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Brussels news

CLECAT TOGETHER WITH MORE THAN 40 ORGANISATIONS PLEADS FOR AN INCREASED CEF TRANSPORT BUDGET



This morning, at the 2018 TEN-T days, a coalition of more than 40 European associations handed over a common [declaration](#) to European Commissioner for Budget and Human Resources Gunther Oettinger, stressing the need for more money for transport in the new EU Multiannual Financial Framework (MFF) for the period 2021-2027. In particular, the Transport coalition “[More EU budget for transport, the best investment plan for Europe](#)” calls for a stronger Connecting Europe Facility (CEF). The CEF has demonstrated since 2014 its ability to complete the TEN-T network and to deliver high EU added-value to finance the actual deployment of sustainable, innovative, digital, safe, secure, interconnected and intermodal transport projects, mostly through grants.

The Transport coalition represents all transport modes and nodes, infrastructure managers, operators, contractors, local and regional authorities, logistics service providers, shippers, users and equipment suppliers in the maritime, inland waterways, railways, road, cycling, aviation and intermodal sectors, and supports industries and companies as well.

On 2 May 2018 the Commission will publish the MFF proposal, the EU budget proposal for the next financial period 2021-2027. This proposal will reveal how much money will be earmarked for CEF. On 29 May 2018, the detailed CEF II proposal is due to come out before going into discussions with the Parliament and the Council. CLECAT believes that without strong EU investment in transport, the EU plan to create well-working & zero-carbon transport across the EU will not materialize. Since 2017, 3 years before its term, the budget for the CEF Transport has been used. Demand for CEF Transport funds exceeded 2.5 times the available resources. If the CEF Transport budget does not increase in 2021-2027, the legal obligation of completing the TEN-T Core network is at risk due to insufficient budget.

“Besides a constant need for investment in hard infrastructure, freight forwarders and logistics service providers face multiple new societal challenges, e.g. digitisation, decarbonisation, safety and security challenges, energy transition goals and multimodality. These challenges need to be properly addressed and supported with dedicated CEF grants” said Nicolette van der Jagt, Director General of CLECAT.

The TEN-T Days were hosted by European Commissioner for Transport Violeta Bulc in Ljubljana. The TEN-T Days 2018 hosted the Future of Mobility: idea accelerator and futuristic lab, to allow young European entrepreneurs and companies to showcase innovative mobility solutions. The high-level Interinstitutional meeting allowed parties to discuss the Ljubljana declaration prepared by the Stakeholders of the MFF Transport Campaign, the Transport results (past and future CEF calls) and the next multiannual financial framework for Transport. Among the high-level events, there was a Transport Ministerial session with Western Balkans and Turkey, a Transport Ministerial session with Southern Mediterranean countries, and a Ministerial meeting with Eastern Partnership countries.

ELP LUNCH DEBATE ON SAFE AND SECURE PARKING IN THE EU



BRUSSELS, 24 April – At the second European Logistics Platform (ELP) event of the year 2018, around 50 EU policymakers and industry stakeholders met to listen to testimonies and experiences from companies that seek to make use or invest in secure parking areas in the EU and to discuss the challenges they face with the current and possible future regulation on resting time in the EU.

The event was hosted by MEP Elżbieta Łukacijewska, member of the TRAN Committee and of the ELP advisory board. In her introductory remarks, Ms Łukacijewska noted that ‘safety and security for the driver, the vehicle and the goods are absolutely necessary. However, the



drivers prefer to spend their rest periods in their cabin, so providing secure parking is a better option than obliging drivers to go to a hotel.’

