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Brussels news

CLECAT URGES EP TRANSPORT EXPERTS TO KEEP INTERNATIONAL DRIVERS OUT OF TRANSPORT REGIME

The Transport Committee of the European Parliament will vote today on the enforcement requirements and specific rules for **posting drivers in the road transport sector**.

CLECAT and its member associations represent freight forwarders who strongly depend on an effective, seamless and reliable road transport sector in Europe. Rules need to be simple, uniform, clear and easily enforceable, so that they facilitate transport operations, protect the workers employed in this industry and ensure a fair competitive environment.

Therefore, we urge the Members of the European Parliament's TRAN committee, who have a sound understanding of the complexities of international transport, to vote in favour of compromise amendment 6 and exempt international drivers from posting of workers rules. A *lex specialis* for road transport which subjects drivers to posting of workers rules goes against all EU internal market achievements and adversely impacts the transport and logistics industry because

- it goes against the transnational character of road transport activities.
- is a measure which is difficult to enforce by national authorities.

- does not address the issue of ‘nomadic driving’. The requirement for the driver and the vehicle to return to their place of employment within a number of weeks will be included in MEP van de Camp report (proposal COM(2017)277 on maximum daily and weekly driving times).
- does not bring clear benefits to transport operators – as they would be faced with a disproportionate administrative burden on the large intra-EU trade, especially SMEs.
- will diminish growth in the EU as it will increase costs of international transport and will negatively impacts the end-consumer who will pay the bill for unenforceable and disproportionate legislation.

CLECAT therefore strongly calls on the TRAN MEPs’ support of the Compromise Amendment 6 which seeks to exclude international road transport from the posting of workers rules in support of the international character of road transport, in support of the European economy and in support of the single market.

Rail

GUIDELINES FOR TEMPORARY CAPACITY RESTRICTIONS APPROVED

Rail Network Europe has approved the new guidelines for coordination and publication of planned temporary capacity restrictions (TCR Guidelines), which represent a revision of Annex VII of Directive 2012/34/EU. The TCR Guidelines will come into effect as of the timetable period 2019 with the aim of allowing traffic flow despite the capacity-reducing effects of re-investing into the rail infrastructure with the stakeholders’ specific interests in mind.

As a result thereof, all European infrastructure managers will be obliged to follow uniform rules when carrying out projects that temporarily affect the capacity on their network. Following these rules, infrastructure managers will have to involve known and potential applicants, main operators of service facilities and other infrastructure managers who are affected by the restriction at an early stage.

The TCR Guidelines can be retrieved [here](#).

EUROPEAN FREIGHT FACILITIES IN ONE WEB PORTAL

The EU-sponsored web-portal “Railfreightlocations.eu” is an online source of information on rail service facilities across Europe. The portal has been available as a pilot version since 2015. Currently it includes more than 3.700 locations and will be expanded to include all rail freight facilities throughout Europe. It includes intermodal terminals, rail logistics centres, as well as public and private sidings. The scope shall also be further extended to include all types of rail service facilities.

The European Commission, which envisages to transform the portal into a Europe-wide standard instrument for information on rail service facilities, has appointed the German company “HaCon” to conduct the project. The portal should offer service facility operators a comfortable low-cost opportunity to comply with the obligation to publish and update information about their facilities, as well as a possibility to publish information about the services they offer. Thereby, it would serve as a single source of information for all relevant facility data and services.



Furthermore, recommendation for a business and governance model will be developed for the future permanent use of the portal. The date for completion of the project is estimated around May 2019.

Source: [Railfreight](#)

Road

TOWARDS A FULL NETWORK OF SECURE PARKING AREAS

On 29 May, the first regional conference on the EU-funded 'Study on Safe and Secure Parking Places for Trucks' was held in Madrid, Spain. The conference, hosted by REPSOL, focused on two main topics:

- How to set up a coordinated network of safe and secure parking areas?
- What are the business and capacity needs for truck parking operators?

During the conference the need for a common standard for truck parking areas was highlighted. This shall ensure the provision of reliable information on security, service and comfort levels of truck parking areas embedded in a reliable rating system. Furthermore, the need for faster administrative procedures for the setup of secure parking areas and more reliability for concession holders across Europe was emphasised. Thereby, the coherent deployment of safe and secure parking areas will be enabled, which will be facilitated by an EU-wide needs assessment mapping that will be presented this month.

The Madrid conference marks the start of a series of conferences, which will continue in Arad (Romania), Hannover (Germany), the Netherlands. The final conference will be organised on the 6th November in Brussels. More information on the project as well as the surveys can be found [here](#).

