

MID-TERM UPDATE 2022

Over the past years, global supply chains have been under stress due to many disruptions. COVID-19 and measures related to the pandemic, such as lockdowns and border closures, have disrupted value chains and demonstrated the lack of resilience in global logistics supply chains. Last month the European Commission adopted a Contingency Plan for Transport to strengthen the resilience of EU transport in times of crisis. The plan draws lessons from the COVID-19 pandemic and takes into account the challenges the EU transport sector has been facing since the beginning of Russia's military aggression against Ukraine. Both crises have severely affected the transport of goods and reminded policy makers of the importance of the EU transport sector and the need to work on preparedness and resilience.

Meanwhile, freight forwarders and their customers continue to be faced with ongoing disruptions in the maritime supply chain, with poor reliability of services operating and shipping rates escalating beyond reach, for many SMEs. CLECAT has persisted to call on the European Commission to cease special regimes to carriers which create market distortions in the forwarding sector. CLECAT repeats that freight forwarders no longer compete at a fair level playing field with carriers. We advise the European Commission to re-balance its supervision account and to damage done to many stakeholders over the last two years during which the stability and reliability of shipping services have never been worse.



On the land side, the implementation of the new EU road haulage rules – adopted as part of Mobility Package I – and the legislative proposals defined following the European Green Deal, dominated the European policy debates. Not only has the implementation of the rules been slow, due to many remaining questions of the sector and Member States, CLECAT regrets that there is still a lot of remaining scope of different interpretation of the rules. Following growing concerns from freight forwarders on the shortage of drivers in the road transport market in Europe and the resulting economic challenges throughout the entire value chain, CLECAT has called on the European Commission to consider a temporarily suspension of several provisions hampering the efficiency of road transport operations. Meanwhile CLECAT is in contact with the Commission and its consultants in its preparations for a renewed and improved Combined Transport Directive which has been promised in the first part of next 2023. The war in Ukraine, driver shortages, the need to decarbonise all demonstrate the need to seriously invest in multimodality, in a robust physical and digital connectivity and in interoperability all over the EU to be prepared and have a more agile transportation.

Preparing for the upcoming General Assembly in Brussels, we look forward to meeting with members in person, to discuss and plan for the coming year, addressing priorities but also to address ongoing supply chain issues.

All these issues have been outlined in CLECAT's [Strategic Priorities](#) Paper which set out the views of European freight forwarders, logistics and customs sector on matters for debate during the upcoming mandate of the EU institutions.

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1. Ensuring Crisis Resilience of the Transport Sector

Alleviating the impact of the war in Ukraine on transport and logistics

Following the Russian's illegal war of aggression against Ukraine and its impact on transport and logistics, CLECAT undertook the task to keep members informed on the measures introduced by the EU and Member States to support economic operators and facilitate the cross-border movement of goods. Those include measures aimed at tackling the shortage of drivers, measures to facilitate the movement of humanitarian aid to Ukraine, and other measures aimed at preserving supply chains and keeping goods flowing between the EU and Ukraine. CLECAT organised dedicated meetings with members to discuss their practical experiences and any issues related to transport and logistics.

Correct implementation of the EU sanctions against Russia and Belarus

Since February, the EU adopted [six sanction packages](#) against Russia and Belarus, including various transport and trade-related measures, as well as accompanying [guidance documents](#) on their correct implementation. CLECAT held several meetings with members and the European Commission services, including DG MOVE and DG TAXUD, to discuss existing issues related to the implementation of the sanctions on the ground and solutions to support transport and logistics operators.

Supporting the EU-Ukraine Solidarity Lanes

In May, the European Commission issued the [EU-Ukraine Solidarity Lanes Action Plan](#), a set of actions to help Ukraine export its agricultural produce currently blocked in the Black Sea ports. CLECAT participated in several meetings organised by DG MOVE to address the logistics and administrative challenges of organising such transport operations. CLECAT also promoted the launch of the [Business Matchmaking Platform](#) which aims to bring EU and Ukrainian businesses together to find pragmatic solutions to support Ukrainian exports.



2. Improve performance of maritime container transport logistics

Oligopolistic practices of shipping lines

Over the last 3 years, the global maritime supply chain has become extremely unreliable, above all due to the introduction of blank sailings as part of the capacity management strategies of carriers. In combination with the rapid consolidation in the sector this is problematic. Whereas vertical integration is a legitimate commercial practice as such, CLECAT is seriously concerned that vertically integrated shipping lines take advantage of their position due to the fact that the EU legislation continues to provide benefits to carriers, not provided to other parties in the maritime logistics supply chain. This in turn threatens a level playing field and a healthy competitive environment. When it comes to commercial considerations, we see that carriers give preference to containers in carrier haulage: for instance, they provide preferential treatment to containers moving in carrier haulage related to demurrage and detention free times and tariffs, as well as inland container pick up or return.

CLECAT launched a letter of complaint to Commissioner Vestager following the announcement of Maersk and Hamburg Sud that they will cease to provide services to certain freight forwarders from 1 January 2022 through named account contracts. CLECAT also asked the Commission the marketplace effect of the combination of the block exemption, leading to alliances and consortia to shift capacities between trade lanes, consolidation, vertical integration, control of data and the resulting market dominance which has led to skyrocketing rates that far exceed anything that can be attributed to the pandemic or supply chain disruption.

