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Brussels news

ELP LUNCH DEBATE ON SAFE AND SECURE PARKING IN THE EU

The European Logistics Platform is organising an interactive forum on issues relating to safe and secure parking in the EU on the 24th April at the Stanhope Hotel in Brussels. The event will be hosted by Elżbieta Łukacijewska MEP and Wim van de Camp MEP (EPP), members of the ELP Advisory Board and of the TRAN Committee of the European Parliament.



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An operational perspective on the needs for secure parking areas will be provided by Benny Smet, CEO of Ninatrans. Ton Barten, CEO of Truckparkings Rotterdam will present the perspective from a secure truckparking provider. Eddy Liegeois, Head of Unit of Road Transport will give a Commission response to the presentations.

Truck drivers in Europe are often confronted with a lack of sufficient parking areas and therefore often park in non-secured zones or unsafe locations, exposing themselves and other road users to potential thefts and high risk of accidents. The Commission is therefore acting to improve the situation through a study and more funding for secure truck parking areas. Equally, how does the obligation for drivers to spend their weekend rest out of the cabin impact on the sector and is the proposal from MEP Wim van de Camp, calling for certified dedicated parking areas, a solution which is achievable within the proposed time-lines? These and other questions will be addressed during the lunch debate.



You are invited to register [here](#).

FINAL CORE EVENT: 'THE SUPPLY CHAIN UNCHAINED'

On April 11 the Final CORE event 'The Supply Chain Unchained' took place, jointly organised by the European Shippers' Council and CLECAT. With more than 150 participants from both the public and the private sector the conference was a real success.

Following an introduction from Nik Delmeire, ESC and Nicolette van der Jagt, CLECAT, Carlos Mestre Zamarreño, Head of Unit, Security, DG MOVE, European Commission gave a keynote on the challenges to secure the continuous flow of passenger and goods and to ensure protection provided does not impede economic output. Security measures for cargo take the entire supply chain into account and the application of security measures are based on risk-based approaches. In addition, they are reasonable, proportionate, effective, efficient and transparent. They are also reviewed for effectiveness to ensure they are delivering the desired outcome. A key element of the work today is the fact that digitalisation is more and more playing a critical role in providing services and in ensuring that the sector becomes more efficient. However, this also increases concerns pertaining to cybersecurity.



At the centre of CORE initiatives has been the fostering of the data pipeline. Frank Heijmann, Customs Administration of The Netherlands, introduced the concept of data pipelines which can contribute to a better working of ICS 2. When the exporter uploads information, it can be made available for other actors. All parties can provide the necessary information and the source can be traced. The data pipeline contains much more information than previously, such as itineraries of loading and unloading which could be relevant for customs risks assessment. The dashboard allows for more detail to be provided to customs. Customs follow-ups often entail calls and e-mails and it is a time-consuming process. With this system, customs have the information available at their fingertips.

For those not using the data pipeline, they will have more chance of being controlled in the future. Customs always want to have more information and Dutch customs are currently trying to build one interface which will be compatible with all types of data pipelines. In addition, this would allow customs to plug into other sources of information to build up a comprehensive overview. Cross-checking data could also allow for gathering more information and enrich the risk management system. This would lead to lower administrative burdens for shippers and reduced waiting times for



goods at ports. For customs, the pipeline showed it was of great value for increased trade facilitation and better security and risk management.

Presentations were received from shippers including Sergio Barbarino from P&G who demonstrated how load securing technology can avoid smuggling on a critical component trade lane between the USA and Europe. Roel Huiden, Senior Supply Chain Consultant, Royal Flora Holland, spoke about the goal of Flora Holland to establish reliable and efficient trade lanes. Under CORE, the trade lane between Kenya and The Netherlands was focussed on 9 million boxes of flowers, encompassing over 50,000 shipments and 2,000 flights, sent to The Netherlands from Kenya each year.

Joris Tenhagen, Project manager Innovations, Seacon Logistics, a freight forwarder presented the smart container transport for trusted sea lanes initiative. The goals under the CORE project concerned creating resilient supply chains for customers and ensuring a system-based approach for risk management. Moreover, improving efficiency and visibility was also a key objective. Finally, increasing responsiveness and reducing costs by digitalisation and disseminating know-how were also goals for Seacon. Seacon has created a trusted trade lane from Malaysia to The Netherlands. Information is only visible on screened interfaces and allows customs to determine if shipments are safe and reliable. It enhances the speed, reliability and efficiency of global supply chains.