FIRST DIESEL BAN IN GERMANY

On 31 May, the city of Hamburg (Germany) introduced the first diesel ban in Germany. The ban applies on parts of two traffic-intensive roads to all diesel vehicles that are below Euro-6. The measure aims at lowering the CO₂ emissions on these roads. Therefore, vehicles which do not conform with the Euro-6 requirements will have to follow a detour. While this detour may not be much longer than the original road, it only shifts the traffic elsewhere, which will lead to increased traffic and CO₂ emissions on those roads. The police have planned controls in these zones.

The German Federal Minister for Transport, Andreas Scheuer, criticised driving bans and referred to the measure as 'Symbolpolitik', i.e. as merely setting a symbolic statement rather than achieving actual change. He argued that the German state already supports cities with high pollution through a large support package that aims at achieving enhanced levels of clean air. Furthermore, he expressed his concerns about the retrofitting of old diesel vehicles to reduce their emissions, as this entails costly procedures and leads to continued investment into old vehicles.

Source: [Verkehrsrundschau](#)



Maritime

EMERGENCY BUNKER SURCHARGES

As from 1 June, new bunker surcharges are being applied by some lines due to the rise in oil prices. Currently, Maersk Line, CMA CGM and MSC are applying these emergency bunker surcharges. There is concern that additional lines might follow.

CLECAT is closely following these developments, which have come abruptly for many freight forwarders. While the need to cover fuel costs is recognised by the sector, the short period of notice is of concern. It remains necessary to provide customers with full transparency regarding the bunker surcharge costs, as well as providing the rationale for the application of emergency bunker surcharges, and to allow customers time to prepare and to integrate the effects of the surcharges into their logistics planning.

Of further concern is the fact that while bigger forwarding companies might be in a position to negotiate the rates, smaller companies might not have this negotiating power.

Air

ICAO EUROPEAN AND NORTH ATLANTIC AVIATION SECURITY ROADMAP ENDORSED

On 1 June the new ICAO European and North Atlantic (EUR/NAT) Aviation Security Roadmap was endorsed, which will now align respective national and regional programmes and targets with the UN aviation agency's new Global Aviation Security Plan ([GASeP](#)).

In her address to the ICAO Regional Aviation Security Conference, hosted by Portugal, in Lisbon, ICAO Secretary General Dr. Fang Liu stressed that ICAO's new GASeP sets out key priorities where ICAO, States, and other agencies should now focus their urgent attention.

"The GASeP includes an ambitious framework for enhancing international aviation security over the coming years, and through the 32 actions and 94 tasks identified in its Roadmap, the aviation security community will now be much better prepared and more effectively aligned with UN Security Council Resolution 2309 on counter-terrorism," she underscored. "And while very ambitious in some respects, these targets and dates are also fully achievable."

The main outcome being sought at the Lisbon conference was the fine-tuning of a Regional GASeP Roadmap specific to the EUR/NAT Region. Secretary General Liu praised the related commitments which were ultimately realised, and noted that they were a critical first step which ICAO is seeing emulated worldwide.

She also noted that the new GASeP Roadmap would entail some important and fairly significant work ahead for a number of EUR/NAT States, and called on them "to be open to accepting assistance to enhance their local effective implementation, whether it involves training, technology, or mentoring," and to seek to ensure that any solutions set out are fully sustainable.



Highlighting ICAO's Regional Aviation Security Coordination Forums, Dr. Liu reiterated that ICAO will continue to help coordinate assistance and capacity building activities between donor and partner States, and organizations and recipient States, consistent with its ongoing *No Country Left Behind* initiative.

She also stressed that ICAO would make further progress on GAsEP at its coming AVSEC2018 Symposium and the second ICAO High-Level Conference on Aviation Security in Montréal this November, and that the commitments now being made by EUR/NAT States remain critical to the wide-ranging objectives and priorities now being undertaken in the Security domain through ICAO. "It will only be by virtue of sustained political will, especially at the highest levels of government and industry, that the Global Aviation Security Plan will succeed in its ambitious mandate," she concluded.

Source: [ICAO](#)

Sustainable Logistics

SURVEY ON DECARBONISATION OF ROAD FREIGHT TRANSPORT

The International Transport Forum's "Decarbonising Transport"-Project is currently conducting an expert survey on Decarbonising Road Freight Transport. The project was launched in May 2016, with the aim of responding to the need of transport actors to identify effective policies for CO2 reductions, as well as to evaluate the impact of national commitments (NDCs) on CO2 emissions.