CLECAT issued a survey earlier in the year following the decision from Maersk/Hamburg Sud to refuse freight forwarders access to NACs as of 1st January 2022. Open between February and March, the survey had collected 260 respondents. The responses show that a large majority of freight forwarders had lost access to these contracts, but they also have been experiencing many issues with other shipping lines (lack of space, high freight rates, D&D charges etc).

Call for the ending of the Consortia Block

The European Commission/DG COMP is expected to publish in Q2/Q3 2022 a roadmap on the review of the Consortia Block Exemption Regulation as the current CBER expires on 24 April 2024. Since the end of 2021 the Maritime Logistics Institute worked on the CLECAT strategy proposal for the review of the CBER. As part of the strategy CLECAT started close discussions with other associations over a joint position on what should replace the current. This should include an overall requirement for stricter definitions and closer monitoring of compliance and market behaviour by regulators.

CLECAT believes the scope of 'Block Exemptions' are poorly defined and the type of information that can be shared is too broad and gives shipping lines unfair access to commercially sensitive information. Vessel sharing agreements can function effectively without the need for such generous exemptions from normal competition rules.

CLECAT is observing with particular attention the political developments in the United States with regards to the consequences of the pandemic on the maritime supply chain. Many industry associations had urged US politicians to act, which triggered a reform of the Shipping Act in the US Congress. This reform has been endorsed by US President Joe Biden in his State of the Union speech, calling on the Congress to address the anticompetitive behaviour of ocean carriers. CLECAT prepared a [briefing](#) to members laying down the main developments of the reform, both for the operational and competition provisions. In January, CLECAT together with GSF and FEPORT organised a [meeting](#) with Ms Karyn A. Booth, General Counsel for the National Industrial Transportation League (NITL), to present the main elements of this reform, which could feed the discussion on what could replace the CBER at EU level.

Demurrage and Detention practices of Shipping

At the end of 2021 CLECAT sent a [letter](#) to Ms Magda Kopczynska, Director for Waterborne transport in DG MOVE to call on the European Commission to address D&D charging issues affecting freight forwarders. A meeting between CLECAT and DG MOVE/DG COMP followed to seek understanding from the Commission and consider policy instruments (see [CLECAT report](#)). Ms Kopczynska [replied](#) to the letter on 29 November, noting that cases for abuses and unreasonable D&D charging could be better appreciated in Court proceedings. Nevertheless, the Commission is examining the actions initiated by the FMC and is assessing whether there could be ground for similar initiatives.

Interestingly, the FMC issued a [statement](#) by the US White House on 17 November, questioning carrier's behaviour resulting in unfair treatment of US exporters. The text criticises the system of shipping global alliances and calls on the FMC to intensify their efforts by challenging these alliances if needed. The White House also endorsed the reform of the Shipping Act. More recently the FMC issued a factfinding note 29 which notes concern about the lack of compliance with the FMC's detention and demurrage rules and the excessive amounts of demurrage and detention fees shippers and truckers are being charged despite the Commission having issued a rule on this matter in March 2020.

Fair taxing and review of the tonnage tax regime

The market distortion is more widespread, as also highlighted by the International Transport Forum (ITF). There are now clear cases that vertically integrated carriers can benefit from the preferential tax schemes (e.g., the tonnage tax), which provide incentives for carrier haulage rather than merchant haulage. Moreover, particularly in the context of COVID-19, concerns have been raised regarding the allocation of state aid into carriers' vertically integrated structures, giving them a substantial competitive advantage vis-à-vis freight forwarders.

On the 20th of December 2021, the OECD published detailed rules to assist in the implementation of a landmark reform to the international tax system, which will ensure that Multinational Enterprises (MNEs) will be subject to a minimum 15% tax rate from 2023. In March 2022 the OECD published a commentary on the Global Anti-Base Erosion (GloBE) Rules for the BEPS Pillar 2 providing technical guidance on the operation and intended outcomes of the rules. The document notes that inland

transportation could be considered as an ancillary service to an international shipping income by the OECD Model Tax Convention, but it is not covered by the exclusion of international shipping income and its related activities: inland transportation should therefore be subject to the global minimum corporate tax. The OECD Commentary recognises that including inland transportation in the scope of the corporate tax "mitigates the risk of competitive distortions between shipping companies that have vertically integrated such services and independent freight forwarding and land-based logistics service providers."

CLECAT has welcomed the guidance and has subsequently written to DG TAXUD and to Members of the European Parliament Trade Committee to make sure that the European Commission amends the draft Council Directive on ensuring a global minimum level of taxation for multinational groups in the Union, which is currently under discussion by the French Presidency in accordance with the guidelines provided by the OECD with regards to inland transportation.

In the same way governments will need to make sure to bring their tax systems— including shipping-specific schemes such as tonnages taxes in line with the OECD/G20 model regulation.

3. Ensuring efficiency and resilience in road freight transport

New EU rules on social & market access for road haulage

The new rules on access to road haulage market (cabotage, return of the vehicle) entered into force on 21 February 2022. CLECAT provided feedback to the European Commission during the preparation of the [implementation guidelines](#) on the new rules on cabotage but there are remaining concerns on harmonised enforcement of the rules, as definitions can vary between Member States.

The rule on the return of the vehicle every eight weeks in the Member State of establishment remains problematic, as it leads to inefficiencies of the road logistics chain, with increased empty journeys and emissions. CLECAT sent a [letter](#) to Commissioner Velez to call on the EC to temporarily suspend this provision, and had a meeting with the Director Land Transport in DG MOVE. For now, the Commission has advised that it will not be able to act before the final ruling of the European Court of Justice, expected at the end of the year.

