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## MOTION FOR A RESOLUTION

further to the Commission statement

pursuant to Rule 37(2) of the Rules of Procedure

by Bartho Pronk, Astrid Lulling, Mathieu J.H. Grosch and Konstantinos Hatzidakis

on behalf of the PPE-DE Group

on the situation of lorry drivers blocked in Luxembourg

**European Parliament resolution on the situation of lorry drivers blocked in Luxembourg**

*The European Parliament,*

- A. having regard to the Europe-wide action of the customs administrations of several EU States against forwarding agencies which are suspected of illegal employment as well as tax evasion,
- B. whereas an arrest warrant has been issued by the Munich public prosecutor's office against the Austrian carrier Kralowetz, which is accused of illegal employment, illegal importation of workers into the Schengen area, non-payment of social security contributions and tax evasion,
- C. whereas approximately 700 third-country lorry drivers formerly employed by the company of Kralowetz are now stranded in the EU, where they are in the care of the Red Cross, being unemployed and without means, since for months they have not received the wages they were promised,
- D. whereas the Kralowetz company paid its drivers salaries equivalent to approximately one third of a normal lorry driver's salary,
- E. whereas this case of modern slavery in road transport that recently occurred in an Austrian transport company based in Luxembourg is unfortunately not an isolated national case, but must be seen at European level,
- F. whereas the case distorts competition in road transport, with law-abiding companies that comply fully with existing legislation being placed at a great disadvantage,
- G. having regard to decision No. C-43/93 of the European Court of Justice, which implies that there is no obligation for drivers to be issued with their work permit and social insurance in the same country as their licence,
- H. having regard to the rigorous competition currently prevailing on Europe's roads,
  - 1. Strongly condemns such social machinations as those practised by the forwarding agency Kralowetz;
  - 2. Points out to the Commission that prevention of social dumping is one of the most serious challenges in the context of the enlargement process, and calls on the Commission to insist in the accession negotiations on the urgent need to adopt European social regulations in the transport sector;
  - 3. Expects the Member States, especially those concerned, to ensure through common action that black labour and infiltration of illegal workers into the EU are eradicated;

4. Calls on the Member States, especially those concerned, to take all possible steps to investigate and carry out random checks on companies located on their territories in order to combat modern slavery and inhumane treatment of transport workers and, where it occurs, to apply severe sanctions such as confiscation of lorries;
5. Calls on the Member States to apply the existing legislation to ensure that distortion between law-abiding companies and those exploiting the situation is eradicated;
6. Calls on the Commission to strengthen the social dialogue in the transport sector between the Member States and the central and eastern European countries in order to prevent social dumping and exploitation;
7. Expects the Commission to submit proposals with a view to avoiding social dumping in the transport sector, as well as effectively monitoring the existing working time regulations;
8. Calls on the Commission and the Member States, in the context of accession negotiations inter alia, to harmonise legislation in this area as regards work permits, transport licences and legal contracting in order to guarantee that workers can work legally and with social security cover;
9. Welcomes the fact that the Council has taken account of Parliament's amendments asking for the inclusion of driving licence and social security numbers in drivers' personal details;
10. Calls on the Council to adopt and put into urgent effect the regulation to establish a uniform driver attestation adopted in the European Parliament in January 2002 and to extend it to drivers from the EU Member States;
11. Instructs its President to forward this resolution to the Council, the Commission and the social partners.