Prof Dr Yao-Hua Tan, Professor of Information and Communication Technology Delft University of Technology, presented the IBM-MAERSK: Global trade digitization. The project started when Maersk and IBM analysed shipments of avocados from Mombasa to Rotterdam. Each shipment required 200 documents. While many documents are now digital, many are still processed manually. The concept adopted was based on the data pipeline and the idea was that all documents could be exchanged via a platform. This would

entail paperless trade and is fully based on blockchain. GTD was scaled-up to share large volumes and global coverage was also possible to achieve. GTD is currently connected to container carrier systems, various container terminals and various ports. Once the key terminals are connected, one can install the same software in around 500 terminals worldwide quite far. Moreover, port communities are connected under GTD.

The key to this project was to guarantee governance and the joint venture is operating under an Industry Advisory Board to ensure legal compliance. Moreover, alignment with international standards was required. Members will also be further involved in product enhancement. By the end of this year, there will be general availability of the product and full commercialisation of this joint venture will be established. Concluding, he reiterated that large volumes of data could be processed under the data pipeline. This type of scaling up takes time and it took three EU projects for IBM and Maersk to build up sufficient IT capabilities and business confidence to scale-up to global commercialisation.

The final session including conclusions, recommendations and great feedback from participants, including some of CLECAT's members, such as Anne Sandretto from TLF (picture).



Presentations and further information will be soon available on the [CORE project website](#).



‘THE MOBILITY PACKAGE AND BEYOND’

On 11 and 12 April CLECAT attended “The Mobility Package and Beyond”, an event organised by the GUE/NGL Group of the European Parliament. The event was split into presentations and workshops covering the different elements of the Mobility Package. The speakers included Tanja Buzek, trade union secretary at VERDI in the liaison office to the EU, Michael Wahl, coordinator of the information project for truck drivers from Central and East Europe at Faire Mobilität, as well as Emma Hadrovic, EU consultant at ITD, the Association for the Danish Road Transport of Goods.

Emma Hadrovic (ITD) emphasised that while posting of drivers should be applied to the cabotage sector, it should not be applied to international cross-border transport. She highlighted that applying the posting rules to international cross-border transport would be in controversy with existing jurisprudence. In that regard, she referred to recent judgments in Germany and Austria which state that the German minimum wage legislation cannot be applied to international transport operations due to a missing link to the Member State. More specifically, the district court of Ansbach even held that applying the MiLoG in those case would amount to an infringement against the free movement of services.

Regarding the current working conditions of drivers, the speakers and the guests agreed that the provision of an appropriate infrastructure is essential to enhance the current working conditions and increase the attractiveness of the job to counteract the current shortage of drivers. The establishment of an extensive infrastructure of Secure Truck Parking Areas in the EU was mentioned as an important area which needs to be addressed by the EU legislator.

While there was considerable disagreement on several points of the Mobility Package among the speakers and the audience, there was consensus that the road transport sector is in need of clarity and effective enforcement.

T&E EVENT ON HDV EMISSION STANDARDS

On 11 April CLECAT attended a T&E conference on fuel standards for trucks. Participants from industry and regulators discussed the effects of standards on emissions and technology, possible forms for EU standards to take, and the experience in the United States of enacting such standards. The European Commission will publish a legislative proposal on fuel efficiency standards in May as part of the third Mobility Package.

The International Council on Clean Transportation presented their recent [study](#) on HDV fuel-efficiency technology, which argues that technology standards in the EU would have 24% efficiency potential by 2025, and 35% by 2030. Björn Hannappel of DP-DHL argued for an ambitious, globally aligned efficiency standard which would allow the company to meet its climate targets, particularly so as to have greater certainty over the performance of vehicles used by their subcontractors, which account for 80% of the company’s footprint. Aldo Celasco of ACEA argued for an initial baseline to be set, followed by a stepped approach with targets for 2025 then 2030, and with a banking/trading element allowing manufacturers to gain credits for exceeding the targets which they can use later or trade with other companies.

