

### Table of content

BREXIT PREPAREDNESS ON BORDER PROCEDURES	P 1	CAPACITY GROWTH CAUSES DECREASE OF TRANSPORT PRICES	P 7
TRAN ADOPTS REPORT ON ELECTRONIC FREIGHT TRANSPORT INFORMATION	P 2	DEFINITIVE SAFEGUARD MEASURES ON STEAL AS OF 2 FEBRUARY	P 7
LEARN INTERNATIONAL WORKSHOP	P 3	EU-JAPAN TRADE AGREEMENT ENTERS INTO FORCE	P 8
ONGOING TRILOGUES ON HDV CO2 EMISSION STANDARDS	P 4	PROGRESS OF EU-US TRADE TALKS	P 8
COUNCIL POSITION ON SAFE FLYING AFTER BREXIT	P 4	UIC REPORT ON COMBINED TRANSPORT	P 8
COUNCIL POSITION ON REALIGNMENT OF TEN-T NETWORK	P 5	STUDY ON NATURAL GAS' ROLE IN DECARBONISING TRANSPORT	P 9
ELP DINNER DEBATE: BREXIT – HOW BUSINESS GETS READY	P 5	CYBERCRIMINALS INCREASING EFFICIENCY	P 10

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## Brussels news

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### BREXIT PREPAREDNESS ON BORDER PROCEDURES

On 31 January and 1 February, the Members of the CLECAT Customs & Indirect Taxation Institute (CITI) met in Brussels. The main topic of the meeting was Brexit and all the related border procedures. Updates were given on the national practical preparedness efforts, such as procedures in ports and the Eurotunnel.

Over the past year, and especially over the last couple of months, numerous efforts were made to soften the blow of a no-deal Brexit by both government authorities and private sector stakeholders. Various stakeholders such as port operators, transporters and of course freight forwarders and customs brokers have started good cooperation initiatives to ensure that, for example, delays at ferry terminals can be minimised or at least managed in the best possible way. However, most of the preparations and communications are directed towards the companies which are established in the Member State in which the measures are taken. But it remains important that companies in other Member States such as Germany, Finland, Poland or Spain are well informed and involved in defining the solutions at the main corridors to and from the UK. With this in mind, CLECAT and its Members found it of great importance to share information and exchange best practices.

CLECAT's French Member, [TLF](#), explained about all the preparations made including the increase of human capacity and functioning of the IT systems. Special attention was given to the foreseen procedures at French side of the Eurotunnel. The UK Member, [BIFA](#), presented the efforts taken on the other side of the Channel and focused additionally on RoRo and VAT postponed accounting. This was complemented by contributions by Belgium ([CEB](#)), the Netherlands ([FENEX/TLN](#)) and Ireland ([IIFA](#)). One of the main conclusions from the exchanges was that the UK is already clearly diverting

from the (customs) procedures companies in the EU have become accustomed with over the past 50 years of the EU Customs Union. This requires adjustment and simply acceptance of that fact. Another important conclusion was that clear communication towards parties such as transporters and customers (shippers) is extremely important in the preparing for Brexit process. In general, ports and terminals will require companies to have prepared their customs formalities inland, before or after they cross the borders. This is to ensure that the least amount of congestion will occur at the borders and goods can move unhindered. If the formalities are not handled inland, companies will be turned away at the ports.



The last main conclusion was that inspections on agri-food products remain worrying, as they still involve in many cases physical inspections at the border and paper-based procedures. The capacity of veterinarians who perform checks is also not yet entirely as it should be. Nonetheless, specific exemptions are expected to be made for these checks, so inspections could be performed more inland.

Phytosanitary and veterinary checks were discussed additionally in the CITI, because of the ongoing discussions on the delegated and implementing acts of the soon to be implemented [Official Controls Regulation](#). This regulation will provide several benefits and opportunities, but there are still risks of increased burdens and unlogic procedures to trade and transport. Lastly, the CITI discussed the ongoing implementation of the UCC, the re-assessment of authorisations and updates of the numerous IT systems which it incurs and the upcoming changes in the field of eCommerce for customs and VAT.

CLECAT will organise an additional Brexit meeting for its Members of the modal institutes in March.

## TRAN ADOPTS REPORT ON ELECTRONIC FREIGHT TRANSPORT INFORMATION

On 29 January, the European Parliament's Transport (TRAN) Committee adopted its report on the European Commission's proposal for a Regulation on electronic freight transport information (eFTI), issued in May 2018 as part of the 3<sup>rd</sup> Mobility Package.

