

REPORT

Informal TCG Meeting

On 13th June CLECAT participated on the Informal meeting of the Trade Contact Group (TCG) members, hosted by Eurocommerce in Brussels.

Walter Van Der Meiren, EEA opened the meeting, introduced the agenda, and gave a report the recent meeting with Mr Petschke (DG TAXUD), noting that a written report had also been circulated. The meeting was attended by Walter van der Meiren, **Damian Viccars (WSC)**, **Elena Suarez (Business Europe)**, and **Eva Cartwright (CLECAT)**.

Damian welcomed the fact that Mr Petschke had agreed to reinstate some of the original TCG features, such as full-day meetings, however, this will now need to be proved. Elena added that the Commission's statements showed genuine willingness to involve stakeholders in the drafting of secondary legislation. She also added that a hybrid July TCG meeting was recommended at the meeting by her to accommodate participants who will be travelling or on holiday.

Participants agreed that Walter deserved particular thanks for leading and managing the initiative.

2. UK-EU Bilateral Security and Safety (SS) Agreement

Walter reported on ongoing efforts to revive a UK-EU bilateral Safety and Security agreement, similar to the one with Norway and Switzerland. He aims to liaise with UK and EU business stakeholder to prepare for a meeting in September, followed by outreach to EU and UK officials. Discussions with Gerassimos Thomas confirmed that in order to proceed, an initiative must come from the UK side too.

Anna Jerzewska (EuroCommerce and former HMRC adviser) relayed that her former colleagues at HMRC said that neither HMRC nor the UK Cabinet Office objects to this initiative; it is the Home Office that remains opposed, due to data sensitivity and reluctance to engage in data sharing.

Arne MIELKEN believes that support could be mobilised through the UK Joint Customs Consultative Committee (JCCC), suggesting them as a feasible route to push the proposal forward, and offering adding it to the JCCC agenda. He also noted there is a stark disparity in S&S rules: ENS rules are not enforced on the UK side, while the French side requires all hauliers arriving from the UK to register and file into ICS2. Damien agreed that the time to push for alignment is now or never.

As a response to a question about the timeline of this initiative from Adriano Di Curzio (CER) participants agreed using the next UK-EU summit as a milestone for advancing the agreement.

3. EU Customs Reform

Walter briefed the group on the status of Council discussions. The PL Presidency aims to finalise the Council's position by the 20 June ECOFIN and 27 June COREPER meetings, with trialogues to start in September under the Danish Presidency. If the Danes cannot conclude the process, it might shift to the Irish, as CY has already indicated that it does not have the resources to manage the trilogues on the reform.

Damian mentioned that Vice-President Šefčovič's intervention with Ministers will likely speed up the Council's agreement. **Eva** also noted that since the Rapporteur MEP Gotink, has repeatedly confirmed that the EP is unlikely to oppose the Council's expert position, a fast conclusion of the trialogues may not be unrealistic.

In response to the question of **Isabelle Maurizi (EBCA Europe)** it was confirmed that the newly proposed 2 EUR handling fee is, indeed, part of the latest Council Revision I proposal. Article 18 states that *"The Commission is empowered to adopt delegated acts, in accordance with Article 261 to: establish the amount of Union handling fee(...)."*

Walter thought that the leaked Council version represented an overall improvement of the original Commission proposal and listed a few positive amendments as examples, such as Recital 68, which refers to the compulsory trade consultation on the secondary legislation, the retention of AEO status, and the temporary storage period remaining at 90 days after all.

Eva agreed that the Council text is a significant improvement but warned that one key element remains unaddressed: the increased liability package assigned to indirect representatives. **CLECAT** has repeatedly warned of this and calls on fellow TCG members to support its efforts to highlight that, without customs intermediaries, the expected high level of European trade facilitation is not possible. If the new UCC does not change its approach to customs representation, the majority of European importers will not have access to trade facilitations. This topic may now seem like a technicality to other associations, but if it is not resolved, their members too will be seriously affected, as they will have to find the resources for customs authorisations and operational processes that are currently, and conveniently, outsourced to their logistics service providers and customs representatives.

Anette Meijer (DHL, EEA) expressed support especially on the non-fiscal liability element of CLECAT's concerns and added their continued concerns over warehouse-related provisions in the Council revision. Annette also noted that the text is still missing a clarification that, where sectoral legislation applies, the representative under that legislation should take priority over the customs representative.

Damien noted the Council's improvements but highlighted the deletion of the sanctions section as a significant drawback. **Yves Melin (CONFIAD)** saw some hope in the European Public Prosecutor's Office ([EPPO](#)) involvement, potentially leading to future harmonisation.

Walter urged stakeholders not to accept this deletion passively and to use the Parliament as a counterbalance, as it has already shown support for sanction harmonisation in its position. Damien agreed and suggested that Dirk Gotink, the rapporteur, could be the right person to take this initiative forward.

