



To the European Commission – DG EMPL, DG MOVE
To the Members of the European Parliament, EMPL and TRAN Committees
To the Permanent Representations of Member States to the European Union
To the European Labor Authority (ELA)
To the International Road Transport Union (IRU)

Brussels, 12 April 2023

As you must certainly be aware, approximately 60 truck drivers are on strike in Gräfenhausen, at a rest stop near Darmstadt. The drivers are third-country nationals from Georgia, Uzbekistan, Kyrgyzstan, and Nepal, working for a Polish company. Despite its establishment in Poland, the company operates exclusively outside of Poland, with drivers working mostly in and out of Germany. The striking drivers have not received their pay and have been living in their vehicles under poor conditions for months.

The drivers' strike in Germany highlights the dire state of the road transport industry in Europe. It also brings to attention the harsh realities faced by third-country nationals working in this sector. Recently, the ETF warned that opening the EU labour market to third-country nationals would not solve the labour shortage issue, as the root cause of the shortage is poor working conditions and low wages.

In the road transport sector, the number of driver attestations issued for third-country nationals at the end of 2021 was 277,159, which represents a 21% increase from 2020. Since the certification process for third-country nationals was initiated in 2002, there has been an explosive increase in the number of drivers from third countries. This trend is driven by road transport operators taking advantage of third-country drivers to gain a competitive edge over socially responsible players in the industry by paying illegal wages and circumventing social security and other regulations in place to ensure fair standards. Despite the illegal and unfair practices of these companies, their clients include giant retailers and multinational corporations that further boost their profits, leading to a race to the bottom across Europe.

To tackle these issues and bring much-needed reforms to the industry, the Mobility Package was adopted in 2020. With the Mobility Package, these operators will have to reconsider their business model. It requires fair pay for drivers, a mandatory return home every three weeks, and better enforcement of EU regulations through new means of enforcement. If the rules of the Mobility Package are correctly enforced, it will help create a more ethical and responsible road transport industry. It's worth noting that the Mobility Package also applies to third-country nationals.

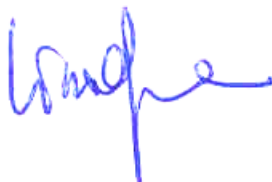
However, since its adoption in 2020, inspections have revealed a minimum of a 50% infringement rate on the new rules of the Mobility Package. Across Europe, enforcement has been inadequate, preventing social and economic fair play in the road transport sector, which is infamous for social fraud, human slavery and unfair competition. To achieve the intended goals of the new rules, European institutions and Member States must take the necessary measures to enforce the Mobility Package.

In light of the drivers' strike in Germany, which once again exposed the appalling working conditions faced by third-country nationals, the ETF calls for immediate action to address the persistent problems of the road transport industry. We call upon:

- **The European Commission to urgently take legal and political initiatives to address the issues concerning third-country nationals in the road transport sector;**
- **The European Parliament to join the ETF in this call for action and ensure the necessary political support;**
- **The Member States to urgently take the necessary measures to enforce the rules in the Mobility Package;**
- **The European Labor Authority to step up enforcement activities and cross-border inspections in road transport, with a particular focus on third-country nationals;**
- **The IRU and its members to comply with the EU rules applicable to road transport in order to prevent some of their members from having a competitive advantage over socially responsible operators.**

The ETF calls for your support and cooperation to stop the second wave of social dumping in Europe.

Sincerely,



Livia SPERA
ETF General Secretary