In order to speed up the uptake of electronic transport information, the Commission proposal requires competent authorities to accept regulatory information in electronic form and set up a framework of certified electronic freight transport information platforms and service providers (by conformity assessment bodies).

The Committee's amendments were discussed, most of them aiming to strengthen the proposal and to make it more ambitious, for example by obliging all regulatory information to be provided in electronic form. MEPs emphasised the benefits of making the acceptance of electronic information by authorities mandatory. Interventions were made with regards to the need to take the concerns of the private sector into account, as this would lead to better enforcement and supervision of transport. The Rapporteur Claudia Schmidt (EPP) underlined the importance of a transition period, allowing small businesses to make necessary provisions.



Regarding the main elements of the report, provisions have been made to make it mandatory for private operators to submit regulatory information electronically to Member States' competent authorities, while the latter should also communicate electronically on the provision of regulatory information to the private operators. Furthermore, the report holds that the eFTI reporting framework must take investments made by private operators and therefore already existing mode-specific data models into account. Moreover, the report holds that principles of technology neutrality and interoperability must be applicable to the eFTI platforms and the data contained therein. Also, the existing IT systems, currently utilised by private operators to provide regulatory information, should be certified as eFTI platforms. Regarding the application of the Regulation, it would apply three (instead of four) years after the entry into force. Eventually, the requirement for the Commission to carry out an evaluation of the Regulation was shortened from five to three years after its application.

The Commission welcomed the TRAN report and compromise amendments, as it is largely going in the same direction as the Commission proposal in terms of making the electronic information exchange a norm in transport. A legally binding, well specified framework at EU level is the most appropriate and effective way to achieve that. In line with the Rapporteur and other MEPs, the Commission also highlighted the need to ensure a transition phase, not obliging SMEs to use digital platforms until they have access to a wide and affordable offer on the market.

The TRAN report is expected to be adopted in Plenary in March, with the aim to enter into the trilogue negotiations with the Council and the Commission. In view of this, it is expected that the legislative framework will be adopted in the beginning of 2020. The preparatory work on the underlying implementing and delegated acts will nonetheless already start in 2019 and CLECAT will ensure to contribute to this. CLECAT is pleased with the TRAN report as it takes quite a few of CLECAT concerns and demands on board.

## LEARN INTERNATIONAL WORKSHOP

On 6-7 February 2019, the Logistics Emissions Accounting and Reduction Network project (LEARN) partners are hosting a workshop, where project results and learnings will be presented and discussed. The workshop will demonstrate practical examples of companies that have tested emissions calculation, assurance and reporting in practice, and recognise their achievements. It will also explore how to move forward and work with businesses beyond the LEARN project through policy, research, training and a growing network of programs and initiatives.

The Logistics Emissions Accounting and Reduction Network project (LEARN) mobilizes business to reduce their carbon footprint across their global logistics supply chains through improved emissions calculation, assurance and reporting.

How businesses can make emissions reporting consistent across green freight programs?



Over the past 2 years, LEARN partners – including CLECAT – have been working closely with related organizations, initiatives and already existing networks. This includes the Global Logistics Emissions Council (GLEC), a voluntary partnership of companies, industry associations and programs, led by Smart Freight Centre. The LEARN project has built on and sought to improve the 'GLEC Framework for Logistics Emissions Methodologies' that combines existing methods and fills gaps, making carbon accounting work for industry.



## ONGOING TRILOGUES ON HDV CO2 EMISSION STANDARDS

The second informal trilogue meeting on the European Commission's proposal for CO2 emission standards for new heavy-duty vehicles (HDVs) was held on 22 January, with ongoing discussions on the amendments proposed both by the European Parliament and the Council.



Debriefing the Parliament's Environment Committee (ENVI), the Chair Adina-Ioana Vălean (EPP, RO) informed the Members that compromises were reached on less political issues, such as supporting measures, subject matter, climate objectives and contribution of road transport, as well as on scope, vocational vehicles, monitoring and reporting period, life cycle analysis and pooling. Other outstanding issues such as modular concepts and alternative fuels, together with the governance provisions and

politically sensitive topics on emission targets and incentives for zero and low emission vehicles (ZLEVs) require further discussion at technical level in view of reaching an agreement.