Through its participation in the Commission expert group on posting of drivers, CLECAT actively contributed to the drafting of the [implementation guidelines](#) on the new rules on posting which entered into force on 2 February 2022. CLECAT also participated in the "training of trainers" sessions organised by the European Labour authority on the functioning of the [EU posting platform](#) to submit drivers' posting declarations. As some Member States are still in the process of transposing the provisions of the Directive into their national law, CLECAT sent questions and held exchanges with the Commission to call for a clear and easy access to the information on drivers' minimum wages applicable in each Member State.

Address driver shortage and promote the efficient use of resources

CLECAT wrote a [letter](#) to Commissioner Valean addressing the chronic driver shortages which continued to plague the industry in 2022. Many positions of drivers remain unfilled, and the problem was exacerbated due to the pandemic and the war in Ukraine. It is of utmost importance to alleviate the shortage of drivers by improving the attractiveness of the EU road freight sector: promoting the means of digitalisation (eCMR, digital tachograph) and automation (assisted driving devices, truck pooling...), as well as developing secure truck parking areas and ensuring access to information on their location and services (see below) will be crucial to improve drivers' working conditions. CLECAT will continue to raise awareness to the Commission, European Parliament and Member States on the consequences of the shortage of drivers possibly via the organisation of a public event.

The Commission started the review of the [Directive 96/53/EC](#) on weights and dimensions, with the aim of improving efficiency and reduce the environmental impact of road transport operations. CLECAT provided [input](#) to the [call for evidence](#), supporting the use of heavier vehicles for cross-border operations (up to 44 tonnes) and multimodal transport operations (up to 46 tonnes). In addition, the revision of the Directive should promote the development and use of combination of vehicles, such as the European Modular System. Following the launch of the [public consultation](#) on the evaluation of the Directive for which CLECAT is preparing a response, the Commission is expected to adopt a legislative proposal at the end of 2022/early 2023.



4. Paving the way for low and zero emissions logistics

Harmonised framework for the monitoring and measuring of emissions

CLECAT has been a longstanding supporter of a uniform, harmonised and transparent methodology to calculate CO2 footprint across the logistics supply chain, notably via its membership to the GLEC Framework and the development of the ISO 14083 standard. The aim of the project, to which CLECAT contributed financially, was to embed the principles of the GLEC Framework into a formalised ISO structure and ensure that companies, governments and investors use a single methodology, consistent with the GLEC Framework, in the future. A number of CLECAT members were closely involved in the process, submitting comments during the development of the ISO standard, which is currently reviewed by the ISO Committee and should be published by the end of 2022.

The European Commission started working on an initiative for an EU common framework for calculating GHG emissions of transport operations, named “Count Emissions EU”. CLECAT provided feedback to the call for evidence in November 2021 and will ensure the voice of freight forwarders is well considered during the various consultations which will be conducted in Q2/Q3 2022. The adoption of the “Count Emissions EU” proposal is expected early 2023.

Ensure the freight forwarders’ voice is heard on the Fit for 55 Package

CLECAT had numerous discussions with its members on the Fit for 55 proposals and the impact on the logistics sector following which a [position paper](#) on the transport and logistics-related proposals of Package was published with an accompanying [press release](#). The paper welcomes the Package as an opportunity for a swift transition to zero emission mobility and provides a comprehensive overview of the views of European freight forwarders and logistics service providers on the proposals and how they can be improved in support of the emission reduction goals of their shipper customers and different modes of transport.

CLECAT was in the lead for the publication of a [joint position paper](#) co-signed by ACEA and ESC on the proposal for the creation of a separate EU ETS for road transport (ETS 2). In support for market-based measures to reduce emissions in the road transport sector, CLECAT considers a fair share of the ETS 2 revenues should be ringfenced and come back to the road transport sector in the form of subsidy programmes for investments in green vehicles, technology and innovation in infrastructure. The European Logistics Platform also organised a webinar on 25 January with MEP Peter Liese, Rapporteur on this file for the Parliament, to exchange on the proposal. As the Parliament and the Council are finalising their negotiating positions, CLECAT issued various joint statements ([February](#), [April](#) and [May](#)) calling for the inclusion of all road users in the ETS 2 and the ringfencing of revenues towards the road sector and had the opportunity to present its position at an event organised by ACEA in April. The Parliament and the Council are expected to adopt their negotiating position at the end of June 2022. CLECAT will continue push for a fair and just ETS 2 during the interinstitutional negotiations.

CLECAT also published a [position paper](#) on the Alternative fuels Infrastructure Regulation (AFIR), a key proposal to make sure that the uptake of low and zero-emission will be matched with a dense charging and refuelling infrastructure network. The paper calls, inter alia, for national fleet-based targets for heavy-duty vehicles chargers and an increase of the required power level of the truck chargers, which is currently too low. CLECAT also insists that the proposal should be accompanied with proper financial incentives to achieve infrastructure targets in the Member States. Following the publication of the Rapporteur's (MEP Ismail Ertug) draft report, CLECAT sent proposed [amendments](#) to key MEPs of the TRAN Committee, along the lines of its position paper. CLECAT was also invited to present its position at a consultation meeting organised by MEP Caroline Nagtegaal (Renew's shadow rapporteur on the file). As the Parliament is expected to adopt its position after the summer break, CLECAT will continue to call for reduced distance between charging stations and increased power output for electric trucks, as well as better incentives to achieve those infrastructure targets.

