NEWSLETTER

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Brussels News

DTLF AGREES ON WORKPLANS

On 18-19 June, the plenary and subgroup meetings of the Digital Transport and Logistics Forum (DTLF) were held in Brussels. At the meetings, the workplans of the two subgroups (paperless transport and corridor information systems) were discussed and endorsed by the Members.

The DTLF is the expert group which advises the Commission in the development and implementation of the EU's activities and programmes aimed at the digitalisation of transport and logistics. The work of the DTLF is split into two subgroups. Subgroup 1 advises the Commission on the digitalisation of transport documents and specifically assists the Commission with the preparatory work for the implementation of the Regulation on electronic Freight Transport Information (eFTI).

The workplan was prepared by CLECAT's senior manager Dominique Willems, who is the Rapporteur of Subgroup 1. The workplan was endorsed unanimously in the plenary meeting. The work is grouped into 6 main tasks, which include the creation of a Transport Data Model and the establishment of functional and technical specification for exchange of regulatory transport information between the private sector and authorities. Following the establishment of the teams and team-leads in Q3 2019, the work on the tasks will start in Q4 2019. A final report, also depending on further legislative developments of the eFTI Regulation, is expected in Q1 2021.

Subgroup 2 will work on digital corridor information systems, which aims at creating a common understanding and solutions for data sharing in logistics. The work of this group is more of a long-term, visionary nature and not directly linked to a legislative initiative. The goal is to create a federated network of platforms as a basis for innovation and cost reduction. The result will not restrict

competition, it should ease on-boarding of users to platforms, enlarge the market for data sharing, and is expected to stimulate innovation.

The next DTLF plenary meeting will be held in Helsinki during the Digital Transport Days, from 7 to 9 October. At the Finlandia Hall conference centre, participants will be updated on the latest developments in the field and are invited to help define and implement enabling policies, as well as developing customer-oriented services.

The presentation of the DTLF Plenary Meeting is available here.

Road

CJEU STRIKES DOWN GERMANY'S CAR TOLL

A planned German motorway toll is against EU law because it relies entirely on car drivers from other Member States, the Court of Justice of the European Union (CJEU) has ruled. Germany wanted to introduce the annual €130 fee next year but faced objections from neighbouring countries Austria and the Netherlands. The fee would have been charged to everyone, but German drivers would have had the amount cut from their car tax. Germany argued that it wanted to move to a "polluter pays" system. The planned toll on both, motorways and federal highways, would have contributed an estimated €500 million for investment in infrastructure, Ministers hoped.

The Dutch complained that it could cost their motorists up to €100 million a year, mainly from residents and companies living in areas adjacent to the German border. Austria has its own vignette system for drivers, with costs varying from €9.20 for 10 days and €89.20 for a year, but the toll does not discriminate between nationalities.

The CJEU ruled that the toll "constitutes indirect discrimination on the grounds of nationality" as it was designed to be entirely offset by drivers in other Member States. It ruled that the measures were at risk of restricting free movement of goods and services and placed the economic burden solely on foreign drivers. It agreed that Member States could charge users in other countries. However, it did not accept the German argument, that giving German motorists who paid the toll relief on their vehicle tax meant that the government was moving to a user-pays system. The decision comes as the EU is trying to push through new laws that would nudge countries to introduce road charging systems and put the cost of maintaining infrastructure on those who use it. On Tuesday, during a press conference in Berlin, German Chancellor Angela Merkel said, that the government will accept the Court decision and the Transport Ministry will need to decide how to proceed.

Rail

ERA BECOMES EUROPEAN AUTHORITY FOR CROSS-BORDER RAIL TRAFFIC IN EUROPE

Since 16 June, the EU Agency for Railways (ERA) takes responsibility for vehicle authorisation, safety certification, and ERTMS trackside approval. This follows from the 4th Railway Package, which was adopted in 2016. It gives ERA a leading role in ensuring the implementation of harmonised European legislation, by making ERA the single certification body for international railway traffic in Europe.