The third and likely final trilogue meeting between the EU institutions to achieve a united position on CO2 emission standards for trucks is set to take place on February 12. Ahead of this meeting, the Member States will prepare their position during COREPER meetings on February 6 and 8.

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## Brexit

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### COUNCIL POSITION ON SAFE FLYING AFTER BREXIT

To mitigate the effects of a no-deal situation for aviation safety, the European Commission presented on 19 December 2018 a [specific contingency measure](#) aimed at ensuring a high level of aviation safety in the airspace in the event that the UK leaves the EU without a negotiated agreement.

Today, the Council's Permanent Representatives Committee (Coreper) approved a mandate for the Romanian Council Presidency to start talks with the European Parliament on the Commission's proposal to ensure continued validity of certain aviation safety certificates. The new provisions concern natural and legal persons with their principal place of business in the UK and certain situations regarding training modules.

The European Union Aviation Safety Agency (EASA) is responsible for the issuance of type certificates and organisation approvals in the EU. After its withdrawal, the UK will resume these tasks under its obligations as 'State of design' under the [1944 Chicago Convention on International Civil Aviation](#).

The Council's mandate sets up a temporary mechanism to extend the validity of certificates for certain aeronautical products, parts and appliances. This shall allow the operators concerned and EASA sufficient time so that EASA can continue issuing the necessary certificates under Article 68 of the



[Regulation on Common Rules in the Field of Civil Aviation](#), taking account of the UK's status as a third country after the withdrawal date in a no-deal scenario.

The [draft Regulation](#) is to enter into force as a matter of urgency. It will be applicable the day after the EU treaties cease to apply to and in the UK, unless a withdrawal agreement concluded with the UK has entered into force by that date. However, in order to allow for the necessary administrative procedures to be carried out as early as possible, certain provisions will apply from the Regulation's entry into force.

The final text will need to be approved by the Council and the European Parliament.

Source: [Council of the European Union](#)

## COUNCIL POSITION ON REALIGNMENT OF TEN-T NETWORK

On 30 January, the Council's Permanent Representatives Committee (Coreper) approved a mandate enabling the Romanian Council Presidency to start negotiations with the European Parliament on the [proposal](#) to ensure new maritime connections between Ireland and the other EU Member States on the North Sea-Mediterranean core network corridor of the Trans-European Transport Network (TEN-T) in the event of a 'no deal' Brexit. The rearrangement of the corridor shall ensure continuity for ongoing and future infrastructure investments and provide legal clarity and certainty for infrastructure planning.

The Council mandate amends the Commission proposal in particular regarding the selection of ports to ensure the EU-27 link to Ireland in the North Sea-Mediterranean core network corridor. Moreover, the mandate specifically mentions investments for security and border checks purposes among investments that would be eligible for support in the remaining programming cycle of the CEF.

Negotiations with the European Parliament on the final text started on the same evening. Once agreement has been found, the draft amending Regulation will enter into force 20 days after publication and will become applicable the day after the 2013 CEF regulation ceases to apply to the UK.

Source: [Council of the European Union](#)

## ELP DINNER DEBATE: BREXIT – HOW BUSINESS GETS READY



**European  
Logistics  
Platform**

At the first European Logistics Platform (ELP) of this year, 50 EU policymakers and industry stakeholders met to discuss how businesses are preparing themselves for Brexit.

The event was hosted by **MEP Caroline Nagtegaal** (ALDE, The Netherlands). In her introductory remarks, Ms Nagtegaal voiced her disappointment about Brexit, noting that 'with Brexit everybody loses, and no-one comes out as a winner.' She emphasised on the need to ensure that the negative impacts of Brexit are taken care as trade will go on. In this regard, she noted that 'the current situation needs to be addressed with more clarity, communication, as well as cooperation. Only in that way it will be possible to address the challenges posed by Brexit effectively.'



**Sebastiaan Scholte, CEO of Jan de Rijk Logistics**, illustrated how a truly European company like De Rijk logistics is preparing for Brexit. Since much of this is out of company control, he gave some figures on the possible impact in terms of costs: Just for Jan de Rijk one hour delay at each side of the tunnel will increase cost by € 1.5 million per year. Shifting cargo to other modes of transport such as air freight would not be a feasible option as the approximately 2 million trucks crossing the channel yearly would need 600 B-747 400 freighter flights a day. On a more positive note, Mr Scholte noted that ultimately industry will overcome the chaos caused by Brexit and adapt.”