Wim van de Camp MEP, rapporteur on the European Commission Proposal amending Regulation (EC) No 561/2006 on driving time and rest periods, noted that weekly and reduced rest time should in principle be taken outside the cabin in a suitable accommodation which is paid by the employer. Nevertheless, he proposes the creation of Dedicated Parking Areas in



which drivers can park their trucks and take their rest in the cabin as derogation from the rule. He also noted that ‘whilst recognising that parkings are missing and that infrastructure actions are needed in Europe now, financing of secure parking areas should be ensured by the market first.’ He continued, ‘self-certification is essential in order to not have to wait for all Member States to set up certification schemes. However, a regulatory push to provide secure parking areas is good, as investors will know what they can and must do, and by when. Otherwise, we will never manage to have the required number of parking areas in Europe.’

Benny Smets, CEO of Ninatrans, gave an operational perspective on the needs for secure parking areas’ noting that ‘Europe needs more parking areas, safe parking areas, comfortable parking areas and secure parking areas. Currently, there are insufficient parking areas, there is insufficient comfort for the driver, little indication of where there are places available, and hauliers face a problem of liability for damaged or stolen goods as well as intrusion from migrants. With hauliers paying road charges in many parts of the EU, the least they can expect in return is that secure parking areas are provided as an essential part of the infrastructure.’

Ton Barten, CEO, Truckparkings Rotterdam Exploitatie BV gave the perspective from a secure truck parking provider noting that ‘there has always been hesitation as to the business case for secure parking, as investors are unsure whether drivers and companies would be willing to pay. Legal certainty will provide support for investors, and the focus should remain on secure parking areas. It equally remains important that the right services are offered to companies and drivers and that the secure parking areas are not seen as a tax.’

Ewa Ptaszynska, policy officer in the Road Unit of DG MOVE presented in a nutshell the Commission's approach to secure parking which should be seen in the light of the proposals which are part of the first Mobility Package. She noted that the European Commission is taking a step-by-step approach on this and that a complete ban on rest in the cabin without offering any alternatives would not improve the quality of life for drivers. Therefore, parking areas which provide safety, security and comfort are essential. The Commission launched a study, of which one of the outcomes will be a map indicating places where safe and secure parking areas are most needed in the EU. She indicated that development of safe and secure parkings on the road core network can be co-financed by the European Commission under the Connecting Europe Facility.

ELP Chair Nicolette van der Jagt, closing the event, noted that with the ELP celebrating its fifth anniversary this year, more was expected on the theme of multimodal transport announcing that the next event will focus on the developments of the euroasian railways and how they can support in solutions to the transport and mobility challenges we face to make European industry more efficient, sustainable and innovative.

MULTIMODAL YEAR 2018 – THE FUTURE OF INTERMODAL

On the 16th May the European Commission, the European Union Agency for Railways (ERA), and the International Union for Road-Rail Combined Transport (UIRR) organise an event to take stock of pressing regulatory issues at EU level for the future of intermodal transport.

CLECAT’s DG Nicolette van der Jagt has been invited to moderate the session on trends in digitalisation and future technologies in freight transport logistics. Clearly, the future of transport in Europe is driven by the need to dramatically reduce its environmental impact, while at the same time reaping the opportunities of the digital revolution and maintaining a strong position in global competition.



The event is part of the European Commission's Year of Multimodality. CLECAT members and others are invited to join the lively debate with EU decision-makers and peers on 16 May 2018 at the EU Representation of the Free State of Bavaria.

Please find the programme [here](#) – register [here](#)

Road

CLECAT ROAD INSTITUTE MEETING DISCUSSES MOBILITY PACKAGE

CLECAT's road institute discussed this week developments in the Council and European Parliament with regards to the European Commission proposals on Posting of Workers, cabotage and combined transport. CLECAT remains of the opinion that the Posting of Workers Directive is not suitable for the international (road) transport sector as it does not take into account the sector's highly mobile workforce, transnational character nor the administrative burdens and enforcement difficulties of applying it to road transport operations. This holds for the road leg of Combined Transport equally. Applying Posting of Workers for the road leg operations of Combined Transport would further disincentivise of Combined Transport as a flexible, efficient and sustainable option for intermodal transport.