The survey which is conducted as part of the project targets a wide range of stakeholders with the objective of identifying pressing issues facing the sector and gathering initial evidence on the cost-effectiveness of different decarbonising measures and their policy implications. These measures include changes to logistics, alternative fuels and improvements to vehicle efficiency. The survey also explores how emerging market trends and disruptive technologies might shape the sector.

The findings will be compiled as input to the forthcoming thematic report on Decarbonising Road Freight Transport. The survey is completely anonymous; survey answers and results will not be related to any specific respondents.

CLECAT would kindly ask you for your help by completing the questionnaire, which should take approximately 15 minutes, by 13 June 2018. The survey can be accessed [here](#).

GERMANY INTRODUCES SUBSIDIES FOR SUSTAINABLE TRANSPORT

In an attempt to incentivise the utilisation of energy-efficient and low-emission LCVs by transport companies, the German Federal Minister for Transport Andreas Scheuer has introduced a [funding scheme](#).

The scheme incentivises the purchase of LCVs and semi-trailer trucks that utilise CNG or LNG propulsion systems, as well as certain electric drive vehicles. Vehicles must be used for freight transport and weigh at least 7.5t in order to be eligible. The vehicles must be offered for purchase as new serial vehicles in an EU Member State and surpass the required environment protection standards or contribute to a higher level of protection, in case there is no prescribed standard.



The amount of the subsidy depends on the type of drive system: €8.000 for CNG, €12.000 for LNG and electric drive vehicles up to 12t, €40.000 for electric drive vehicles above 12t. Furthermore, there is a subsidy cap of €500.000 per company.

The subsidy scheme will start in July 2018 and continue until the end of 2020. For 2018, the available subsidies amount to €10 million. Additionally, LCVs with electric propulsion systems will be exempted from LCV tolls starting 01.01.2019.

Customs

EC REACTS TO THE US RESTRICTIONS ON STEEL AND ALUMINIUM

On 31 May, the US announced that starting on 1 June 2018 it will impose additional duties of 25 % and 10 % respectively on imports of steel and aluminium from the EU.

The EU will launch legal proceedings against the US in the WTO on 1 June. This was decided by the College of Commissioners on 29 May and Member States were consulted on the same day. The US measures are primarily intended to protect the US domestic industry from import competition, clearly at odds with WTO rules. In addition to the WTO dispute settlement we are launching against the US measures, we have also coordinated action in this field with other affected partners. As regards the US tariff measures, the EU will use the possibility under WTO rules to rebalance the situation by targeting a list of US products with additional duties. The level of tariffs to be applied will reflect the damage caused by the new US trade restrictions on EU products. [The list of US products](#) is ready: it was consulted with European stakeholders and supported by Member States. The EU notified its potential rebalancing to the WTO on 18 May and, in line with the Organisation rules, could trigger them 30 days later. The Commission will now in coordination with Member States take a formal decision to proceed with the rebalancing.

The Commission is determined to shield the EU steel and aluminium markets from damage caused by additional imports that might be coming into the EU as a result of the closure of the US market. An investigation towards possible imposition of safeguard measures on steel was launched on 26 March. The Commission has nine months to decide whether safeguard measures would be necessary. This decision could also be taken much earlier in the proceedings, if the investigation confirms the necessity for swift action. The Commission has also put in place a surveillance system for imports of aluminium to be prepared in case action will be required in that sector.

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

EU LAUNCHES WTO CASE AGAINST CHINA

On 1 June, the EU has launched [legal proceedings in the World Trade Organisation \(WTO\)](#) against Chinese legislation that undermines the intellectual property rights of European companies.

According to the EU Commission, European companies coming to China are forced to grant ownership or usage rights of their technology to domestic Chinese entities and are deprived of the ability to freely negotiate market-based terms in technology transfer agreements. This is at odds with the basic rights



that companies should be enjoying under the WTO rules and disciplines, in particular under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

The case initiated today by the EU targets specific provisions under the Chinese regulation on import and export of technologies (known as "TIER") and the regulation on Chinese-foreign equity joint ventures (known as "JV Regulation") that discriminate against non-Chinese companies and treat them worse than domestic ones. These provisions violate WTO obligations to treat foreign companies on an equal footing with domestic ones, and to protect intellectual property like patents and undisclosed business information.

If consultations requested do not reach a satisfactory solution within 60 days, the EU will be able to request that WTO sets up a panel to rule on the matter. While the EU's request is similar to the one brought recently to the WTO by the US, it also identifies further potential violations of WTO rules.

