period. Additionally, in March 2021, the first phase of ICS2 will start and will also have a major impact on logistics in relation to e-commerce. Therefore, with or without the COVID-19 crisis, the delay is welcomed.

On the other hand, even though the delay is necessary, there is a certain disappointment over the proposed delay. Changes in VAT and customs legislation in relation to e-commerce are already long overdue. The rules, procedures and systems for processing e-commerce consignments are in most cases already several decades old and do not match the current reality after the exponential growth of e-commerce. This has led to unfair competition in many ways, inefficient formalities and serious tax evasion and fraud. There have been many years of debate on this change and when the VAT e-commerce package was announced in 2017, it was very much welcomed. The fact that the outdated situation will continue for another half year is therefore regretted.

Source: [European Commission](#)

NEW VERSION OF CLASSIFICATION INFORMATION SYSTEM CLASS

On 15 May, the Commission published a new version of CLASS, which is an online consultation platform of the EU Commission that provides different types of classification information. The new tool gives insight into conclusions of the Customs Code Committees, classification regulations, rulings of the European Court of Justice, the Combined Nomenclature (CN) and CN Explanatory Notes and TARIC information.



When goods are declared to customs in the European Union, they must be classified according to the Combined Nomenclature or any other nomenclature which is wholly or partly based on the Combined Nomenclature. Imported and exported goods have to be declared stating under which subheading or further subdivision of the Combined Nomenclature or of these other nomenclatures they fall. This determines which rate of customs duty of the Common Customs Tariff or which non-tariff measures apply.

Source: [European Commission](#)

WCO HELPS DEFINING ESSENTIAL GOODS AMID COVID-19

In response to the COVID-19 pandemic, a number of countries have designated priority lanes and introduced facilitative measures with regard to the cross-border movement of essential goods. However, there is no internationally recognized definition of essential goods to support those countries in providing priority treatment and facilitative measures to such goods. To remedy the lack of a uniform interpretation and harmonized guidance on the matter, the World Customs Organization's Secretariat has developed a [Note on How to establish and utilize essential goods lists during a disaster](#) aimed at highlighting certain provisions of existing WCO instruments and tools, other reference material and WCO Members' practices.

The WCO notes that, if devised and implemented in practice in a timely and coordinated manner, under a whole-of government approach, a list of essential goods, equipment and services can be a major measure to facilitate the cross-border movement of relief and essential supplies and to sustain supply chain continuity. However, if interpreted inappropriately, such lists can create bottlenecks and hinder the smooth movement of goods and conveyances.

Source: [World Customs Organization](#)

Digitalisation

PARTNERSHIP FOR DIGITALIZATION OF MARITIME TRANSPORT

Recently, a new partnership between the International Maritime Organization (IMO), the World Customs Organization (WCO), UNECE and the International Standards Organization has been signed to support harmonisation in maritime transport. The partnership enhances interoperability between the respective standards of each organization.

The Parties have been already cooperating to develop the IMO Reference Data Model, which is a key element of the IMO Compendium on Facilitation and Electronic Business and covers the reporting requirements defined in the FAL Convention to support transmission, receipt, and response of information required for the arrival, stay, and departure of ships, persons, and cargo via electronic data exchange. This work contributes to the updating the IMO Reference Data Model and for its further development towards harmonization of data standards in other areas, beyond the FAL Convention.



Under the International Maritime Organization (IMO) Convention on Facilitation of International Maritime Traffic (FAL), port authorities are required to set up systems for digital exchange of information.

Source: [UN/CEFACT](#)

General

INLAND TRANSPORT OF DANGEROUS GOODS EXPERT GROUP

CLECAT has applied for membership of the [expert group](#) on the inland transport of dangerous goods. The newly established group will assist the Commission in the preparation of delegated acts with the aim of adapting the annexes of Directive 2008/68/EC on the inland transport of dangerous goods, Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by roads, and Directive 2010/35/EU on transportable pressure equipment.

Directive 2008/68/EC translates into EU law the ADR/RID agreements on the International Carriage of Dangerous goods by respectively road and rail. The group can also address issues of implementation of the above-mentioned Directives, including Directive 2008/68/EC. The group will have up to 70 members, consisting of Member States' authorities and trade associations, companies, NGOs and trade unions.

Forthcoming Events

EVENTS AND MEETINGS

CLECAT Customs and Indirect Taxation Institute

19 May 2020, **Online Meeting**

CLECAT Maritime Logistics Institute

19 May 2020, **Online Meeting**

CLECAT Rail Logistics Institute

Week of 25 May 2020 (TBC), **Online Meeting**

CLECAT Sustainable Logistics Institute

Week of 25 May 2020 (TBC), **Online Meeting**

CLECAT Air Logistics Institute

16 June 2020, **Online Meeting**

CLECAT Supply Chain Security Institute

16 June 2020, **Online Meeting**



CLECAT Board Meeting
9 July 2020, **Online Meeting**

EU MEETINGS

Council of the European Union

Transport, Telecommunications and Energy Council
4-5 June 2020, Luxembourg

Environment Council
22 June 2020, Luxembourg

European Parliament

Extraordinary European Parliament Plenary
17-18 June 2020, Brussels

European Parliament Transport Committee
28 May 2020, Brussels

European Parliament Environment Committee
18 May 2020, Brussels

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