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INFORMATION NOTE

From: General Secretariat of the Council
To: Council

Subject: **Any other business**
Driver attestations for third-country drivers
– Information from the Danish delegation

Delegations will find attached an information note prepared by the Danish delegation on the above-mentioned subject for consideration under "Any other business" at the meeting of the Council (Transport, Telecommunications and Energy) on 2 June 2022.

Driver attestations for third-country drivers*AOB – Information from the Danish delegation*

Denmark is very pleased to see the approval and implementation of the Mobility Package, which will indeed have a big impact on all the actors in the road transport sector, securing improved employment standards and fair competition.

However, the Danish delegation would like to draw attention to the subject concerning the number of driver attestations issued for third-country drivers.

Strong and reliable supply chains are needed, particularly as we face a shortage of truck drivers across the EU. During the Covid-19 pandemic, we have seen a remarkable increase in the number of certificates issued by road transport operators based in EU to drivers from third countries.

In order to access the market, road transport operators must comply with the provisions of Regulation 1072/2009 and obtain a license. If companies wish to hire drivers from third countries to carry out road haulage operations, the driver must be certified with a “third country” attestation issued by the competent authorities in the Member State.

As has previously been pointed out, there seems to be a deliberate strategy from some large logistic groups in some Member States to employ a high proportion of drivers from third countries in order to keep down labour costs and to gain a competitive advantage. Such practices seriously distort competition between hauliers and leads to worsening working conditions.

As mentioned above, the Mobility Package aims to fight social dumping and unfair competition by providing strong social rules and enhanced requirements to the establishment for operators. The beneficial framework put in place by the Mobility package will come under pressure, however, if logistic companies make extensive use of third-country drivers, whose working conditions and remuneration are difficult to verify. Third-country drivers working under adverse working conditions could also be a threat to road safety.

Making use of third-country drivers could be a remedy to the current shortages of truck drivers. But such a remedy is not a sustainable long-term solution to the problem, if it disrupts fair competition and leads to worsening working conditions.