Christopher Grundler of the US Environmental Protection Agency presented the American experience of introducing fuel standards for trucks, noting that a large part of their effectiveness came from industry having requested them. The two-phase approach, firstly with a best-in-class system and then with ambitious targets, had been developed through rigorous testing and oversight and with industry



partnership. With a view to the eventual EU standards, Alexandre Paquot of DG CLIMA said that the US Phase 1 had brought efficiency technology onto the market which had greatly benefited operators, bringing down fuel costs, and that the Commission would seek to follow a similar approach.

CLECAT is developing its position on the forthcoming legislative proposal and awaits the Commission's third mobility package with great interest.

Road

COUNCIL ADOPTS RULES ON LORRY AND BUS DRIVERS' TRAINING

On 12 April, the Council adopted the revised rule on professional lorry and bus drivers' training. The Directive aims at promoting safe and environmentally-friendly driving, as well as at improving the recognition of mandatory training which has been undertaken in another EU Member State. Moreover, the revised version clarifies minimum age conditions and exemptions from requirements to follow additional training. The Directive will be signed by the Council and the European Parliament and subsequently be published in the Official Journal. It will enter into force 20 days after the publication, following which the Member States will have a two-year implementation period.

Source: [European Council](#)

FEASIBILITY AND COSTS FOR ROAD ENFORCEMENT DATABASES

The TRAN Committee commissioned an [in-depth analysis](#) on the economic feasibility and costs for the creation of national road enforcement databases which shall collect data from new smart tachographs through 3G, 4G and 5G networks. The research considered two different scenarios. While the first assumption focused on the building of new databases which are capable of handling new smart tachograph data, the second one mainly relied on upgrading the existing databases for the new usage (e.g. ERRU).

Moreover, it analysed the retrofitting of all Heavy Goods Vehicles from year one, as well as more gradual introduction of new smart tachographs merely for new vehicles. It was concluded that the costs of building new databases would be 80% more expensive than upgrading the existing ones.

GEAR 2030

On 12 April, the TRAN Committee of the European Parliament held a debate on the report of the High Level Expert Group on GEAR 2030, the Competitiveness and Sustainable Growth of the Automotive Industry in the EU. The report provides recommendations on how the automotive industry can anticipate and adapt to the current developments, which can ultimately lead to the creation of long-term opportunities. It addresses five areas which need to be addressed, including new technologies and business models, climate and health concerns, societal changes, globalisation and structural change. The report on GEAR 2030 can be found [here](#).



Rail

FRENCH STRIKES AFFECT RAIL FREIGHT

As a response to the public-sector reforms by the French government directed at the workers' employment rights, the French Unions plan 36 days of industrial action which are planned as stoppages during two consecutive days on a weekly basis. The strikes which are scheduled for the next three months are expected to affect the French domestic and international rail freight sector to a significant extent. Shippers were warned by Fret SNCF to reduce their orders for train capacity, as few international services operate to or transit France during the stoppage. The strikes also affect SNCF's competitors from the private sector (approximately 45% of all rail freight services in France), as the SNCF staff who work in the operational management of the rail infrastructure are also striking.

According to current estimations, the damage resulting from this strike could have similar effects as the Rastatt incident in August 2017. This results from the importance of France as a transit country on the North Sea Mediterranean Corridor, and more specifically for traffic flows to and from Germany, Italy and Switzerland. While international trains which transit through France along the North South Axis may be able to use alternative routes, trains to the United Kingdom and Spain have no alternative possibility. According to AFRA, the French Railway Association representing private rail freight firms, the strikes could result in the bankruptcy of some companies which are already in a fragile state.

Source: [Railfreight](#), [Lloyd's Loading List](#)

Maritime

ROTTERDAM STATE INSPECTION TERMINAL OPENED

On Wednesday 11 April, three Dutch regulators took the State Inspection Terminal (SIT) into operation in the port of Rotterdam. The SIT allows Dutch Customs to work together with the Human Environment and Transport Inspectorate (ILT) and the Netherlands Food and Consumer Product Safety Authority (NVWA) from a single location. The three regulators can combine their respective checks here – creating a 'one stop shop' for the transport and logistics sector.

The establishment of the SIT is Dutch Customs' response to the increase in cargo volumes as a result of the construction of Maasvlakte 2. For example, over the past year the number of containers put through Rotterdam's western port area rose from 12.4 to 13.7 million TEU. The new site allows the agencies to swiftly carry out the required inspections.