In December 2021, CLECAT together with other associations representing different segments of the transport and logistics sector issued a [joint contribution](#) on the maritime-related elements of the Fit for 55 Package. The paper calls inter-alia for a total or partial tax exemptions for the supply of electricity at berth and addresses the risk of carbon leakage in the inclusion of maritime emissions in the EU ETS. CLECAT had the opportunity to present its position during a consultation meeting organised by the EPP group on the maritime files of the Package.

Support the decarbonisation of heavy-duty vehicles

The European Commission conducted a [public consultation](#) in view of the revision of [Regulation 2019/1242](#) on the CO₂ emission standards for heavy-duty vehicles. The current Regulation sets average CO₂ emission standards for new heavy lorries (above 16 tonnes) from 2025, which become more stringent as from 2030. CLECAT considers the revision of the Regulation an important step towards improving the emissions performance and efficiency of the logistics system by standardising and increasing the uptake of technologies which reduce fuel consumption and emissions.

CLECAT supports more ambitious CO₂ targets, provided that these are technologically and economically viable in the given timeframe. Strengthening the CO₂ standards should help increase the number of ZEV models available on the market and reduce the unit costs per vehicle for operators. In parallel, it is important to secure sufficient funding to subsidy programs for transport operators to invest in decarbonised trucks – possibly via the EU ETS for road transport- and to strengthen the HDV infrastructure targets in the AFIR proposal, which are currently not sufficient to ensure a dense network able to cover all trips for logistics service providers across Europe.

CLECAT will establish further exchanges on the proposal with the European Commission and seek to conclude its position in June, in view of the adoption of a legislative proposal by the Commission expected at the end of 2022/early 2023.

EU Carbon Border Adjustment Mechanism

One of CLECAT's key roles regarding CBAM is to raise awareness on the importance of the CBAM proposal and its impact on the customs brokerage industry. That not only relates to customs agent members, but also policymakers and other relevant stakeholders. CLECAT undertook an active role in informing members on relevant developments and addressing any issues and questions with regards to the Commission's proposal on CBAM. CLECAT organised a special meeting with DG TAXUD providing members with an opportunity to raise and clarify any questions and concerns. CLECAT shared its [position on CBAM](#) with ENVI MEPs, in the process of preparation of the ENVI report and also [reached out to the Council to raise concerns and propose amendments](#) regarding its agreed general approach to ensure fair and effective implementation of the mechanism.

CLECAT will continue to engage with policy makers and relevant industry stakeholders during the upcoming negotiations on the CBAM proposal to ensure that the views and concerns of members are duly addressed towards arriving at a fair, effective and uniform CBAM.



5. Promoting Digital Transport & Logistics

Facilitation the acceptance of electronically submitted transport information

Considering the importance and opportunities relating to the digital exchange of data in the logistics industry, including digitalisation or even automation of administrative processes, CLECAT continued its work on promoting the harmonisation of data, IT systems and interfaces across various legislative fields and authorities. Whilst digitalisation is optimising processes and creating many business opportunities, cyber risks are equally increasing. Ensuring data protection and privacy while maintaining accessibility and affordability is of paramount importance, therefore significant work is being undertaken to create the right balance between easy and affordable solutions. Moreover, significant work is undertaken by CLECAT in the area of cybersecurity, to ensure that the logistic industry is resilient.

In 2021, CLECAT organised a panel on the role and impact of platforms in the international supply chain during the [Freight Forwarders Forum 2021](#). The focus here was placed on neutral ecosystems, connecting freight forwarders globally, which function on a trusted and secure basis, whilst ensuring data sovereignty.

CLECAT continued its close cooperation with DG MOVE on the creation of the delegated and implementing acts for the [eFTI Regulation](#) in the [Digital Transport and Logistics Forum](#) (DTLF). Overall, the work in the DTLF is progressing well, with significant work done on creating the eFTI data requirements, as well as on the functional and technical aspects of the eFTI Regulation.

In early 2022, the work in the DTLF's Subgroup 1 Team 4 started on the eFTI implementation and certification, which will prepare the Delegated Act on rules for certification of eFTI platforms and service providers by March 2024. As part of that work, CLECAT is supporting in the elaboration of use cases for the implementation and communication strategies. In that regard, business cases for the freight forwarding industry are being identified to promote the uptake of the eFTI Regulation and its functionalities in the private sector.

6. Advancing trade, customs and indirect tax

Implementation of the Union Customs Code (UCC)

CLECAT continues to call for a correct and harmonised implementation of the UCC across Member States with increased simplifications and trade facilitation possibilities. As the implementation of the legal provisions of the UCC has been largely finalised, DG TAXUD and Member States are working on providing clarification on the application of the legislation towards more harmonised implementation across the EU. CLECAT continued its participation, as a member of the TCG, in meetings with DG TAXUD and member states, on the review of existing guidance documents or the creation of new ones.

The interim evaluation of the UCC was completed with the publication of the [Commission Staff Working Document](#), which provides an assessment of the implementation of the UCC legal provisions and IT delivery until the end of 2020. CLECAT contributed extensively throughout 2020 and 2021 to various consultations (including a detailed questionnaire for economic operators and a public consultation), targeted interviews with members, and a dedicated TCG meeting with DG TAXUD. The findings of the evaluation generally concur with the views expressed by CLECAT and its members.