CLECAT members expressed concern about the developments with the proposal on Combined Transport with some Member States requesting to make a combined transport road legs subject to cabotage rules. With additional complications, such as rules on cabotage and posting of workers, in addition to the already existing heavy administrative burden to prove that an operation is a combined transport operation many operators will be seriously considering abandoning CT operations entirely and use road transport for the entire leg instead.

Rail

STUDY ON FINANCIAL IMPACT OF RASTATT INCIDENT

Following the accident during the tunnel works in Rastatt in August 2017, the double-track railway line on the Rhine valley was fully interrupted from 12 August until 2 October 2017. The 'Hanseatic Transport Consultancy (HTC)' was entrusted by ERFA, NEE and UIRR with the task to quantify the losses caused through that incident.

According to the HTC's [study](#), the total losses amounted to approximately €2 billion. The loss of value creation of Rail Logistics Companies amounted to €969 million, thereby representing the highest part of the losses. Further €771 million in losses of value creation were incurred by Manufacturing Industries. Additionally, €308 million in losses were suffered by related entities, e.g. infrastructure managers and terminal operators. These amounts take into account changes related to losses of added value on the expense and on the income side, including additional expenses due to non-running trains, extra work for personnel, general penalty rules in the supply chain for delayed and non-running trains, additional work for infrastructure managers, as well as extra work for shippers and manufacturing companies.



Due to this interruption, the Rail Logistics sector had to renounce part of its growth in 2017. During that time, a temporary but significant increase in heavy truck traffic was detected, which can also be attributed to the limitations which existed on the diversion routes. Moreover, only 40% of the theoretical capacity of the diversion routes could be used. Further criticism was expressed relating to the unsatisfactory international cooperation of the network managers.

Currently, a cross-border contingency management handbook for rail infrastructure managers and railway undertakings is being finalised. This handbook builds upon the lessons learned through the Rastatt incident and further addresses certain key-operational matters.

CLECAT welcomes the study and transparency on the impact of the incident and participated in several of the working groups hosted by the European Commission reviewing the Handbook on contingency management procedures on the European level.

Source: [UIRR](#)

MAAS FOR THE LAST MILE OF RAIL FREIGHT TRANSPORT

During the SmartRail conference which took place last week in Amsterdam, Lina Konstantinopoulou, Head of Transport and Logistics, Innovations and Deployment at ERTICO – ITS Europe, shared her view that Mobility as a Service (MaaS) could be used for the last mile of rail freight transport. Mobility as a Service is a mobility concept primarily aimed at passengers, which combines different modes of transport and gives the passengers the possibility to select their transport options according to their needs. Regarding the application of MaaS to freight transport, she explained that the goods could be transported in special compartments of buses, trams or undergrounds. In that regard, she presented pioneer projects in Finland, where MaaS projects are available for people and goods, as well as Venice (Italy), where public transport on water is used for freight delivery.

Source: [Railfreight](#)

Maritime

SHIPOWNERS WARY OF MEETING LOW SULPHUR DEADLINE

According to a survey conducted by Drewry, shipowners have voiced concerns and a general resignation regarding the obligation to switch to more expensive low-sulphur fuel in order to meet the proposed 2020 bunker regulation of the IMO. Shipowners are mainly concerned about the additional costs which they have to incur to meet the new IMO standards, including the installing of scrubbers, switching to LNG-propelled engines or the use of compliant fuel.

Due to the changes in the bunker regulations, ships outside SECA zones will only be allowed to use fuel with a maximum sulphur content of 0.5%, compared to the 3.5% level which is currently applicable. The levels at sea inside SECA zones and the levels in port have remained unchanged. While approximately 66% of respondents believed that the regulation would become enforceable starting 2020 as planned, over one quarter of the respondents voiced their concerns, arguing that the regulation would need to be extended due to a lack of readiness.