**Ian Howells, Senior Vice President of Honda Motor Europe**, gave a holistic overview on how Brexit will impact on a complex manufacturing company such as Honda. The key risks for Honda relate to the restrictions on access to people, disruptions to the supply chain, regulatory divergence and the impact of tariffs on competitiveness. Mr Howells noted that ‘any disruption represents a problem and any variations in requirements of checks performed between the UK and the EU will lead to additional costs. Furthermore, significant delays in the transposition of EU law into UK legislation pose a significant problem.’ An example therefore is type approval, where it could lead to a situation in which cars could be produced in the UK, but not be sold there. He pointed out that packaging is a significant issue, as automotive packaging is not designed for container transports and thus there are only a number of ports which can be used for that purpose.

**Marty van Pelt, Manager Business Relations & Communications at Portbase** gave a presentation on a joint stakeholder initiative to get ready for Brexit in the Netherlands, initiated by Portbase. The recently launched website [‘getreadyforbrexit.eu/en’](http://getreadyforbrexit.eu/en) provides importers and logistics service providers with a step-wise guidance on how to prepare. This chain-wide solution conveniently enables parties to comply with the new customs formalities that will soon be applicable to both shortsea and ferry traffic. Mr van Pelt noted ‘A national Port Community System, PortBase has a coordinating role in making the necessary joint agreements and in the development of the required IT process. A lot has already been achieved in recent months, and a central working method has been embraced by all participating parties. But there’s no time to sit on our laurels, as 29 March will be here before we know it. And we really need to be ready.’

**Martin Jones, Deputy Director EU at the UK Department for Transport**, gave some further insight in the preparations in the UK. He reminded the audience that two deals are needed, namely the Withdrawal Agreement and an agreement on the future relationship. The draft Political Declaration outlines what will be covered by the future relationship agreement but it will be negotiated after the UK leaves the EU. Regarding the contingency preparations for road and air transport services, Mr Jones noted that the Commission’s recent legislative proposals would preserve basic connectivity by guaranteeing rights for UK airlines and hauliers to operate between the UK and EU, provided the UK granted equivalent rights. He confirmed that the UK would do this. He also talked about a range of UK contingency plans to mitigate disruption to transport and supply chains.

In concluding the event, Nicolette van der Jagt, Chair of the ELP, thanked the MEP Ms Nagtegaal and the speakers for their valuable insights into the Brexit preparedness. She noted “Considering the presentations that were given tonight, it became clear that while businesses are preparing for Brexit,



it will undoubtedly have a significant impact on business in the UK and the EU-27. Nonetheless, a no-deal Brexit should be prevented, as regardless of any preparatory efforts, such a situation will lead to disruption, delays and extra costs in trade, and it will thus surely damage the economies of both the UK and EU.”

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## Road

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### CAPACITY GROWTH CAUSES DECREASE OF TRANSPORT PRICES

The recently published Q4 2018 [report](#) of the Transport Market Monitor, a report aiming to provide insights into the development of transport prices and the transport market in general, has shown that in the fourth quarter (Q4) of 2018, the available transport capacity increased further, as has been the case since mid-2018, resulting in the continuous decrease of transport prices in the spot market. According to the report, Q4 2018 has marked the first time in which prices have fallen below the level of 2017.

More specifically, in Q4 the capacity index rose by 18.6% over the third quarter to 96.3 index points, compared to 81.2 index points of the third quarter. When comparing it to Q4 of 2017, with an index of 71.8, the capacity index was 34.1% higher in Q4 2018. Contrary to that, the transport price index fell in Q4 2018 by 3% to an index of 101.8 when compared to Q3 2018 that was indexed at 104.9. Furthermore, the Q4 2018 price index was 5.7% lower compared to Q4 2017. Furthermore, the report shows that in view of the capacity developments, the price decline appears in contrast with the diesel price which rose in Q4 2018 by 4.9% over Q3 2018. In providing an estimate for Q1 2019, the report states that a continued increase of free capacity in the transport market is expected, which would put additional pressure on prices.

The indices that are used for the creation of the report are based on spot market data from TRANSPOREON, a logistics platform on which shippers can tender their transport needs and assign them to their preferred transport partners on a daily basis. The report of the Transport Market Monitor for Q4 2018 is available [here](#).

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## Customs and Trade

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### DEFINITIVE SAFEGUARD MEASURES ON STEEL AS OF 2 FEBRUARY

On 1 February, the European Commission published a [Regulation](#) imposing definitive safeguard measures against imports of steel products. These measures will take effect on 2 February and replace the provisional ones in place since July 2018.