The SIT complex also features a new, state-of-the-art National Field Training Centre for Dutch Customs staff. Here, trainee customs officials can train in a variety of simulated practice-based settings, including an entire ship's interior and a realistic container environment. The centre also accommodates a training circuit for Dutch Customs' sniffer dogs.

Source: [Port of Rotterdam](#)



EU-OSHA STUDY ON FUMIGATED CONTAINERS

A new [study](#) by the European Agency for Safety and Health at Work (EU-OSHA) has reviewed the risks to workers when opening fumigated shipping containers. The study identifies significant gaps in preventive measures and makes recommendations that should be implemented to improve the safety and health of workers.

Containers are frequently treated with pesticides to prevent damage to the goods. Agents used for this purpose have known toxic or irritant properties, for instance phosphine (PH₃), methyl bromide (MeBr) and formaldehyde. The report indicates that exposure to these substances has been underestimated. Despite the potential for exposure, standard safety and health measures and documentation to protect the workers have been introduced in only a few cases. The report aims to provide an overview of the current knowledge of the situation and to recommend how to minimise these risks to workers' safety and health.

The report — produced in response to a need identified by the European Commission's Sectoral Social Dialogue Committee — describes a number of problems including fumigated containers not being labelled as such, insufficient safety procedures when opening and unloading fumigated containers and a lack of a clear, standardised screening protocol to check for residual fumigants. The report includes a number of preventive actions, strategies and recommendations for addressing these problems.

Source: [EU-OSHA](#)

Air

RISK TO AIR FREIGHT GROWTH

According to IATA, there has been a 6.8% increase in demand in February 2018 compared to the same period in 2017. However, the freight capacity only grew by 5.6%, thereby leading to a repeated instance of demand outstripping growth for the 19th month in a row. While the demand for air cargo is expected to remain at a continuously strong level, the introduction of protectionist measures could lead to serious negative effects on air freight growth.

Source: [Lloyd's Loading List](#)

Customs

CHINA INITIATES WTO COMPLAINT AGAINST US

China has requested WTO dispute consultations with the United States concerning certain US duties imposed on imports of steel and aluminium products. The request was circulated to WTO members on 9 April. China claims the duties of 25% and 10% on imports of steel and aluminium products respectively are inconsistent with provisions of the WTO's General Agreement on Tariffs and Trade (GATT) 1994 and of the Agreement on Safeguards. The duties have been adopted through a number of legal instruments, including pursuant to Section 232 of the US Trade Expansion Act. Further information is available in document [WT/DS544/1](#)



The request for consultations formally initiates a dispute in the WTO. Consultations give the parties an opportunity to discuss the matter and to find a satisfactory solution without proceeding further with litigation. After 60 days, if consultations have failed to resolve the dispute, the complainant may request adjudication by a panel.

Source: [World Trade Organisation](#)

COUNCIL EXTENDS SANCTIONS ON IRAN BY ONE YEAR

On 12 April 2018, the Council extended until 13 April 2019 its restrictive measures responding to serious human rights violations in Iran. These measures consist of a travel ban and an asset freeze against 82 people and one entity and a ban on exports to Iran of equipment which might be used for internal repression and of equipment for monitoring telecommunications.

[Various UN and EU restrictive measures](#) are in place since 2006 as part of an integrated policy approach combining pressure and engagement to persuade Iran to comply with its international obligations. In parallel, diplomatic discussions were held between Iran and the 'E3/EU+3' (France, UK, Germany and the EU+ the USA, Russia and China) on the nuclear-proliferation issue.

These measures were first put in place in 2011. The legal acts were [published in the Official Journal of 13 April 2018](#).

Source: [Council of the European Union](#)

BELGIAN CUSTOMS SHUTS DOWN TRANSIT SYSTEM ON 19 APRIL

On 19 April, Belgian Customs will shut down its national Transit system (NCTS) for a major update. No communication is possible with the Belgian NCTS on that day. Companies dealing with transit can expect delays and other problems, maybe also in the days after words. Companies which are not based in Belgium, but file transit declarations with a destination in Belgium, for example Antwerp, also have to be careful with non-closure of their declarations and thus fiscal risks. Apparently, because of labour union requirements, Belgian Customs is not able to do updates during the night or in weekends. Until the end of June 7 there will be 7 more days on which the Belgian transit system is not available. The Antwerp organisation for Freight Forwarders VEA advises to work as much in advance as possible in order to minimise any issues.