CLECAT also informed members on the work of the Wise Persons Group to DG TAXUD, which was tasked to advise on how to bring the EU Customs Union to the next level. The [final report](#) of the WPG will aim to supplement the interim evaluation of the UCC and be considered in the potential review of the UCC. CLECAT supported members with [analysis on the ten specific recommendations](#) and will continue to follow relevant developments following from the work of the Group.

DG TAXUD also launched a study on the implementation of the EU AEO programme, which aims to assess the functioning of the AEO programme and make practical recommendations for improving its quality. Areas of focus include any unrealised benefits for AEOs, as well the role of the AEO programme in a changing context. CLECAT was invited to take part in an interview and provide the views of the industry.

CLECAT continued to participate in relevant project groups dedicated to the development and deployment of the customs IT systems towards ensuring efficient and reliable systems and as little impact as possible on logistics processes. It became apparent that Member States will not be ready with the deployment of several projects by the legal deadlines, including the update and development of the national import and entry systems, AES-NCTS Phase 5 and CCI. CLECAT and other members of the TCG issued a [Joint trade letter](#) raising concern over the lack of readiness of Member States for the upcoming deadline for the update and development of the national import and entry systems and requesting a postponement of the deadline to allow sufficient time for economic operators to prepare. TCG also requested an alignment of the entry systems with ICS2 Release 3 due to the interdependency of the data requirements and related processes.

EU Single Window environment for Customs

As the European Parliament and EU Council agreed a preliminary agreement on the proposal for Customs Single Window, CLECAT continues to promote increased trade facilitation in the practical implementation of Single Window as part of the special project group on business-to-government cooperation.

As the Single Window initiative will proceed further with its implementation, CLECAT will closely monitor relevant developments towards ensuring practical feasibility and effectiveness. CLECAT will follow national developments and hold discussions with members, to ensure that any issues on the ground are addressed to DG TAXUD.

E-commerce and VAT

Since the entry into force of the new VAT e-commerce package in July 2021, CLECAT monitored closely the implementation of the new rules and consulted on their practical application. While no major issues were identified by members during the first year of implementation, the work of DG TAXUD and Member States continues on updating and further clarifying the existing guidance documents.

As more EU countries undertake to implement the CJEU C-288/16 concerning VAT exemption on exportation at national level, CLECAT took an active role towards monitoring its implementation and supporting members where needed.

7. Ensuring security and integrity of logistics supply chains

Continue supporting the implementation of ICS2

With the application of the Import Control System 2.0 (ICS2) Release 2 for general air cargo coming closer, CLECAT continued its work on promoting awareness amongst forwarders in the EU and globally dealing with air cargo to prepare for the changes facing them based on ICS2, as well as supporting the industry in the implementation of ICS2. CLECAT is active in all Expert Groups on ICS2 Release 2, including on operational guidance, business continuity procedure, transition strategy, referrals, as well as the pre-arrival processes.

CLECAT also attends all Trans-European Coordination for Release 2 meetings, where the state of play and progress, as well as communication-related aspects are being discussed with DG TAXUD and Member States. At the TEC meeting in June, CLECAT provided [an update on the state of readiness of freight forwarders](#), based on a members' survey conducted at the beginning of 2022.

In mid-2021, CLECAT developed an [overview of scenarios](#) for a harmonised messaging exchange on PLACI to ensure the correct functioning of multiple filing for ICS2. The overview of filing scenarios was presented at the IATA Cargo Security Working Group (CSWG), DG TAXUD, as well as ICS2 Expert Groups, where it will be dealt with further in the coming months.

To further promote awareness and provide support for the freight forwarding industry in the implementation of ICS2, CLECAT and DG TAXUD will organise a [workshop on ICS2](#) and how it affects freight forwarders, which will take place on 6 July. The workshop is targeted at ICS2 Release 2 for Air Cargo General, and will also cover ICS2 Release 3 for Maritime, Rail & Road, which will start on 1 March 2024. Next to an introduction on ICS2 and its releases in general, the workshop will address specific concerns brought forward by CLECAT relating to, *inter alia*, shortcomings in filing options and referrals, as well as the exchange of PLACI information along the supply chain.



A risk-based supply-chain security programme for Europe

CLECAT continued its efforts in shaping EU legislation in the field of supply chain security (Aviation-, Land Transport-, and Cybersecurity), based on a risk-based approach. In the field of aviation security, CLECAT took an active role in the AVSEC Legislative Amendment exercise 2021/22, successfully bringing forward its position through proposals and amendments to address the freight forwarding industry's concerns. Main achievements in this regard relate to the foreseen introduction of an EU Regulated Haulier Regime, background checks and cybersecurity. Additional projects brought forward by CLECAT, which will be addressed at a later stage, include remote working regulations for Regulated Agents, guidance on EDD and the Union Database on Supply Chain Security, as well as the introduction of the EU-Stamp for x-ray equipment.

EU Regulated Haulier's Regime set-up and implementation

CLECAT successfully advocated for the introduction of an EU Regulated Haulier's Regime into the aviation security legislation as part of the AVSEC Legislative Amendments 2021. Over the course of 2022/23, CLECAT will work closely with the European Commission and the Expert Group members to shape the regime's set-up and implementation. The aim is to eventually replace the existing Haulier Declaration through a uniform regime with mutual recognition in all Member States.

Safe and Secure Truck Parking Areas (SSTPAs) throughout the EU

CLECAT has continued highlighting the urgent need to set up sufficient safe and secure parking facilities across Europe to allow drivers to take compulsory rest breaks and will continue to promote the establishment of such facilities. As part of its awareness-spreading activities, including the leading of industry-campaigns, CLECAT was a member of the international jury on the Excellence in Truck Parking Award 2022 alongside the European Commission.