The proposed measures will be imposed *erga omnes* (against imports from all origins), concern 26 steel product categories and consist of tariff-rate quotas by which a duty of 25% will apply when the level of the traditional trade flows is reached. This system is similar to the provisional measures currently in place since July 2018, with some variances in order to preserve traditional trade flows. For example, the main supplying countries will benefit from individual quotas based on their own historical imports.



The measures should remain in place for a period up to three years but can be reviewed in case of changed circumstances.

Source: [European Commission](#)

## EU-JAPAN TRADE AGREEMENT ENTERS INTO FORCE

The Economic Partnership Agreement between the EU and Japan is now in force. Despite the new economic opportunities that the trade agreement is expected to create, CLECAT Members have identified certain parts of the agreement that need further clarification, such as the provision of proof of origin, suspension of preferential treatment and the requirement for special certificates for some types of goods. CLECAT considers that before operators can fully enjoy the benefits of the largest open trade zone in the world, the remaining concerns need to be further discussed in order to provide businesses with the necessary legal certainty and predictability. CLECAT will dedicate full efforts towards ensuring that uncertainties are carefully addressed so as to ensure the smooth running of operations.

## PROGRESS OF EU-US TRADE TALKS

On 31 January, the European Commission published a report on the implementation of the [25 July 2018 Joint Statement](#) agreed by European Commission President Jean-Claude Juncker and US President Donald Trump. The report provides for a detailed overview of the state of play of the trade negotiations between the EU and the US.

The main focus of the talks in the first few months has been on developing a set of potential short- and medium-term deliverables on regulatory issues. On the EU side, progress has also been made on facilitating imports of US soya beans, which increased by 114% over the current market year (July-end January 2019), making the US Europe's main supplier of soya beans. The EU has identified a number of potential positive actions and activities in areas such as cybersecurity, pharmaceuticals and medical devices, which could facilitate transatlantic trade.

For the implementation of some elements of the Joint Statement, the Commission needs specific negotiating mandates authorised by the Council. Such is the case for the negotiations on conformity assessment or on industrial tariffs. Accordingly, the Commission on 18 January 2019 presented [draft negotiating mandates](#) to the Council for the launch of negotiations with the US for bilateral agreements on conformity assessment and on industrial tariffs.

Source: [European Commission](#)

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# Rail

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## UIC REPORT ON COMBINED TRANSPORT

This week, the International Union of Railways (UIC) published the 2018 Report on Combined Transport, which provides an assessment of the combined transport market. The report is available [here](#).





Regarding the combined rail/road transport volumes, the report argues that unlike the general rail freight volumes, those for combined transport (CT) are on a steady rise. The total volume of unaccompanied and accompanied combined transport amounted to 22.5 million TEU in 2017, marking a positive development of 7.2% compared to the volumes in 2015. Regarding total CT tonnage carried in combined transport, the increase appears to be higher than the development in TEU, adding up to approximately 9.7% between 2015 and 2017. According to the report, the majority of combined transport in Europe is unaccompanied, with the key driver for growth being international traffic. Cross-border movement has grown by 81% since 2005 and 12% since 2015.

The report also focuses on the analysis of the current European combined transport wagon fleet and its expected development. The report argues that while in the beginning of combined transport operations a large number of intermodal services were operated in standard rail freight wagons, specifically designed intermodal CT wagons have gained considerable importance. Today, most services are operated in intermodal wagons due to their advantages for combined transport, which include a lower tare weight and easier loading and unloading procedures.

Regarding future challenges, the report notes that the technical specifications of the wagons today, which are on average 20 years old have a lifetime expectancy of approximately 40 years. The report concludes that this will represent a challenge as the European combined transport fleet is aging, and in ten years from now will need to be upgraded.

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## *Sustainable Logistics*

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### **STUDY ON NATURAL GAS' ROLE IN DECARBONISING TRANSPORT**

Under the leadership of the Imperial College London and the Sustainable Gas Institute, a white paper has been published on the role of natural gas in future low-carbon energy systems, particularly in shipping and long-distance heavy goods transportation. The paper aims to examine the evidence surrounding the use of natural gas as a transport fuel to address greenhouse gas (GHG) and air pollution emissions in trucks and ships. This includes presenting the evidence on gas engine types, their emissions, technical considerations and costs. The report also discusses other options for emissions mitigation in transport, including energy efficiency, aftertreatment and other fuel-switching options such as hydrogen fuel cells or battery electric systems.