Companies operating across EU borders may now rely on one single, integrated process to obtain vehicle authorisations, single safety certificates or to request ERTMS trackside approval. More specifically, companies must now contact ERA and file only one application through its One-Stop Shop IT tool (OSS).

This is a substantial change for the European rail system. Bulgaria, Finland, France, Greece, Italy, The Netherlands, Romania and Slovenia have adopted the new regime in June 2019, while other countries chose to transpose the new legislation by June 2020. Switzerland will adopt the new regime on a case-by-case basis from June 2019.

Dr Josef Doppelbauer, Executive Director of ERA, stated: "For years, railway's progress in Europe has been hampered by technical barriers and excessive cost. The new simplified certification processes help breaking down the barriers and increasing harmonisation, which will improve the competitive position of railways."

Source: European Union Agency for Railways (ERA)

3RD MEETING ON INTERNATIONAL CONTINGENCY MANAGEMENT

On 17 June, CLECAT attended the 3rd meeting on International Contingency Management, during which the stakeholders in rail freight discussed jointly with the European Commission the progress that has been made on the implementation of the Handbook on International Contingency Management. The Handbook, which was adopted in May 2018 with active involvement of CLECAT, represents the direct result of the lessons learned from the aftermath of the 2017 Rastatt incident.

During the meeting, a presentation was given by RailNetEurope (RNE), the European Association of Infrastructure Managers, on the implementation of the Handbook at national level. Subsequently, the way in which smaller incidents, i.e. interruptions shorter than three days, are to be addressed was debated. This included discussions on whether it would be useful to apply the principles contained in the ICM Handbook, adjusted to the situation. However, due to diverging opinions, this issue was not resolved. The discussions were followed by presentations of different Rail Freight Corridors (RFCs) on experiences with simulations using the ICM Handbook. Overall, the RFCs presented positive results and announced that the simulations resulted in valuable lessons learned.

Additional topics which were covered during the meeting included re-routing overviews, as well as legal issues pertaining to the allocation of paths within the ICM Handbook, and suggestions for improving the Handbook. Next to that, a presentation was given on the state of play of the Railway Undertaking (RU) Contingency Management Handbook.

Lastly, an update on the priorities within the Rail Technical Operational Issues LogBook, which was set up to list and review the technical issues that cause the most problems to cross border rail operations and develop suitable actions to help with improvement, was received. The Commission announced that it will continue its work on the priorities.

Maritime

MOTORWAYS OF THE SEA FORUM

On 21 June, CLECAT participated at the DG MOVE's Motorways of the Sea Forum in Brussels. MoS support the maritime dimension of the Trans-European Transport Network (TEN-T) under the Connecting Europe Facility (CEF). At the meeting, MoS strategic objectives and their implementation, as well as the needs for future MoS financing, were discussed. The debates focused on three development pillars of MoS, which are considered as key priorities for short sea shipping and ports: 1) environment, 2) the integration of maritime transport in the logistics chain, and 3) safety, traffic management and the human element.

Ms Magda Kopczynska, Director Maritime Transport, DG MOVE, noted that EUR 1.2 billion currently invested in MoS obviously contribute to achieving a European maritime transport space without barriers. She emphasised that the highly efficient maritime sector is essential for Europe, with the integration of maritime transport into the overall logistics supply chain being particularly important. Given the need to better link MoS with the Core Network Corridors of the EU, the Commission will have a particular focus on MoS in the process of reviewing the TEN-T Network Guidelines.

Talking about the recent developments European Maritime Policy, Ms Kopczynska emphasised that the new Regulation on the European Maritime Single Window environment, which will provide real simplification for operators, is currently becoming a reality, while the Finnish Presidency will hopefully conclude work on the Electronic Freight Transport Information by the end of this year. With these two initiatives, the Commission is hoping to create a truly paperless, digital, data-based information system for the entire transport chain. Furthermore, seamless port calls are of particular importance to ensure the just-in-time arrival of ships so that operators could best adjust to the further transportation of cargo. She also acknowledged that the maritime transport is by nature multi-modal as it is not possible to deliver door-to-door services by vessels only. With regards to the environment, Ms Kopczynska said that the IMO 2020 sulphur limit will significantly improve the environmental performance of the sector and the preparations to ensure effective compliance at EU level are well

underway. With regards to 2018 IMO emissions reduction strategy, achieving long term EU goals will require carbon reductions, alternative fuels and green propulsion technologies.