Through its continued strong representation in the Expert Group on Safe and Secure Truck Parking Areas (SSTPA), CLECAT was instrumental in [shaping the Delegated Regulation on SSTPA Standards and their certification](#), in terms of comfort, security and certification requirements.

Following the adoption of the legislative act, CLECAT is working on a study, which should assess the exact need for parking places in terms of quantity and security level along the TEN-T network. This work, which is supported by DG MOVE, builds on the [2018 study on secure parking places for trucks](#) and shall support the creation of business cases for parking areas to boost the number of new parking spaces throughout the EU. Additionally, CLECAT is working with the European Commission on making the [SSTPA website](#) a user-friendly One-Stop-Shop for secure parking areas, as well as identifying possibilities to introduce a harmonised EU-wide cargo crime monitoring and reporting system.

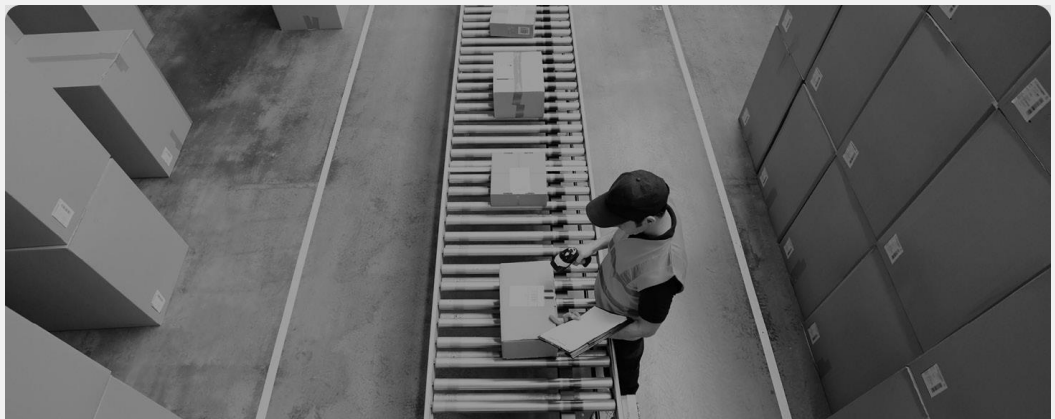
Ensuring a high level of Cybersecurity in the EU Transport Sector

The importance of a solid cybersecurity framework, which CLECAT has continuously advocated for, has consistently received more attention throughout the last years. In that regard, CLECAT has been active in shaping the legislation affecting transport and logistics, including the introduction of background checks for personnel in charge of information systems in aviation security.

Since 2020, the COVID-19 crisis has highlighted more than ever the importance of a solid cybersecurity framework. In that regard, the revision of the Directive on security of network and information systems (NIS Directive) was pushed forward, in which CLECAT addressed its concerns with the existing Directive that has created a patchwork of national legislation. Throughout the revision process, CLECAT was in contact with the Commission, the European Parliament, as well as the Council, to ensure that the updated Directive does not unduly burden the transport and logistics sector. As part of that dialogue, CLECAT [emphasised](#) the inherent problems in foreseen scope, which is not an appropriate mechanism to identify essential entities, noting that the [scope should always follow a risk-based approach](#), based on qualitative criteria assessing the actual level of criticality of the entity for the Member State's economy.

Supporting the fight against counterfeiting

In an effort to address the trade of counterfeit goods, which harms consumers' health & safety, leads to losses of companies' sales & tax revenues, and relates to organised crime, the European Commission has established an EU Toolbox against counterfeiting in early 2022. CLECAT has maintained a close dialogue with the European Commission and the EUIPO and joined the stakeholder dialogue aimed to identify trends, challenges and good practices to prevent the use of transport and logistics services for IP-infringing activities. As part of that dialogue, CLECAT shared the views, concerns and recommendations of the freight forwarding industry in a [position paper](#), highlighting that the industry is ready to continue to support the upholding of IP-rightsholders' rights, provided the rules are proportionate, consider market reality and do not impose undue burdens on the industry. In that regard, CLECAT successfully advocated for the role of the industry and the inherent differences to other intermediaries, in view of avoiding the imposition of unreasonable requirements.



8. Supporting a smooth transition to a post-Brexit trading environment

Implementation of the EU-UK Trade and Cooperation Agreement (TCA)

CLECAT secured membership of the EU Domestic Advisory Group (DAG) under the EU-UK Trade and Facilitation Agreement (TCA), which advises the EU Commission on the TCA implementation. CLECAT is a member of the transport sub-group.

During recent meetings, the EU DAG members reflected on experiences with EU-UK trade one year after the post-Brexit deal entered into force and outlined remaining challenges and priorities. At the recent meeting, the transport sub-group's key concerns were presented, including, among others, issues related to customs cooperation, safety and security, SPS requirements and digitalisation /interoperability.

CLECAT will continue to seek to ensure the correct and effective implementation of the TCA by continued constructive engagement with EU institutions and UK authorities, as well as cooperation with industry stakeholders within the EU Domestic Advisory Group under the TCA.

CLECAT also participated in a Conference 'Brexit: one year of customs formalities, assessment and perspectives', organised by the French Presidency of the Council. The event provided insights on the actions jointly implemented by European customs and their institutional partners to ensure effective controls and fluidity of trade. The conference was a great opportunity for CLECAT to increase its visibility and outline current challenges with the new controls on GB imports as well as priorities for the EU-UK partnership.