Among the key findings, the study identified that the natural gas as a transport fuel has the potential to reduce GHG emissions in trucks by ~16% against lowest estimates of diesel truck emissions, while in ships the equivalent potential for lifecycle emissions reduction is ~10% relative to heavy fuel oil ships. Furthermore, air pollution emissions can be reduced significantly in shipping by switching to natural gas. For instance, in ships NO<sub>x</sub> emissions may be reduced by ~90%, SO<sub>x</sub> emissions by ~90% and particulates by up to 98% against the average heavy fuel oil ships. The natural gas is also currently a cheaper fuel than diesel or heavy fuel oil, helping to 'pay back' the ~20% greater capital cost of trucks and ships that can use natural gas.

However, global GHG emissions reductions from natural gas-run trucks and ships may not be sufficient to meet global emissions goals alone. For example, the study's authors concluded that it appears difficult to reach the IMO GHG reduction target of 50% by 2050 using ship efficiency improvements and LNG alone, though a 35% improvement may be achievable. "Deeper decarbonisation appears



possible if a lower emissions ship technology such as hydrogen fuel cell ships becomes available in the period from 2040 and 2050,” the study concluded. However, as LNG is the primary alternative option that is immediately available at scale, these other emissions benefits make it an attractive option in the medium term.

The study also found that a number of policy options might be considered to minimise GHG emissions and incentivise the other technologies necessary to meet challenging global targets. The fuel taxes are analysed, as well as incentives or mechanisms to support broader fuel switching options, energy efficiency measures and aftertreatment. To meet long-term emissions targets, strengthening already existing policies, such as the energy efficiency design index in shipping, may also be a valuable route.

The full study can be found [here](#).

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## General

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### CYBERCRIMINALS INCREASING EFFICIENCY

Last week, the European Union Agency for Network and Information Security (ENISA) published a cyber-security info note which announced that recent research revealed that to increase the efficiency of their attacks, certain threat groups might be combining their efforts, thereby developing more sophisticated attacks.

More specifically, ENISA conducted a comparison between four ‘malware families’ used by different threat actor groups, which suggested that these might be sharing information and resources. Furthermore, evidence showed that malware developers are trying to increase the sophistication and efficiency of their tools by reducing the deployment time through the distribution of tasks among multiple criminal groups and re-using capabilities from existing tools.

Considering the identified threats, ENISA developed the following recommendations:

- Ensure that all end-point security software is up to date
- Keep software fully patched
- Train users to avoid being targeted by spam and phishing attacks
- Conduct regular vulnerability assessments and penetration tests to withstand cyberattacks

The research concluded that larger organisations seem to be considering new and more sophisticated solutions to gain a better understanding about threats and ultimately increase their detection mechanisms. Nevertheless, end-users and smaller organisations with less resources seem to continue relying on the more traditional cybersecurity systems as for example anti-virus. The report further suggests that in view of the collaboration of attackers, defenders should adopt the same thought process of collaboration. More specifically, this means that any knowledge on the behaviour of malware should be shared outside the organisation and contributed to others’ threat assessments.

Source: [ENISA](#)



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# Forthcoming events

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## CLECAT MEETINGS

Sustainable Logistics Institute meeting

6 February, Brussels, Belgium

Maritime Institute meeting

11 April, Antwerp, Belgium

Air/Security Institute meeting

17 April, Schiphol Airport, The Netherlands

Board/General Assembly

26 June, Paris, France

## OTHER EVENTS WITH CLECAT PARTICIPATION

LEARN International Workshop

6-7 February, Brussels

IRU/UNTRR Event on Decarbonisation of EU Road Transport

19 February, Bucharest

Stakeholder Workshop on Urban Vehicle Access Regulations

22 February, Brussels

EC Conference on the Future of Multimodal Transport

26 February, Brussels

SITL Conference – CLECAT session on Programmes to support forwarders and shippers to reduce their carbon footprint

26 March, Paris

Zolltag Spedlogswiss

28 March, Switzerland

FIATA HQ meeting

27-29 March, Zurich

## EP/COUNCIL MEETINGS

European Parliament TRAN Committee

4 February, Brussels

20-21 February, Brussels



## European Parliament Plenary

11-14 February, Strasbourg

## European Transport Council

4 March, Brussels

7 March, Brussels

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