Discussing emissions reduction and green infrastructure development, delegates agreed that sustainable shipping is not just about increasing the efficiency of ships but also about greening the rest of the supply chain. Equally as important is that the efficiency of the logistics chains is improved as efficiency is the cleanest source of energy. When asked what the first MoS priority for the environment should be, participants highlighted the electrification of short sea shipping and alternative fuels, as well as better integration of maritime transport with other modes and the better use of digitalisation. The need for legally binding climate targets was also mentioned.

With regards to the cross-cutting issues in the sector, panellists agreed that all stakeholders in the supply chain have to work together to achieve an efficient transport system. Effective communication between these actors is of crucial importance, as they must cooperate to deliver. It is important to have common situational awareness between stakeholders and have them interacting with each other in terms of exchanging information in real time. The main difficulty here is to get the stakeholders involved due to their unwillingness to share data – it is crucial to build trust in this area. Other challenges include the fact that the road transport is still growing at a higher rate than other modes of transport and this needs to be addressed by MoS. There is also a need to step up the digitalisation of transport and increase a modal shift to have a sustainable transport network.

Customs and Trade

GLOBAL RULES ON CUSTOMS HARMONISATION & SIMPLIFICATION

Between 3-6 June, the 5th meeting of the WCO Working Group on the Comprehensive Review of the RKC was held in Brussels. For the first time since the establishment of the Working Group in 2018, the meeting held an open session for external stakeholders to allow them to present their views and official proposals for the review of the Revised Kyoto Convention. The Revised Kyoto Convention establishes rules on the simplification and harmonization of Customs procedures and is the blueprint for modern and efficient Customs in the 21st century.

As FIATA's representative at the WCO, CLECAT attended the stakeholder engagement session on 6 June to provide input to the revision process from the freight forwarding industry's perspective. During the session, private sector stakeholders, representatives of international organizations, and members of academia participated in an active discussion on the challenges and opportunities with the implementation of the RKC and shared their views on diverse topics. The private sector highlighted that predictability and transparency were extremely valuable and it was thus important to have efficient and harmonised implementation of the Convention. It was noted that the WCO should focus on the level of implementation by WCO Members, rather than simply on increasing the number of accessions. External stakeholders also addressed the need for a mechanism to monitor and evaluate the proper implementation of the rules

which could be ensured by providing the necessary operational procedures, information and communication technology (ICT) support, and staff training.

After the panel session, relevant stakeholders introduced their proposals on, *inter alia*, Coordinated Border Management, Electronic Declarations, Electronic Payment of Duties and Rules of Origin. The Working Group appreciated the proposals and found it very beneficial to invite stakeholders to engage directly in the comprehensive review of the RKC.

Source: World Customs Organization

COMMISSION REPORTS ON RISING PROTECTIONISM

On 17 June, the European Commission released the ninth edition of the Trade and Investment Barriers Report (TIBR) which confirms the continuous rise in barriers encountered by European companies in foreign markets. In 2018, 45 new barriers were identified in countries outside the EU – with China responsible for the most important barriers, followed by the US, India and Algeria. Even though the number of the new barriers in 2018 is much lower than the 67 new obstacles reported in 2017, the estimated economic impact of barriers reported in 2018 is significantly higher than those of last year.

A breakdown of the new barriers per type of measures shows a similar range of new behind the border (23) and border measures (22), underlining that third countries continue to resort to both sets of restrictions. Most of the behind the border measures refer to labelling requirements, tax measures and new regulatory requirements that have been introduced by several third countries. The majority of border measures are SPS restrictions and measures relative to increased custom duties, tariffs and quotas. This year, two new barriers were also reported in the field of services.