Regarding the modes which will be used to reach the new standards imposed by the IMO, the majority of shipowners indicated that low-sulphur fuels will be the most appropriate solution for existing fleets. In comparison thereto, the utilisation of scrubbers is expected to be very low (ca. 13%) due to the high cost which is involved in retrofitting the ships. When looking at ensuring compliance with new ships, the utilisation of low sulphur fuels is also the preferred option at 37%, however there is a significantly higher number for the consideration of LNG-propelled (24%) and scrubber-installed ships (21%). Nevertheless, there is reluctance towards installing scrubbers based on the fear that they may not be able to meet the requirements of future legislation.

Moreover, a high degree of concern was expressed regarding the increased difficulty of achieving compliance by 2020 due to the influence of external factors, including the availability of low-sulphur fuels and the limited capacity to retrofit ships with scrubbers. However, the IMO will provide guidelines which will clarify the tolerance levels for non-compliance.

Source: [Drewry](#)

CONTAINER SHIPPING RATES

The growth of container capacity is projected to reach its peak 9% in the second quarter of 2018, which is expected to be followed by a slowdown to low-single digit growth for the period between the second half of 2018 and the 2021 fiscal year expected revenues.

With a demand growth of 10% on East-West routes, the container freight rates have remained resilient, with the SCFI down 10% y/y and CCFI stable YTD. The rates are expected to recover in the market from 2H18E. However, considering the new IMO 2020 standards and the newly developed focus on fuel-efficient and LNG-propelled vessels, it is highly unlikely that new vessel orders will be delivered before FY21E. Nevertheless, container demand is expected to grow by 4-5% this year.

Regarding the valuation and risk-factors involved,

Source: [BIFA](#)

Customs

NEW TRADE AGREEMENT BETWEEN THE EU AND MEXICO

On the 21st of April, the European Union and Mexico reached a new agreement on trade, as part of a broader, [modernised EU-Mexico Global Agreement](#). Practically all [trade in goods between the EU and Mexico](#) will now be duty-free, including in the agricultural sector. According to the EU Commission, simpler customs procedures should further benefit the EU's industry, including in sectors like pharmaceuticals, machinery and transport equipment. The agreement also lays down progressive rules on sustainable development. Among other things, the EU and Mexico have committed to effectively implementing their obligations under the Paris Agreement on climate change. It will also be the first EU trade agreement to tackle corruption in the private and public sector.

Since the previous EU-Mexico trade agreement came into force in 2000, trade between the EU and Mexico has risen at a rate of around 8% per year, resulting in an overall increase of 148% in trade in goods over the period. Despite these positive results, there was still a wide margin for improving the



trade relationship that the new agreement is addressing, by making virtually all trade in goods duty-free.

The main elements of the agreement include that agricultural exports from the EU are set to benefit the most, such as poultry, cheese, chocolate, pasta, and pork. The new agreement also opens up trade in services, such as financial services, transport, e-commerce, and telecommunications. The agreement will also help develop a favourable environment for a knowledge-based economy, with a new chapter on digital trade. This will remove unnecessary barriers to online trade and will put in place clear rules to protect consumers online.

The agreement currently only includes the most important elements. In some chapters, technical details still need to be tied up. Based on this week's agreement in principle, negotiators from both sides will continue their work to resolve the remaining technical issues and finalise the full legal text by the end of the year. Then, the Commission will proceed with the legal verification and translation of the agreement into all official EU languages and will subsequently submit it for approval by the European Parliament and Council of the European Union.

Source: [EU Commission, DG Trade](#)

UN/CEFACT CALL ON IMO FAL MAPPING

On 18 April the UN/CEFACT launched a call for participation for the new project entitled "[IMO FAL Electronic Compendium Mapping](#)" Project. The International Maritime Organization have published since 1965 the Convention of Facilitation of International Maritime Traffic (FAL). This convention contains standards and recommended practices on formalities, documentary requirements and procedures which should be applied on arrival, stay and departure of ships and ports.