Yves said that CONFIAD is preparing a proposal to include the concept of 'intent' into the regulation.

Eva noted that some kind of an exemption clause on 'intent' could also help solve the problem of representatives. The reason why indirect customs representatives cannot accept the increased liability package of the reform is because the proposal does not offer any legal protection against the intentionally fraudulent behaviour of their clients.

The group agreed to reconvene for a targeted discussion on the Customs Reform after reviewing the Council text in full, preferably before the July 10 CPG meeting, also recommending for CLECAT to issue its press release on customs representation for this meeting specifically.

An event will be organised by the Polish Presidency on July 10 (afternoon). The objective of the event is to bring together Commission (Commissioner Sefcovic), Parliament (MEP Gotink), DG's of Member

States and trade. The registration for the event will be organized by the Polish Presidency. Once the registration opens, Walter recommends to register ASAP as there will be limited spaces.

4. UCC Work Programme , ICS2 Road Phase Deployment

Walter summarised the status quo and stated that full ICS2 rollout by the 1 September legal deadline is highly unlikely. Eva drew attention to a recent, very useful ICS2 [compilation Excel file](#) listing all the Member State practices on EORI and deployment issuance.

Damien noted that the French ELO system is a good example of how Member States can still create entirely new national interfaces despite the shared approach.

6. CBAM and EUDR

Not much movement on EUDR was reported. **CLECAT** offered to join the EEA in their initiative to request the establishment of a de minimis threshold and greater clarity within the EUDR regulation.

Anna inquired whether EUDR would also apply in Northern Ireland. **Annette Meier** responded positively and also kindly provided a written addition after the meeting, confirming that according to [the latest version of the Q&A](#), EUDR indeed applies to NI (questions 3.7 and 7.3):

“Non-EU based operators will only have access to the Information System if they have a valid EORI number issued by an EU Member State or by the United Kingdom in respect of Northern Ireland (XI), as only in this case they will need to submit a due diligence statement after having conducted due diligence prior to lodging a customs declaration. They will have access to the system in the role of an operator and not as an authorised representative, as according to Art. 2(22) of the Regulation, the authorised representative must be established in the Union.”

*“How can operators and traders register? What can operators and traders use as an ID number/company registration number for the IS? How should domestic operators/traders, who do not have EORI numbers and may not have VAT numbers, register for the IS? (UPDATED) Operators that import or export relevant commodities and relevant products need to provide their valid **Economic Operators Registration and Identification (EORI) number issued by an EU Member State or the United Kingdom in respect of Northern Ireland (XI)** when registering in TRACES NT. Domestic operators/traders, who do not have an EORI number may register through one of the other identifiers supported by TRACES such as VAT number, National Company Number or Taxpayer Identification Number, allowing unique and individual identification of the operator or trader.”*

Stefano Mauro (Ecommerce Europe) also expressed interest in joining the EEA submission, pending internal approval. Annette noted that EEA is planning to finalise their letter by July.

Tom de Ridder (Business Europe) confirmed that some elements of EUDR still require further clarity, for example the difference between natural and synthetic rubber.

AOB

Participants discussed the reasons behind the Commission calling an out-of-schedule TCG meeting this afternoon. **Harald Past (EuroCommerce)** noted that the agenda focuses on trade aversion linked to the new US tariffs. **Pablo Muñoz (AmCham)** added that transshipment risks in the context of rising geopolitical tensions might also be among the issues discussed, as this is a TAXUD event and anti-dumping and trade measures fall under the responsibility of DG TRADE.

Yves spoke of a CONFIAD recommendation to include a CBAM 'default-default value', in addition to the current origin-based default values, with the highest possible payable amount for cases where declarants cannot identify the origin of goods.

Pablo warned that origin should never be "unknown" at clearance. Eva agreed, noting that as long as CBAM data is linked to the import customs declaration, omitting origin is technically not possible, the data element is compulsory. Were CBAM decoupled from customs and for CBAM purposes alone, Yves' suggestion would indeed be a simplification.

Yves maintained that there still needs to be a facilitation available, because in practice customs agents filling out CBAM declarations very often do not have the correct origin data. responded that this does not exempt them from the obligation for providing this data correctly for customs purposes and if importers are not familiar with the origin rules, they should ask for advice from professionals.

Yves argued that the COM is interested in revenue and trade facilitation so there should be a solution. He also noted that TAXUD is starting to realise **Pablo** the importance of origin in general, as it becomes more relevant thanks to the US trade wars.

Anna observed that awareness of the rules of origin remains shockingly low amongst traders, especially in the UK but also in the EU. The most frequently asked question on origin in her practice from importers is still, "What are the chances of getting caught?"

Pablo re-emphasised that this is another reason why the need for harmonised sanctions and penalties must stay on the agenda. Yves also suggested engaging directly with DG TRADE.

The meeting was closed by **Walter** thanking all participants for their attendance.