Source: European Commission

Brexit

UK TECHNICAL ADVISORY GROUP ON BREXIT

On 20 June, the first meeting of the UK Technical Advisory Group on the Alternative Arrangements was held in London at the Houses of Parliament. The advisory group will explore alternative arrangements to help replace the Northern Ireland backstop by the end of 2020. The meeting was co-chaired by Brexit Secretary, Steve Barclay, and Financial Secretary to the Treasury, Jesse Norman. CLECAT's senior manager, Dominique Willems, was selected as one of the 15 experts of the group.

The UK Government has taken a significant step forward in delivering on its commitment to find workable alternatives to the Northern Ireland backstop by establishing an advisory group of technical experts in customs and trade to test ideas. The UK and EU have a shared desire to replace the backstop with alternative arrangements to ensure there is no hard border and both sides have previously committed to prioritising the development of these in the next phase of talks.

The Technical Alternative Arrangements Advisory Group is the first of three domestic advisory groups that the Government announced earlier this year. The second will be comprised of business and trade unions, and the third made up of parliamentarians. These groups will help inform the UK's negotiations with the EU on developing alternative arrangements to the Northern Ireland backstop,

set out in the Withdrawal Agreement, with the aim of replacing it by December 2020 so that it is never needed.

The technical group will bring together individuals from both the public and private sector, and academia, who have expertise on issues spanning law, customs, supply chains, cross-border trade and technology. They will consider processes associated with the movement of goods across borders and options for simplifying them, such as trusted trader programmes and advanced use of data and IT systems.

Additionally, the UK Government has made available £20 million of funding to support the development, testing or piloting of ideas, including those that emerge from these groups.

Source: [UK Government](#)

Sustainability

WEBINAR ON REFINED GLEC FRAMEWORK

Carbon emissions from freight transportation are on the rise, but it does not have to be that way. We are dedicated to taking control of logistics emissions, and we believe that calculating and reporting carbon emissions is the first step in reducing them. That's why we are organizing a live webinar featuring industry experts on 9 July at 3:00pm CET: How to calculate, report and reduce logistics emissions using the updated GLEC Framework?

The GLEC Framework is the only globally recognized methodology for the harmonized calculation and reporting of logistics carbon emissions across the multi-modal supply chain. Since releasing the first version of the Framework in 2015, the method has been refined to make it easier to apply, which is culminating in the 2019 update of the GLEC Framework. The GLEC Framework can be implemented by shippers, carriers, and logistics service providers for scope 1, 2 and 3 emissions. It is designed to inform business decisions and steer efforts to reduce emissions. It is in alignment with: Greenhouse Gas Protocol, UN-led Global Green Freight Action Plan, CDP reporting, and multiple industry standards.

In the one-hour webinar you can learn:
- Why is there a need to calculate emissions from freight transport?
- How can you apply the GLEC Framework to calculate, report, and reduce emissions?
- What is the link between the GHG Protocol and the GLEC Framework?
- How does the adoption of the GLEC Framework support DP DHL's commitment to zero emissions by 2050? - presentation by DP DHL.
- What is the relation between CDP and the GLEC Framework? - presentation by CDP.

Registration is open [here](#).

Forthcoming events

CLECAT MEETINGS

CLECAT Board/General Assembly
26 June, Paris, France

ICS2 Workshop
10 September, Brussels

CLECAT Customs and Indirect Taxation Institute
11 September, Brussels

CLECAT Rail Institute
25 September, Brussels

CLECAT Freight Forwarders Forum 2019
14 November, Brussels, Belgium

OTHER EVENTS WITH CLECAT PARTICIPATION

2019 International Congress of Authorised Economic Operators / SIL
26-28 June, Barcelona

ELP Event on Logistics
25 September, Brussels

Digital Transport Days
7-9 October, Helsinki

Smart Ports Smart City Expo World Congress
19-21 November 2019, Barcelona

EP/COUNCIL MEETINGS

EU Transport Council
2 December, Brussels

European Parliament TRAN Committee
24-25 July, Brussels

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