To the attention of:

Mr Matthias PETSCHKE, Director of Unit Customs (TAXUD.A)
Mr Philippe DUPONTEIL, Director of Unit Digital Delivery of Customs & Taxation Policies
(TAXUD.B)

cc:

PERREAU DE PINNINCK Fernando, MOLLER Sandra, DE COSTER Sophie, NEDELCU Nicolae,
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Brussels, 30 May 2025

Joint Statement on ICS2 Release 3

Dear Representatives of the DG TAXUD ICS2 TES team,

During the 69th Trade Contact Group Plenary Session that took place on March 20th, 2025, the EU Commission gave a presentation on the UCC IT Implementation and Update on ICS2 Release 3. At the end of the presentation on ICS2 Release 3, it was stated that the Commission "is exploring a possibility to advise the MS of temporary non-enforcement of application of the new ENS requirements" for road and rail carriers.

The undersigned trade organisations remain very concerned about the readiness with the ICS2 Release 3 go-live, as we understand that many stakeholders, particularly small road freight transport and logistics operators, are lacking access to ICS2 compliance systems, and EORI numbers and currently have no access to multiple filing options—making it difficult to meet the deadlines.

Moreover, there are increased complexities with the introduction and enhancements of Smart Border systems in France and Ireland **(ELO – PBN)**, requiring additional development efforts for operators providing mass lodge ICS2 MRNs, creating lead time and development problems to meet operational compliance requirements.

This poses risks in the supply chains and operational flexibilities. We are seeking to see the raised issues clarified to avoid disruption and ensure smooth ICS2 implementation for road freight transport.

In addition, due to the large number of requests for deployment windows, a number of Member States face capacity challenges to deal with the requests and provide timely replies and confirmations to economic operators.

In this regard, to prepare adequately, the undersigned trade organisations would like to understand the nature and scope of any temporary tolerance or non-enforcement measures that may be introduced to support operational readiness. Will there be a relaxation in the application of the rules during a grace period after September 1st, 2025, or a formal postponement of the go-live date?

Given the current challenges, the undersigned trade organisations are in full support of further flexibilities and the relaxed application of the rules keeping in mind that the outstanding issues need clarification by different authorities, such as:

- New rules of the Logistic Envelope (ELO) in France, which will have a direct impact on each ENS lifecycle created for movements from GB to the EU mainland;

- New requirements around the Pre-boarding Notification (PBN) in Ireland to serve as Presentation Notification for goods entering Ireland from GB;
- New set of conditions regarding the Presentation Notification process for Northern Ireland (GB IT tool);
- Unharmonised and missing approaches regarding the Presentation Notification process across other EU Member States;
- Lack of clarity on how the ICS2 Business Continuity Procedure (BCP) will work with PBN/ELO if there is no ENS MRN available due to system failure;
- Lack of clarity on how air carrier road operations (RFS) can be handled where consignments are or need to be split over multiple trucks, in light of the missing "split indicator" in road messages;
- Late introduction of multiple ENS filing in ICS2, currently foreseen for road in Q3 2026;
- In the rail sector, limited or problematic testing in many Member States, raising concerns about whether stakeholders will be ready by September 1st, 2025;
- Uncertainties around the execution and delivery of the NCTS P6 declaration (combining ENS and NCTS) by a number of Member States, and the implications for associated schedules;
- Certain unawareness of ICS2 Release 3 requirements by maritime carriers and/or consignors or customers in third countries.

The introduction and enhancements of Smart Border functionalities **(ELO and PBN)** and typical mass transmissions of house level ICS2 filing, adds an additional layer of IT complexities, analysis, development, testing and implementation of the new rules that were not originally foreseen in the overall planning of ICS2 Release 3 rollouts.

In the light of the above and given the currently lacking options for multiple filing for unimodal road freight transport, we would propose to provide further flexibilities in the timelines for ICS2 Release 3 implementation by for example aligning the the go live date with the introduction of new functionalities especially the multiple filing. This would allow all stakeholders to file ICS2 Release 3 in a much smoother way.

We would appreciate your earliest communication regarding the rules that clarify proceedings on the roll out of ICS2 Release 3, and potential simplifications that avoid any disruption.

As always, the undersigned trade associations remain at your disposal at any time if further assistance is needed.

Sincerely,