



Brussel, 7th July 2025

Position of the European Express Association (EEA) on the Council's partial general approach achieved on the EU Customs Reform¹

The European Express Association (EEA) welcomes the progress made under the Polish Presidency in advancing the Council's compromise text on the EU Customs Reform. The EEA recognises and supports several important improvements introduced in this version of the proposal, which reflects a more pragmatic and operationally sound approach to customs modernisation. Notably, the **reinstatement of the 90-day temporary storage** period provides essential flexibility for operators managing high volumes and complex supply chains, while also supporting more effective customs risk management.

Maintaining of AEO-C status is welcome, but reinstating AEO simplifications is a critical step toward a more resilient and responsive EU customs framework. It enables the differentiation of procedures based on operator profiles and risk levels, while reinforcing the principle of shared responsibility across the supply chain. The AEO C status—an internationally recognized and trusted certification—has consistently delivered trade facilitation benefits. Its proven track record must be preserved and strengthened through the safeguarding of current benefits as well as the allocation of additional advantages that truly reflect the level of compliance demonstrated by certified operators.

Establishing a structured dialogue with the trade community and the EU Customs Authority is equally essential. Meaningful and regular consultation allows policymakers to successfully integrate practical experience into the design and implementation of reforms. This ensures that legislative and procedural changes are not only policy-sound but also operationally viable, enforceable, and effective across the diverse landscape of EU economic operators. **A balanced and cooperative approach**—where security, compliance, and trade facilitation are not opposing goals but mutually reinforcing pillars—is indispensable. Actively involving trade in the reform process helps ensure that the future EU Customs Union is both robust and agile, fostering legal certainty, reducing administrative burdens, and safeguarding the competitiveness of the Single Market.

The EEA also appreciates the more coherent and logical drafting of the legal text, which enhances legal clarity and will contribute to a smoother implementation by both traders and customs authorities.

These constructive changes demonstrate a welcome responsiveness to the operational realities faced by the express sector and the broader trade community. The EEA remains committed to engaging

¹ <https://data.consilium.europa.eu/doc/document/ST-10462-2025-INIT/en/pdf>

constructively in the next phase of the legislative process to help deliver a modern, efficient, and balanced customs framework for the Union.

The EEA however want to point out following items, which are critical for delivering a customs reform that will achieve its goals.

1. Handling Fee for e-commerce items

Member companies of the EEA consider that inclusive rule-making is crucial. Considering the role of the express industry in the e-commerce environment, the EEA members must be closely involved in shaping any future handling-fee related rules. Critical operational details such as who collects the fee and at which point of the process, the payment channel and reconciliation mechanics are unclear at the moment and cause major uncertainty in the sector. **A collection process should be simple and preferably be based on existing collection channels** (such as the collection of VAT).

A **harmonised EU-level approach** is essential to avoid fragmentation in the single market, additional costs and complexity for businesses operating in multiple jurisdictions. Unilateral solutions risk undermining the core principle of the reform: acting as one. The Union should therefore focus on **a single, pan-European fee with one collection method via the EU Customs Data Hub**, possibly through the launch of an early and lighter version for e-commerce, avoiding divergent national regimes.

2. Roles and responsibilities

Clarifying the role and liability of customs representatives is essential to ensure legal certainty and a fair distribution of responsibilities within the customs framework. While customs representatives play a vital role in facilitating compliance, their responsibility must remain limited—particularly in cases where they act based on information provided by their clients. In practice, customs representatives typically rely on the accuracy and completeness of data submitted by their customers, and they do not have the means to verify or assume liability for information outside the scope of their own operations.

This principle extends to any party submitting information to customs on behalf of another. Entities acting in good faith and transmitting third-party data should not be held liable for content they do not produce, especially when their role is limited to technical transmission or procedural support.

The current partial general approach, which extends liability for both fiscal and non-fiscal obligations to indirect customs representatives, would result in a disproportionate and unmanageable burden on intermediaries. This approach risks discouraging legitimate service providers from engaging in customs operations and could ultimately disrupt the flow of trade.

To address this, **EEA members urge the inclusion of a flexible mechanism** that allows importers to designate multiple representatives—each responsible for specific areas of compliance. Such an approach would enable importers to assign fiscal obligations to customs agents, while entrusting non-fiscal compliance to relevant experts, thereby promoting both legal clarity and operational efficiency in a complex and evolving regulatory environment.

3. Harmonised Sanctions

EEA deplores the fact that the Council has removed all articles that would have started a harmonisation of customs sanctions and infringements. We fully endorse the European Parliament's position that

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customs penalties must be harmonised across the Union. The EU customs union can only be achieved through the implementation of a balanced, fault-based sanctioning model, limiting strict liability.

