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From: General Secretariat of the Council
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Subject: 3545th meeting of the COUNCIL OF THE EUROPEAN UNION
(Transport, Telecommunications and Energy Council/ Luxembourg –
8 June 2017)
AoB: Mobility Package (First reading)
– Statements made by Member States

Following the TTE Council on 8 June 2017, delegations will find attached statements made by Member States on the above AoB.

1. Declaration by AT, BE, DK, FR, GE, IT, LU, SE¹

**Road Alliance ministers' meeting on the Eve of the EU-Transport Council
United on the Road Haulage Market**

In the run-up to the presentation of the mobility package at the EU Transport Council on 8 June 2017, members of the “road alliance” (Austria, Belgium, Denmark, France, Germany, Italy, Luxembourg, Sweden and Norway) will gather in Luxembourg on 7 June 2017 for a first exchange of views on the mobility package proposals that deal with the access to the road haulage market and the related framework on social rules. Their colleague from The Netherlands will participate at this meeting.

The “road alliance” members are very concerned about abusive practices and fraud regarding social, safety, environmental and labour rules in the European road haulage market. They support measures ensuring the drivers' right to a balance between work and private life. Therefore, they confirm their determination to work closely together and pursue their common interests already expressed in a meeting held in Paris on 31 January 2017 which set up the “road alliance”. Their common goals are to safeguard social rights, enhance safety and ensure a well-functioning internal market based on healthy and fair competition.

¹ Norway joined the statement

The ministers make clear that there should be no further market opening, in particular as regards cabotage by road, as long as a level playing field of adequate social conditions in the road haulage sector and the principle of “equal pay for equal work in the same place” are not ensured. Moreover, they oppose to grant a further easing of the rules on mobile workers, as this would widen market distortions. Regular return to the country of origin should be facilitated in order to ensure social welfare and a balance between work and private life. In order to avoid social dumping and unfair practices they request a better and effective enforcement of roadside checks and inspections at the premises of the road haulage companies in all member states. Furthermore, they underline the high risks that manipulations and fraud will have on safety of the drivers and other road users. In view of reducing certain administrative burdens, innovation and deployment of digital technologies, such as using electronic consignment note, or extending the scope of information consultable in the European Register of Road Transport Undertakings (ERRU), should be strengthened.

The gathered ministers of the road alliance stand united. They will convey a common message on the core elements to the Council and Commissioner Bulc throughout the whole process of discussions in the Council and with the European Parliament that will follow the presentation of the mobility package.

2. Declaration byBG, CZ, HU, LV, LT, PL, RO, SK

Joint Statement of Bulgaria, Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, on Social and Market part of Mobility Package

Last week the Commission has presented a Mobility Package with a declared aim “to help the sector to stay competitive in a socially fair transition towards clean energy and digitalisation”. This Package was introduced as a set “ of initiatives that will make traffic safer(...) cut red-tape for businesses; fight illicit employment and ensure proper conditions and rest times for workers”.

We fully share the Commission ambitions for making legislation simpler, rules clearer, and better enforcement. This is always welcome, since it eliminates illegal actions, frauds and increase compliance. However, the proposed package risks missing those objectives and may cause considerable structural problems for the road transport industry.

In practice, the proposed explicit application of the Posting Directive on the transport sector means a significant negative impact in the current road transport market rules.

All of us share the vision of the 2011 EU Transport White Paper, which aims at more efficient and more integrated EU road transport market, improving the European Single Market and making the EU economy stronger and more competitive. This vision should guide our negotiations, our deliberations about the right balance between market flexibility and appropriate social protection of workers and must be maintained in the future.

Therefore in the following discussion we should critically reassess the balance of the proposal in terms of:

- what kind of road transport market the EU needs in order to support its economy in the global competitive environment,
- what are the challenges which need to be address,
- how to address these challenges in pursuing the goals of the 2011 White Paper in terms of competitiveness, fair competition, working conditions of drivers, efficiency, environment etc.
- to what extent is the posting legislation relevant to road transport (reflecting also on the new rules resulting from the revision of the Posting Directive) and how it is linked to the further liberalisation of road transport.

In this context, we will devote special attention to the risks of fragmentation, protectionism and excessive bureaucracy in the EU market. We should ensure that the future legal framework allows competitive advantages to be exploited to their full potential while ensuring fair competition and adequate level of working conditions for drivers.

We will also pay particular attention to the administrative burden and the impact on the daily business of the industry. We need to make sure that all the restrictions in the market are necessary, proportionate and well justified.