Raising awareness and improving operational readiness

CLECAT continued its fruitful dialogue and cooperation with the UK HMRC and the UK Mission to the EU and provided useful support to the UK Government on preparedness for the phased-in roll-out of the Border Operating Model. CLECAT also supported the HMRC in reaching out to EU businesses and disseminating relevant information. Additionally, CLECAT had a meeting with DEFRA towards strengthening cooperation and addressing existing issues on the SPS side, in view of the importance of the new requirements for agri-food trade. CLECAT also continued to take part in the EU-UK Intermediaries Task Force (ITF), together with some of its members, where more practical aspects of border crossing and trade facilitation were addressed.

CLECAT also held regular meetings with members on their experiences with the implementation of the TCA and border formalities and processes and provided support by raising awareness and disseminating official guidance from the Commission and UK authorities.

9. Supporting a shift towards multi-modality

Improving the Quality of Rail Freight

During its peak, the COVID-19 crisis proved that when sufficient capacity offer on the network is available, rail freight can deliver good results. With passenger rail transport being back to normal, improving the quality of rail freight services continues to be a challenge for the industry, with significant work being done by CLECAT in various expert groups, including the RFC Expert Group, the ETA Task Force, the Issues Logbook, as well as the Sector Statement Group (SSG).

In 2021, rail-specific files received priority as part of the European Year of Rail. CLECAT has been active in the revision of key-files for rail freight transport, including the Rail Freight Corridors Regulation, the Combined Transport Directive, as well as the TEN-T Guidelines, through the participation in dedicated stakeholder evaluations and interviews, as well as by continuing the close dialogue with DG MOVE. Moreover, CLECAT was in close contact with DG MOVE on improving cross-border rail freight, an initiative launched in 2022, highlighting existing issues and promoting the position of CLECAT to improve quality of services.

To further promote the freight forwarder's priorities for improving quality of rail freight services, CLECAT participated as panellist in a number of rail-freight conferences, including French Council Presidency's closing event for the 2021 EU Year of Rail, as well as together with the European Commission in the Interreg REIF Transfer Conference on improving multimodal transport.

Overall, CLECAT continues to advocate that improving rail freight infrastructure and service quality, ensuring that the needs of rail freight customers are taken into account, and promoting multimodal transport are the top priorities which need to be addressed to provide a boost to rail freight transport in the near future.

Moving from combined transport to multimodality

In late 2021, following bilateral exchanges between CLECAT and DG MOVE on moving towards a new legislative framework for multimodal transport, the review of the Combined Transport Directive opened. CLECAT published its [position paper](#) in October, addressing the existing issues in the CT Directive and suggesting an ambitious way forward, focusing on multimodality and practical solutions to benefit end-users.

Next to discussing the position in regular exchanges with DG MOVE, CLECAT also participated in multiple questionnaires and interviews as part of the dedicated stakeholder consultation. CLECAT continues to promote its Position Paper with EU institutions and stakeholders, to ensure that the industry's needs are met.

10. *Reviewing the EU Aviation Acquis*

Improving the Quality of Ground handling services & ensuring a fair system for slot allocation

Following delays in the legislative review processes due to COVID-19, the European Commission launched a study on the impact of the pandemic on the aviation market. The study, in which CLECAT took part, consisted of questionnaires, interviews and workshops, and analysed past and expected impacts of the pandemic until 2030, aimed at identifying and evaluating structural changes in the EU aviation ecosystem triggered, influenced or accelerated by the COVID-19 crisis.

The purpose of the study is to serve as background for the revision of several files in the EU Aviation Acquis including the Groundhandling Directive, the EU Slots Regulation, the Air Services Regulation, as well as the Airport Charges Directive. In that regard, CLECAT highlighted the issues faced by the industry as a result of the pandemic, as well as general aspects of the legislative framework which should be amended to improve the quality of air freight services. This complements previous input given by CLECAT on the files, including the revision of the Groundhandling Directive in 2020. For the time being, the study is being finalised, with more information to follow throughout 2022.

Next to the general review of the acquis, the EU Slots Regulation has been amended several times since 2020 to provide relief from the 80/20 grandfathering rule for slots, which has been supported by CLECAT. In May 2022, CLECAT [supported](#) a further proposal to continue the slot relief measures, where necessary, in view of possible new travel restrictions and other sanitary measures connected to new COVID-19 variants, as well the impact of the ongoing war in Ukraine.

CLECAT remains in contact with the European Commission on all relevant files to ensure that the concerns of the industry are properly addressed.

Increasing the sustainability of air transport

The ambitious decarbonisation targets of the European Commission set out in the Fit-for-55 package affect the air transport sector in terms of ETS allowances, fuelling, as well as taxation. Throughout the last year, CLECAT has discussed the various files extensively with its membership, participated in the relevant stakeholder consultations, and kept a continuous dialogue with the European Commission.

In general, CLECAT supported the Commission's ambition on decarbonising aviation, whilst emphasising that any revenues from CO₂ pricing from freight transport should be ringfenced and returned to the respective transport sector in the form of subsidy programmes for investments in green vehicles, technology and innovation in infrastructure. CLECAT particularly welcomed the ReFuel EU Aviation proposal, which aims at accelerating aviation's decarbonisation through sustainable aviation fuels (SAF).