Standard forms were developed for these declarations. Over time, UN/EDIFACT messages were developed to correspond to each of these forms and integrated into the IMO FAL Compendium. This Compendium has developed the business processes associated with the flow of information relative to these forms. In recent years, IMO has approved a project to update the FAL Compendium and align it with [their Single Window project](#). To this aim, they have developed an independent reference data model of the requirements from these forms which will be published in the new compendium. IMO has agreed to add annexes within the new Compendium which will provide mappings from this independent reference data model to international standards including the UN Core Component Library, UN/EDIFACT and the UN/CEFACT Multi-Modal Transport Reference Data Model (MMT-RDM).

The current project aims to create the mappings and updated guides to satisfy the request to complete the UN/CEFACT annexe to the IMO FAL Compendium. If you are interested in joining this project, please contact [the project lead](#).

Source: [UN/CEFACT](#)



Digitalisation

STUDY ON DATA IN PLATFORM-TO-BUSINESS RELATIONS

On 26 April, the European Commission proposed new rules for the online platforms providing small businesses with a safety net in the digital economy.

Based on interviews with online platforms and businesses, a survey of businesses, and a literature review, the study identifies the different categories of data generated through online platforms and assesses a) the extent of access and (re-)use possibilities granted by platforms at present, b) the value placed by businesses on such access and (re-)use and c) the impact of a potential change in platform practices regarding data access and (re-)use.

The study finds that business users generally do not have access to some data which they value highly for marketing purposes, in particular customer email addresses, information on platform user profiles, and user behaviour data. Enhanced access to data could have a significant impact on businesses' turnover though this is conditional on business knowledge of and experience with data analysis. Finally, the study examines two sets of policy options: 1. requiring greater transparency on data access and use policies towards business users and; 2. mandating access to certain categories of data.

While the first option does not raise any particular legal concern and has the advantage of addressing businesses' lack of awareness as regards data and its possible uses, the second option must be designed in conformity with the requirements of the GDPR. Furthermore, this option would in parallel have to address the lack of awareness of business users as regards data in order to be fully effective in its potential impacts.

The study results have helped inform the preparatory work on the [proposed regulation](#) on promoting fairness and transparency for business users of online intermediation services.

Source: [EU Commission, DG Connect](#)

ARTIFICIAL INTELLIGENCE: EC OUTLINES A EUROPEAN APPROACH

On 25 April the European Commission is presented a series of measures to put artificial intelligence (AI) at the service of Europeans and boost Europe's competitiveness in this field. The Commission is proposing a three-pronged approach to increase public and private investment in AI, prepare for socio-economic changes, and ensure an appropriate ethical and legal framework. This follows European leaders' call for a European approach on AI.

According to the Commission, artificial intelligence (AI) is not science fiction; it is already part of our everyday lives, from using a virtual personal assistant to organise our day, to having our phones suggest songs we might like. Beyond making our lives easier, smart systems help us solve some of the world's biggest challenges: treating chronic diseases, fighting climate change, and anticipating cybersecurity threats. AI is one of the most strategic technologies of the 21st century. Europe wants to be at the forefront of these developments – many recent breakthroughs in AI have come out of European labs. Around a quarter of all industrial and professional service robotics are being produced by European companies.



As of 25 April, and following the [Declaration of cooperation signed by 24 Member States](#) and Norway on 10 April 2018, the Commission will start work with Member States to have a coordinated plan on AI by the end of the year. The main aim is to maximise the impact of investment at the EU and national levels, encourage cooperation across the EU, exchange best practices, and define the way forward together, so as to ensure the EU's global competitiveness in this sector. The Commission will also continue to invest in initiatives which are key for AI, including the development of more efficient electronic components and systems (such as chips specifically built to run AI operations).