In the next few years all Customs authorities in the EU will regularly update their national systems, mainly relating to updates/upgrades for the UCC. The Member States will further detail the national planning for the systems being developed and deployed within these time-windows and transmit it to the Commission for publication. The [national planning information](#) provided to the Commission is now available in a consolidated form and also in a graphical [representation](#). In addition Sweden has provided specific planning information about their [Customs Warehousing](#) project.

UK LAUNCHES VAT DUE DILIGENCE SCHEME FOR FULFILMENT FIRMS

The UK Government has opened registration for its Fulfilment House Due Diligence Scheme (FHDDS), which is intended to ensure that fulfilment houses report VAT by online traders based outside the EU.



Those obligated to register include businesses that store goods imported from outside the EU that are owned by, or on behalf of, someone established outside the EU. Approved fulfilment businesses must complete due diligence checks on their overseas customers and maintain records about the goods they store from April 1, 2019.

Businesses that only store or fulfil goods that they own, or only store or fulfil goods that are not imported from outside the EU, are not required to register. Transport businesses that need to store goods temporarily as part of their service, such as during an overnight break, are also not required to register.

Businesses that meet the FHDDS criteria will not be allowed to trade as a fulfilment business from April 1, 2019, unless they are approved by HMRC, and risk a GBP10,000 (USD14,000) penalty and a criminal conviction if they do so. The deadline for applications from existing fulfilment businesses is June 30, 2018. Businesses that start trading on or after April 1, 2018, to June 30, 2018, will need to apply on or before September 30, 2018, with penalties in place for late applications.

The scheme was announced by the Government at Budget 2016 as part of a package of measures to disrupt and deter abuse by some overseas businesses selling goods to UK customers through online marketplaces.

Source: [UK Government, HMRC](#)

COUNCIL ADOPTS CROSS-BORDER PARCEL DELIVERY RULES

The EU is bolstering e-commerce by making it easier for consumers and businesses to compare different delivery prices across the Union. Regulators will also have increased powers to monitor this complex market. The new rules were adopted today by the Council, following provisional agreement with the European Parliament on 13 December 2017. These new rules should make information about different parcel delivery options more readily available – including track and trace services, which are important for e-commerce

Under the reform, delivery tariffs will be published on a website, which will help users choose the best rates. Increased transparency should create competitive pressure, bringing down prices that cannot be justified by objective factors. The new rules are expected to be of particular benefit to consumers and small retailers, who do not have the bargaining power to negotiate better rates.

The vote by the Council on 12 April concludes the legislative procedure at first reading. The European Parliament voted on 13 March 2018. The regulation will be signed by both institutions and published in the EU Official Journal. It will enter into force 20 days after publication.

Source: [Council of the European Union](#)

UK ROADSHOW TO HELP BUSINESSES PREPARE FOR NEW CUSTOMS DECLARATION SYSTEM

BIFA, the British International Freight Association HM Revenue and Customs (HMRC) and Agency Sector Management (ASM), are combining efforts to offer advice and guidance to businesses affected by the implementation of the new Customs Declaration System (CDS).



They will be running a series of [seminars](#) ahead of August's phased launch of the Customs Declaration System (CDS), the system set to completely replace the existing system for Customs declarations in the UK. The [seminars](#) have been organised in response to concerns about the readiness of the new system, and to provide companies with the opportunity to fully understand what CDS is, why it is being introduced, how it will impact their businesses, and when the system will be fully launched.

According to Robert Keen, Director General of BIFA the move over to CDS marks the biggest change to impact the processes by which Customs declarations are managed since the introduction of CHIEF, which it replaces, and which is needed to enable importers or exporters to comply with the EU's recently introduced Union Customs Code (UCC). There are significant differences between CHIEF and CDS, and still a lot of unanswered questions about what will be required from our industry.

The seminars are being held at a number of locations across the UK during June and July, with the first taking place on June 12th, 2018. Parties can register their interest by sending an email to ASM at asm-bifa-hmrc-cdsseminar@asm.org.uk.

Full details of the other seminars can be found [here](#).

