

# EUROPEAN PARLIAMENT

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*Session document*

6 February 2002

B5-0046/2002 }  
B5-0047/2002 }  
B5-0048/2002 }  
B5-0049/2002 }  
B5-0050/2002 }  
B5-0051/2002 }

RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 37(4) of the Rules of Procedure by

- Bartho Pronk, Konstantinos Hatzidakis and Astrid Lulling, on behalf of the PPE-DE Group
- Brian Simpson and Stephen Hughes, on behalf of the PSE Group
- Elspeth Attwooll, Colette Flesch and Luciano Caveri, on behalf of the ELDR Group
- Claude Turmes, Jean Lambert and Theodorus J.J. Bouwman, on behalf of the Verts/ALE Group
- Herman Schmid, Helmuth Markov and Sylviane H. Ainardi, on behalf of the GUE/NGL Group
- Gerard Collins and Mauro Nobilia, on behalf of the UEN Group
- Rijk van Dam, on behalf of the EDD Group

replacing the motions by the following groups:

- Verts/ALE (B5-0046/2002),
- ELDR (B5-0047/2002),
- UEN (B5-0048/2002),
- PPE-DE (B5-0049/2002),
- GUE/NGL (B5-0050/2002),
- PSE (B5-0051/2002),

on the situation of lorry drivers stranded in Luxembourg

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PE 313.866}  
PE 313.867}  
PE 313.868}  
PE 313.869}  
PE 313.870}  
PE 313.871} RC1

## European Parliament resolution on the situation of lorry drivers stranded in Luxembourg

*The European Parliament,*

- A. whereas this case of modern exploitation in road transport in Luxembourg concerning an Austrian transport company is unfortunately not an isolated national case but should be viewed at European level,
- B. whereas this case distorts competition in road transport, while law-abiding companies which respect existing legislation are highly disadvantaged; whereas the lack of internalisation of external costs in the road transport sector is also a main cause of distortion of competition affecting other modes of transport,
- C. whereas a sustainable transport policy should tackle the rising volume of traffic and levels of congestion, noise and pollution and encourage the use of environmentally-friendly modes of transport,
- D. whereas efforts have to be made for the existing control and sanction mechanisms to be applied strictly,
- E. whereas the problem of 'false' independents shows the urgent need to take into account their situation at the level of national and European social legislation,
- F. whereas the principles of road safety and occupational safety should be maintained,
- G. whereas there are different ways in which non-EU drivers can appear on the EU transport market, e.g. by the CEMT permit system,
  - 1. Deplores the treatment of those drivers employed illegally by the Kralowetz haulage company, in terms of their appalling pay and working conditions;
  - 2. Considers that the claims made by these drivers for payment of outstanding salary must be given due consideration;
  - 3. Calls on the Member States, especially those concerned, to undertake all possible action to investigate and carry out sufficient random checks on the companies located on their territories and along their roads in order to combat the social exploitation and inhumane treatment of transport workers, and where these occur, to apply severe sanctions such as confiscation of lorries;
  - 4. Urgently calls on the Member States to apply the relevant existing legislation to guarantee that distortion is eradicated between law-abiding companies and those exploiting the situation; considers that in order for the relevant legislation to be effective, a system of strict checks and penalties must be operated by all Member States;

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5. Welcomes the fact that the Council has taken on board the European Parliament's amendments on the driver's attestation, asking for the inclusion of the driver's licence and social security numbers in the driver's personal details;
6. Calls on the Council to adopt and put into urgent effect, at the earliest possible date, the regulation to establish a uniform driver's attestation for non-EU drivers, voted in the European Parliament in January 2002;
7. Calls on the Member States to pay more attention to the road safety and occupational safety aspects, which have been severely compromised by tolerating appalling conditions in this sector;
8. Calls on the Commission and the Member States to harmonise the regulation of the transport market, for instance concerning work permits, driver's attestations and training, transport licences and legal contracting; urges the Commission and the Member States to establish and coordinate effective control mechanisms in respect of employers' obligations;
9. Calls on the Member States to initiate a qualitative and quantitative revision of the CEMT permit system in order to preclude the possibility of illegal use of non-EU drivers within the EU through this system;
10. Calls on the Commission and other relevant authorities to cooperate closely in investigating the Kralowetz case with a view to identifying the lessons to be learned and, in particular, any specific further action to be taken at EU level to combat the illegal employment of drivers;
11. Expects that the Member States will take joint action against black market labour and illegal working;
12. Urges 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;
13. Stresses that the enlargement process has to be accompanied by additional social safeguard measures and a socially controlled labour market for central and eastern European workers, especially within the transport sector;
14. Instructs its President to forward this resolution to the Council, the Commission, the Governments and Parliaments of the Member States and the applicant countries and the social partners.