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EUROPEAN COMMISSION

For kind attention of Mr Jean-Claude JUNCKER
President of the European Commission

STOP LEGALIZING WEST-EAST SEGREGATION IN EU ROAD TRANSPORT!

Dear Mr President,

The National Union of Road Hauliers from Romania - UNTRR is asking the European Commission to strongly reject the abusive compromise amendments proposed by TRAN rapporteurs for the Mobility Package 1.

Your support is highly needed by our industry in a crucial moment for the Romanian and Eastern road hauliers, when the European Parliament adopted its position on Mobility Package 1 at the TRAN meeting of 10.01.2019, followed by the EP plenary on 21-25.01.2019.

UNTRR, together with road transport associations from Eastern EU, organized a large protest against the adoption of the Mobility Package 1, which took place in Brussels on 10 January 2019, in front of the European Parliament. The European Parliament's vote of 10 January 2019 on the Mobility Package is of major importance for Romanian and Eastern hauliers after the EU Transport Council adopted on 03.12.2018 its general position on the Mobility Package 1, based on the dangerous compromise of the former Austrian Presidency supported by the Member States of the Road Alliance. Romanian and Eastern European hauliers are revolted and extremely concerned about the restrictive proposals of the mobility package, aimed at amending European legislation in the field of road transport, in the context of the increasing protectionism of the Western EU Member States of the Road Alliance.

STOP LEGALIZING WEST-EAST SEGREGATION IN EU ROAD TRANSPORT ! !

@[stopneoprotectionism.eu](https://www.stopneoprotectionism.eu)

TRAN compromise amendments concerning the Mobility Package 1 restrict the international road transport and the fundamental freedoms of movement in the EU. This approach initiated by the Road Alliance and supported by the EU Transport Council general position adopted in early December 2018 exceeds the area of road transports as



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it aims at legalizing the West-East segregation in EU road transport and economies! This segregation will have a major economic impact in the medium and long term, as it would lead to the transfer of Eastern EU companies and personnel to the Western EU, due to the higher operation costs in their origin countries, being artificially raised by the Mobility Package 1. May we signalize the hypocrisy of this legislative package supporting equal rules for all the players on the market, while the real impact of its proposed rules is the impossibility to operate international road transport in Western EU by the road transport companies established in the Eastern EU.

During the next 5 years, more than 20% of the (best) Eastern road transport companies (both local capital companies and branches of the multinational companies) will migrate in the Western EU together with Eastern drivers and their families who will also be involved in providing other services for the countries with aging population.

STOP THE MOBILITY PACKAGE! SAY NO TO TRAN COMPROMISE AMENDMENTS!

X NO to posting application to road transport!

Professional drivers are highly mobile workers, not posted workers!
Posting rules and burdens block international road transport in the EU, imposing hauliers to calculate & pay different national wages for 1 driver in 1 month
Splitting international transport in bilateral and cross-trade with different posting regimes will limit international road transport operations, complicate even more the administrative burden and distort the level playing in road transport sector by applying different payment regimes to the drivers of the same company, but performing different types of international transport operations

X NO to the ban of the weekly rest in the vehicle!

Regular weekly rest should continue to be allowed in the cabin of the truck across the EU, according to the practice of many years in the European road transport industry. National lists proving there are sufficient safe and secure parking areas across the EU should become a compulsory requirement for each Member State, before introducing the ban on regular weekly rest in the cabin –as a measure guaranteeing that this ban is enforceable, not raising impossible barriers for European road transport industry.

X NO to driver and the vehicle *OBLIGATORY* return home!

Drivers have the right to free movement in the EU. Choosing how drivers spend their private time is a human right, they are not 2nd class citizens!
Vehicles are hauliers' production tools for the transport services and hauliers have the right to free movement of their services in the EU! Obligatory return home of vehicles will dramatically increase the empty runs and the CO2 emissions, while the cost increases will be much higher for the hauliers from peripheral countries, thus distorting the level playing field in EU road transport market.

X NO to cabotage restriction of 3 days followed by "cooling off" period of 60 hours!

Restricting cabotage and market access is against the EU Common Transport Policy, in direct contradiction with its objectives of decarbonisation and transport network efficiency. The mobility package should not restrict cabotage, but continue to liberalize the goods transport market - similarly to the EC proposals for the liberalization of the road passenger transport market and in line with the objectives of the EU White Paper 2011-2020 - Roadmap to a Single European Transport Area.

X NO to the application of the Rome I Regulation "*in a way that labour contracts reflect the habitual place of work of employees*" and "*the establishment is the*

place in which or from which workers habitually carry out their work". May we also signalize the dangerous context of the EP position on the revision of the regulations on the coordination of social security systems (883/2004 and 987/2009) - proposing that in the case of persons working in two or more Member States (such as international transport drivers), they should no longer belong to the social security system of the country of residence, but to the social security system of the Member State *in which they perform the largest share of their work activities.*

X NO to the European Labor Authority playing the important role of monitoring compliance with European road transport specific legislation.

In order to fulfill this role, there should be established an European Road Transport Agency to ensure an uniform enforcement framework of EU rules in all the EU Member States, acting promptly to stop the current national interpretations and abusive controls in certain Member States.

EU NEEDS TO STRENGTHEN ITS UNITY AFTER THE BREXIT, NOT TO FALL APART FROM WITHIN!

TOGETHER WE ARE STRONGER!

- Continue market liberalization towards a Single European Transport Area
- Keep cabotage within its purpose to improve the efficiency of road freight transport, reducing empty runs and CO2 emissions
- Support full exclusion of road transport from posting of workers rules
- Stop national interpretations of EU rules!

Yours sincerely,

Radu DINESCU
Secretary General