AEO EVENT IN AZERBAIJAN

The International Association of the Authorized Economic Operator (AEO) Customs and Logistics and the State Customs Committee of the Republic of Azerbaijan are pleased to invite stakeholders to the First Assembly of the International Association of AEOs and the second AEO International Conference to be held in the city of Baku, from May 2 to 4, 2018.

Azerbaijan is an important intermodal hub in the trade networks of the new Silk Road. The new transport and logistics capabilities can be strategic for traders from Asia and Europe. The Authorized Economic Operator (AEO), trusted trader for customs, is a strategic figure for trade facilitation in the new transport and logistics corridors that connect companies from China to Spain, and from India to Russia, passing through Azerbaijan.

Various stakeholders from the public and private sector will present on business opportunities and the implications of these large transport and logistics developments for customs and, in particular, for Authorised Economic Operators. The agenda also includes the first Assembly of the International Association of AEO, a platform for the exchange of experiences from the private sector, regional and global. The session is open to all Conference participants interested in the figure of the AEO schemes.

For more information and registration visit the 2018 AEO International Conference webpage at the State Customs Committee of the Republic of Azerbaijan's site:

<http://customs.gov.az/en/komite/events/upcoming-events/AEO/#>

Digitalisation

FAIR TAXATION OF THE DIGITAL ECONOMY

Recently, the European Commission proposed new rules to ensure that digital business activities are taxed in a fair and growth-friendly way in the EU. According to the Commission, today's international



corporate tax rules are not fit for the realities of the modern global economy and do not capture business models that can make profit from digital services in a country without being physically present. Current tax rules also fail to recognise the new ways in which profits are created in the digital world, in particular the role that users play in generating value for digital companies. As a result, there is a disconnect – or ‘mismatch’ - between where value is created and where taxes are paid.

In the digital economy, value is often created from a combination of algorithms, user data, sales functions and knowledge. For example, a user contributes to value creation by sharing his/her preferences (e.g. liking a page) on a social media forum. This data will later be used and monetised for targeted advertising. The profits are not necessarily taxed in the country of the user (and viewer of the advert), but rather in the country where the advertising algorithms has been developed, for example. This means that the user contribution to the profits is not taken into account when the company is taxed.

The Commission has made two legislative proposals. [The first initiative](#) aims to reform corporate tax rules so that profits are registered and taxed where businesses have significant interaction with users through digital channels. This forms the Commission's preferred long-term solution. [The second proposal](#) responds to calls from several Member States for an interim tax which covers the main digital activities that currently escape tax altogether in the EU.

The legislative proposals will be submitted to the Council for adoption and to the European Parliament for consultation. The EU will also continue to actively contribute to the global discussions on digital taxation within the G20/OECD and push for ambitious international solutions.

More information about the proposals and background information: [Fair Taxation of the Digital Economy](#)

Forthcoming events

CLECAT MEETINGS

Road Logistics Institute/Sustainable Logistics Institute
24 April, Brussels

CLECAT Customs & Indirect Taxation Institute
25 May, Paris

CLECAT BOARD/GENERAL ASSEMBLY
29 June, Sofia, Bulgaria

OTHER EVENTS WITH CLECAT PARTICIPATION

ERFA ANNUAL EVENT
18 April, Brussels

FEDESPEDI PUBLIC EVENT
18 April, Milan



ELP LUNCH EVENT ON SECURE PARKINGS

24 April 2018, Brussels

BELGIAN CUSTOMS CONFERENCE 2018

26 April 2018, Belgium

GLEC MEETING

15 May, Copenhagen

UIRR-ERA CONFERENCE: MULTIMODAL YEAR 2018 – THE FUTURE OF INTERMODAL

16 May, Brussels

CSR Europe Sustainability Summit

23 May, Brussels

ITF 2018 Summit: "Transport Safety and Security"

23 - 25 May 2018, Leipzig

Swedish Freight Forwarders Event (SIFA)

29 May 2018, Gothenburg

Dutch Freight Forwarders Event (FENEX)

31 May 2018, Rotterdam

DIGITAL TRANSPORT AND LOGISTICS FORUM PLENARY MEETING

14 June, Brussels

EP MEETINGS

European Parliament TRAN Committee

25 April 2018

14-15 May 2018

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