This includes:

- Clear distinction between administrative and criminal enforcement.
- Proportional fines based on evaded duties, differentiated by intent.
- Incentives for transparency via voluntary disclosure.
- Aligned timelines for notifications and sanctions.
- Procedural alignment to reinforce fairness and consistency and avoid distortions of competition within the internal market.
- Establish a mechanism which would make it possible to progress towards better convergence of the penalty system across the EU.

These reforms are essential for creating a predictable, streamlined, and competitive EU customs environment, supporting both trade facilitation and compliance.

4. Customs Data Hub, Timelines and IT Readiness

The newest and central element of the EU Customs Reform is evident in the commissioning of an EU Customs Data Hub, which will **centralize functions and data**. In this context, EEA welcomes the intended improvements in data collection, data analysis, and data link ability, which will finally achieve harmonization in customs clearance. Due to the current vagueness in the definition of the EU Customs Data Hub and the fact that the actual scope of functions has finally not yet been clearly defined, we already see certain risks associated with its implementation. To realize the benefits expected from the Data Hub, it is **necessary to define the exact range of functions and to specify the technical specifications due to the complexity of the functions to be combined in the Data Hub**. EEA members have already highlighted several occasions that industry needs a minimum of 18 months after the formal publication of the final and complete technical and functional specifications to design, build, test and deploy compliant IT systems.

At the same moment caution on public timelines should be considered. Predicting delivery dates for the EU Customs Data Hub remains challenging. EEA urges prudence when announcing milestones to avoid undermining stakeholder confidence should delays occur.

Balancing enforcement and facilitation are a key factor. Front-loading parts of the EU Customs Reform may accelerate benefits, but only if equal weight is given to trade facilitation. The over-emphasis on enforcement—without adequate digital infrastructure—would create bottlenecks and contradict the reform's objectives.

5. Next Steps

We also encourage the European institutions to organise **dedicated technical workshops** in close cooperation with trade representatives. These workshops would provide a valuable platform to jointly address practical implementation questions, ensure consistent application of the rules, and foster mutual understanding between authorities and business. The EEA is ready to contribute concrete system-design requirements—especially on fee collection—in collaboration with DG TAXUD and Member State experts.

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To ensure successful and practical implementation of the customs reform, the EEA proposes the launch of **pilot projects** to test key data flows in a **sandbox environment** prior to live deployment. This controlled approach would allow for early identification of technical and procedural challenges, while enabling iterative adjustments to ensure system readiness and legal compliance.

In parallel, we recommend establishing a **structured stakeholder forum** as soon as trilogue negotiations on the EU Customs reform begin (July 2025). This forum should bring together customs authorities, the European Commission, and representatives from the trade community—including express operators and other high-volume stakeholders—to ensure that operational realities are properly reflected in the final legislative outcomes and implementation framework.

Conclusion

The EEA welcomes the constructive elements of the partial general approach issued by the Council, which signal a **clear intent to modernize and improve customs procedures across the Union**. These developments represent an important step forward.

However, their success will depend on how well **they reflect the operational realities and needs of legitimate economic operators**. Without such alignment, the reform risks falling short of its stated ambitions.

The EEA stands ready to engage constructively in the next phases of the legislative process, including the preparation of Implementing and Delegated Acts, as well as the development of accompanying guidelines and training materials. Our objective is to help ensure that the final legal framework promotes a **fair and balanced customs environment**—one that protects citizens, enables effective risk management and revenue collection, and meaningfully facilitates trade.

We call on the European institutions to fully leverage the expertise and commitment of the trade community. By embracing genuine cooperation and addressing the concerns raised, the EU can deliver a customs reform that brings measurable improvements, enhances legal certainty, and strengthens the competitiveness and resilience of the Single Market. We look forward to continued, meaningful engagement in the months ahead.

The European Express Association (EEA) is the representative organisation for the express industry in Europe. The industry specialises in time-definite, reliable transportation services for documents, parcels, and freight. It allows European business to rely on predictable, expeditious delivery of supplies, thereby enabling them to attain and maintain global competitiveness.

The express industry employs over 330,000 people across the EU and supports a further 410,000 indirect jobs in Europe through the supply-chain. The express industry's employees are widely spread across EU member states.

The express industry is a truly intermodal sector. Air-road and air-rail operations form an integral part of the industry's hub and spoke system. Our members use the most efficient transport mode to ensure the timely delivery of our customers' goods. This includes the use of aircraft, but also road vehicles and rail where possible.

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