

# Union Customs Code



# 1. UCC Reform – Maritime & Port Stakeholders' Position

Joint position of WSC, ESPO, ECSA, FEPORT, ESC and ECASBA

Uniting shipping lines, ship agents, ports, terminals, freight forwarders and customs agents

Common points of concern



# 1. UCC Reform – Maritime & Port Stakeholders' Position

Visit and follow up through a position paper to Dirk Gotink, rapporteur to UCC Reform

Further distribution ongoing

- Shadow rapporteurs
- National permanent representatives and administrations



# 1. UCC Reform – Maritime & Port Stakeholders' Position

Sets out **priorities** in four key areas:

- 1) Temporary Storage
- 2) UCC Legal Clarity and Transition
- 3) Non-Fiscal / Sectoral Legislation and Legal Certainty
- 4) Fair Penalties, Sanctions and Liabilities

+ provides “translation” of what this means in **legislative terms** for the text of the UCC reform

# 1.1) Temporary Storage

**Keep duration as in current text proposal = 90 days** with possible extension under exceptional circumstances

- TSOs and carriers are mentioned as potential **“importer”** → risk for TSOs and carriers having to assume non fiscal liabilities in case of **transshipment** (see point 3)

# 1.2) UCC Legal certainty and transition

The existing UCC and the DA and IA are to be ‘repealed and replaced’

Until Customs Data Hub is deployed, rely on the existing IT systems with legal base in UCC

**Keep legal UCC acts in force**



# 1.3) Non-fiscal / sectoral legislation and legal certainty

*Legislation ensuring that goods meet safety, security, and product compliance standards following from all kinds of specific sectoral legislation governing the entry, exit, transit, movement, storage and end-use of goods*

➔ Risk for TSO and carrier to be considered as “importer”

- Define ‘sectoral legislation’ clearly
- Sectoral rules about who is “importer” should prevail



# 1.3) Non-fiscal / sectoral legislation and legal certainty

Clarify obligations / liabilities for information provided for all supply-chain actors

- No liability for data received from another party without any means of control
- Importers to provide advance cargo data at their own responsibility / No unloading bans at destination for missing data from importers



# 1.4) Fair penalties, sanctions and liabilities

## Harmonise sanctions across Member States

- Exclude strict liability and distinguish offences – intention or not
- Ensure proportionality and fairness
- Create level playing field, avoid forum shopping
- Look for alternative treatment & sanctions for 'partners' in the fight against organized crime

# 1.5) Conclusions and Key Messages

- **Maintain 90-day storage**
- **Ensure legal continuity of IT systems**
- **Clarify responsibilities/liabilities with respect for customs versus sectoral legislation and taking the origin of information into account**
- **Ensure fair and harmonised enforcement and sanctions regimes across member states**



**EU launches European Ports Alliance  
to combat drug trafficking**

## 2. European Ports Alliance Public Private Partnership

Flagship initiative of the EU roadmap to fight drug trafficking and organized crime – 18 October 2023

**“Strengthening the resilience of logistics hubs through a European Ports Alliance”**

- 1) Comments ECASBA at launch
- 2) Participation in working groups
- 3) Senior officials meeting Gdansk 29 April 2025
- 4) Ministerial Meeting Helsingor 21 July 2025

## 2.1) ECASBA Comments at launch

ECASBA comments 10 April 2024

- Supports the establishment of the Alliance and its goals
- Emphasizes that **ship agents are pivotal** in customs processes in ports but vulnerable to infiltration.

Main points :

- Risk Differentiation – each port has unique risk profile.
- Respect local Initiatives – Rotterdam & Antwerp digital and awareness measures.
- Public-Private Cooperation – mutual trust and consultation are essential.
- Privacy & Data Exchange – need EU-wide screening data sharing.
- European Hotline – needed for cross-border reporting of suspicious activity.
- Partnership Principles – based on WCO: transparency, cooperation, respect.

## 2.2) Participation in working groups

Workplan April 2024

Structured in 4 thematic clusters

- 1° improve **operational cooperation** between relevant stakeholders public/private, local/national/EU level (in view of the waterbed effect)
- 2° how to fight **criminal infiltration and corruption** in ports, (mainly about background checks)
- 3° role of **policy development and implementation** to enhance ports resilience (ports “upstream” and “downstream”)
- 4° **innovative technologies** (EU-funding)

→ Action plan to be implemented as from 2025.



## 2.3) Senior Officials Meeting

Gdansk 29 April 2025, Hilde Bruggeman

### Subjects

- The evolution of the threat of drug trafficking through maritime routes
- Protection and Security of Port Areas
- Going at the source of the drug trafficking

### Discussion on the action plan

- **ECASBA input during meeting**

“Cooperation is key, lack of mutual trust public/private partners, what about “partnership” in case of smuggling generating customs debt?”

- **Conversation with M. Petschke DG TAXUD**



## 2.4) Ministerial Meeting

Helsingør 21 July 2025, Fulvio Carlini

### High-level EU meeting

To take stock of the first year EPA, with focus on

- Need for stronger public–private cooperation
- Enhanced role of the Ports Alliance

**ECASBA** presented itself

- as key partners in port operations
- with positive interest in continued collaboration and participation in future meetings

## 2.5) Conclusion

**We need to keep participating in EPA / in this kind of initiatives**

**Big port-related challenges are requiring broad and coordinated solutions**

- Emphasize the pivotal role of the ship agent in the maritime chain
- Cooperate with all partners in the maritime chain, both public and private, both local, national and cross border
- Ensure that our ports and our people remain safe and resilient.