Source: [Digital single Market](#)

EVALUATION OF THE LEGAL PROTECTION OF DATABASES

[The Evaluation Report on the Database Directive](#) has been published on the 25th of April as part of the third data package. Within this evaluation context, the Commission carried out a public consultation between 24 May, and 30 August 2017. The aim of the consultation was to understand how the Database Directive, and in particular the sui generis protection of databases, is applied and what impact it had on users and makers. 113 replies were received (mainly from the publishing sector, the research and academic sector, the IT sector and the transport sector).

It shows that the views are divided among stakeholders. Some sectors, such as the publishing industry supports the sui generis right, while the research and academic sector considers this right to be unclear and too broad and the exceptions to the sui generis to be too restrictive. In support of the evaluation process, the Commission Services ordered a [study](#) from Joint Institute for Innovation Policy (JIIP). The study provided considerable evidence for the [Commission's evaluation](#) of the [Directive](#). It contains a legal and an economic analysis, an online survey, in-depth interviews with legal experts and practitioners, and the results of a stakeholders' workshop.

The [consultation activities carried out by the EC](#) and the contractor are reported in the synopsis report. The [summary report](#) of the EC public consultation was published in October 2017. The Contractor's study also extensively reports in its annexes on the results of the online survey, the in-depth interviews and the workshop. The publication of the Synopsis Report in German and in French is forthcoming.

Source: [Digital Single Market](#)

General

PROMOTING SUSTAINABLE TRANSPORT AND REMOVING BOTTLENECKS

The European Parliament expects to discuss an [own-initiative report](#) during its first plenary session in May, which assesses the implementation of cohesion policy and the thematic objective of promoting sustainable transport and removing bottlenecks in key network infrastructure (Thematic Objective 7).

Transport investments which are made under ESIF, the European structural and investment funds with a total budget of €70 billion, are required to promote the above-mentioned objective, which is part of the 11 thematic objectives established under the Common Provisions Regulation to ensure efficient and targeted use of ESIF in the period of 2014-2020. One of the main-areas of this investment is the trans-European transport network, which is planned as an EU-wide multimodal network facilitating



the movement of goods and people across the European Union. However, the ESIF funding can also be used for local or regional transport infrastructure, including the development of low-carbon transport systems and noise-reduction measures.

Regarding the implementation of the cohesion policy, The European Parliament's REGI Committee adopted its [own-initiative report](#) on 27 March 2018, which will be voted on during the first plenary session of the European Parliament in May. In the report, REGI emphasised that the CEF, CF and ERDF should continue to be the main EU sources for transport infrastructure investments under Thematic Objective 7 during the next programming period. REGI demands that the centrally managed, as well as the shared management sources, are strengthened in a balanced way. Furthermore, a checklist of eligibility criteria shall be developed by the European Commission based on the data from the [EU Transport Scoreboard](#) that reflects regional needs.

Source: [European Parliament](#)

Forthcoming events

CLECAT MEETINGS

CLECAT Customs & Indirect Taxation Institute
25 May, Paris

CLECAT Brexit Working Group
25 May, Paris

CLECAT BOARD/GENERAL ASSEMBLY
29 June, Sofia, Bulgaria

OTHER EVENTS WITH CLECAT PARTICIPATION

GLEC MEETING
15 May, Copenhagen

MULTIMODAL YEAR 2018 – THE FUTURE OF INTERMODAL
16 May, Brussels

CSR Europe Sustainability Summit
23 May, Brussels

ITF 2018 Summit: "Transport Safety and Security"
23 - 25 May 2018, Leipzig

Swedish Freight Forwarders Event (SIFA)
29 May 2018, Gothenburg

Dutch Freight Forwarders Event (FENEX)
31 May 2018, Rotterdam



DIGITAL TRANSPORT AND LOGISTICS FORUM PLENARY MEETING

14 June, Brussels

ALICE PLENARY

22 June, Amsterdam

EP MEETINGS

European Parliament TRAN Committee

14 - 15 May 2018

24 May 2018

European Parliament Plenary Session

2 - 3 May 2018, Brussels

28 - 31 May 2018, Strasbourg

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