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

MUTUAL RECOGNITION OF GOODS

Last week, the Council agreed on a general approach for a [draft regulation aimed at improving the mutual recognition of goods](#) marketed in another member state. The objective of the regulation is to improve the application of the principle of mutual recognition in the internal market, and so ensure that goods lawfully marketed in one Member State can be sold in any other, as long as they are safe and respect the public interest.

The existing legislative framework does not ensure a reliable application of the principle of mutual recognition, since market access to goods which are considered safe and in line with the public interest in one member state, may be denied or restricted in another. The EU harmonisation legislation sets out common requirements on how products have to be manufactured. This is for example the case of toys, cosmetic products or pyrotechnical articles. However, there is a wide range of consumer goods such as textile, footwear, childcare articles, jewellery, tableware or furniture, that are not subject to the EU harmonisation legislation or that are only partially covered by it. The new regulation will apply to these goods. Where there are no EU common rules or when goods are only partially covered by those rules, member states remain free to adopt their national technical rules laying down requirements to be met by those goods. Those requirements may refer for example to designation, form, size, weight, composition, labelling, packaging, etc.

As compared to the current legislative framework, a number of improvements are proposed to the application of the principle of mutual recognition, including the clarification of the scope of mutual recognition. This will increase legal certainty for businesses and national authorities as to when the principle of mutual recognition can be applied. The introduction of a self-declaration should make it easier to demonstrate that goods have already been lawfully marketed in a Member State. There is also new administrative cooperation to enhance the exchange of information and trust among national authorities.

The Council will start negotiations with the European Parliament (EP) once the EP has agreed its own position. A vote in the EP's internal market committee is scheduled after the summer break.

Source: [EU Council](#)



Digitalisation

DENMARK, SWEDEN AND FINLAND MOST DIGITAL ECONOMIES

Recently, the European Commission published the results of the 2018 [Digital Economy and Society Index \(DESI\)](#), a tool which monitors the performance of Member States in digital connectivity, digital skills online activity, the digitisation of businesses and digital public services. According to it, the EU is getting more digital, but progress remains insufficient for Europe to catch up with global leaders and to reduce differences across Member States. This calls for a quick completion [of the Digital Single Market](#) and increased investments in digital economy and society, according to the Commission.

Over the past year, the EU continued to improve its digital performance and the gap between the most and the least digital countries slightly narrowed (from 36 points to 34 points). Denmark, Sweden, Finland and the Netherlands scored the highest ratings in DESI 2018 and are among the global leaders in digitalisation. They are followed by Luxembourg, Ireland, the UK, Belgium and Estonia. Ireland, Cyprus and Spain progressed the most (by more than 15 points) over the last four years. However, some other EU countries still have a long way to go and the EU as a whole needs to improve to be competitive on the global stage.

Businesses are more digital, e-commerce is growing slowly. While more and more companies send electronic invoices (18% compared to 10% in 2013) or use social media to engage with customers and partners (21% compared to 15% in 2013), the number of SMEs selling online has been stagnating over the past years (17%). In order to boost e-commerce in the EU, the Commission has put forward a series of measures from more transparent parcel delivery prices to simpler VAT and digital contract rules. As of 3 December 2018, consumers and companies will be able to find the best deals online across the EU without being discriminated based on their nationality or residence.

The annual [Digital Economy and Society Index](#) (DESI) aims to measure the progress of EU Member States towards a digital economy and society. It helps EU countries identify areas requiring priority investments and action. This year, both DESI and the more detailed analysis of national digital policies, providing an overview of progress and of policy implementation by Member States (previously called Europe's Digital Progress Report) are published jointly using the DESI name.

The Commission has presented 29 legislative proposals under its Digital Single Market strategy and called, in a recent [Communication](#), the European Parliament and Member States to adopt these proposals by the end of 2018.

Source: [EU Commission, Digital Single Market](#)

Forthcoming events

CLECAT MEETINGS

CLECAT BOARD/GENERAL ASSEMBLY

29 June, Sofia, Bulgaria



OTHER EVENTS WITH CLECAT PARTICIPATION

DIGITAL TRANSPORT AND LOGISTICS FORUM PLENARY MEETING

14 June, Brussels

TLF ANNUAL EVENT

20 - 21 June, Paris

CONFERENCE ON TRANSIT FRAUD

20 June, Brussels

ALICE PLENARY

22 June, Amsterdam

FIATA WORLD CONGRESS

26-29 September, New Delhi

EP MEETINGS

European Parliament TRAN Committee

4 June

20 - 21 June

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