SELECTION OF EVENTS WITH CLECAT PARTICIPATION

JANUARY

17 January	IRU workshop on the enforcement of the Mobility Package
18 January	ELA workshop on the EU posting of drivers' platform
20 January	TLF Road Logistics Institute
20 January	CLECAT-GSF-FEPORT webinar on OSRA
25 January	ELP Webinar "Putting a price on CO2 in Road Transport - what to expect from an EU ETS for Road Transport?"
26 January	Customs Expert Group – General Legislation Section
27 January	French Council Presidency Conference "Brexit: one year of customs formalities, assessment and perspectives"

FEBRUARY

1 February	CLECAT Road Logistics Institute
1 February	Customs Code Committee - Data Integration and Harmonisation
3 February	Customs Expert Group - Data Integration and Harmonisation
4 February	EU Domestic Advisory Group under the EU-UK TCA
8 February	Ad Hoc TCG meeting on Proof of Union Status – Air
9 February	Intermediaries Task Force Group
10 February	Ad Hoc TCG meeting on Proof of Union Status - Sea
10 February	EU Expert Group on Land Transport Security (LANDSEC)
10 February	LANDSEC Working Party on Rail Security (RAILSEC)
10 February	ECTA General meeting
11 February	Sector Statement Group
17 February	Trans-European Coordination Meeting on ICS2 Release 2
18 February	CLECAT CITI Meeting
21 February	French Council Presidency Conference: Closing the EU Year of Rail
24 February	French Council Presidency Symposium on Best Practices in Support of Rail Freight Services

MARCH

3 March	AFIR Roundtable with MEP Caroline Nagtegaal
3 March	Excellence in Truck Parking Award Ceremony
8 March	Customs Expert Group – General Legislation Section
9 March	REIF Conference on Intermodal Transport
10 March	AVSEC Strategy Workstream Meeting
11 March	CLECAT call on the impact of the war in Ukraine on road transport
16 March	CLECAT Air Freight Institute Meeting
16 March	CLECAT Supply Chain Security Institute Meeting
16 March	Customs Expert Group – Customs Formalities Section

17 March	DTLF Subgroup 1 Meeting
17-18 March	Electronic Customs Coordination Group
22 March	CLECAT Road Logistics Institute Meeting
23 March	CLECAT CITI call on the impact of the war in Ukraine on trade & logistics
23 March	EU Stakeholder Advisory Group on Aviation Security (SAGAS)
23 March	NLA webinar on AFIR
24 March	Ad hoc TCG meeting on the impact of the war in Ukraine
24 March	ERFA 20 th Anniversary Event
30 March	Intermediaries Task Force Group
31 March	CRA Conference – Competition & Regulation in Disrupted Times

APRIL

5 April	CLECAT Rail Logistics Institute Meeting
6 April	ECTA General meeting
7 April	DTLF Subgroup 1 Meeting
10 April	VAT, Excise and Customs Roundtable at UK Mission to the EU
11 April	ETA Task Force Meeting
11-14 April	WCO SAFE Working Group
14 April	CLECAT Maritime Logistics Institute meeting
14 April	ICCT webinar on HDV CO2 standards
20 April	Digital Train Seminar
20 April	CLECAT Road Logistics Institute meeting
21 April	CLECAT Board Meeting
21 April	DTLF Subgroup 1 Meeting
25 April	ALICE webinar on bio-LNG
26 April	ELP Webinar on Disruptions in the Maritime Logistics Supply Chain
26 April	CLECAT Sustainable Logistics Institute Meeting
26 April	ACEA webinar on ETS for road
27 April	Customs Expert Group – Valuation Section
27 April	European Commission – EUIPO Stakeholder dialogue on the EU toolbox against counterfeiting: workshop on transport and logistics
27 April	EU Expert Group on Land Transport Security (LANDSEC)
27 April	LANDSEC Working Party on Rail Security (RAILSEC)
28 April	DTLF Subgroup 2 Meeting
28 April	CLECAT CITI Meeting
28 April	DG MOVE Coordination Meeting to address additional urgent rolling stock requirements for Ukraine's rail freight export
29 April	EC Expert group on posting of drivers

MAY

3 May	EC meeting on supply chain disturbances in China
10 May	EU Domestic Advisory Group under the EU-UK TCA

12 May	DTLF Workshop on identification, authentication and authorization
17-19 May	FIATA headquarters meeting, Geneva
18 May	EUIPO Anti-counterfeiting Blockathon Infrastructure Forum
18 May	Expert Group on Safe & Secure Truck Parking Areas
18 May	ALICE webinar on advanced biofuels
19 May	EU-Ukraine Solidarity Lanes stakeholders meeting
20 May	French Presidency Conference "Road Transport - Social rights, technological challenges and environmental issues"
23 May	EU-Ukraine Solidarity Lanes Plenary meeting
23 May	Fedespediti 75 years event Venice
25 May	DTLF Subgroup 1 Meeting
31 May	European Commission - EUIPO Stakeholder dialogue on the EU toolbox against counterfeiting: workshop on information sharing
31 May	EC follow-up meeting on supply chain disturbances in China

JUNE

1 June	EU Stakeholder Advisory Group on Maritime Security (SAGMaS)
1 June	WSC event: Pathways to zero-carbon shipping
1 June	IRU EU Conference Fit for 55: the Road Ahead
2 June	Trans-European Coordination Meeting on ICS2 Release 2
4 June	FENEX
7 June	ECTA General Assembly
9-10 June	Electronic Customs Coordination Group
10 June	DTLF Subgroup 2 Meeting

