



EUROPEAN
TRANSPORT
WORKERS'
FEDERATION

Safeguarding Workers in Europe's Military Mobility Plans: ETF's Analysis of the Military Mobility Package

Position Paper



Executive Summary

The European Commission's 2025 Military Mobility Package, often dubbed a "Military Schengen", aims to streamline the movement of military equipment, goods and personnel across the EU by harmonising rules, strengthening infrastructure resilience, and creating an emergency framework. However, the European Transport Workers' Federation (ETF) warns that the proposal systematically overlooks the millions of civilian transport workers who would be essential to its implementation.

ETF argues that the package risks eroding workers' rights in both "the new standard" and emergency scenarios. The regulation introduces broad exemptions and derogations, such as lifting cabotage limits and relaxing driving and rest time rules, that could exacerbate already severe labour shortages and undermine safety. ETF is critical of the emergency framework (EMERS) due to its vague activation criteria, which could allow extraordinary measures to be triggered without any real threat, thereby normalising derogations that should remain exceptional.

Additional concerns include the absence of safeguards for the right to strike and conscientious objection, a general disregard for the additional training needs, and risks linked to private and foreign-controlled operators. ETF also warns that requisitioning frameworks must explicitly exclude workers and calls for strong social partner involvement in governance, implementation, and training.

Beyond immediate labour issues, ETF situates military mobility within a broader vision of societal resilience. It argues that Europe's preparedness depends on well-funded, publicly controlled transport systems, reversing decades of liberalisation that fragmented rail networks and weakened strategic capacities. Investment in transport infrastructure, training, and job quality is essential not only for military readiness but for long-term societal cohesion and resilience.

Overall, ETF supports efforts to strengthen Europe's resilience but insists that military preparedness cannot override workers' rights, safety, or multilateral diplomacy. ETF calls for clearer safeguards, and improved governance, that ensures military mobility enhances, not undermines, the resilience of Europe's transport systems and the people who make them work.



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Introduction

The European Commission published on 19th November 2025 the Military Mobility Package¹, including a proposal for a regulation on a framework of measures to facilitate the transport of military equipment, goods and personnel across the EU. Dubbed ‘Military Schengen’, the proposal aims to reduce barriers to cross-border military mobility by introducing harmonised EU-level rules for cross-border military transport, including a framework for emergencies, and to strengthen resilience of transport infrastructure, pool assets and enhance governance and coordination. Military mobility is framed as a factor of ‘defence readiness’ and deterrence².

The European Transport Workers’ Federation holds as one of its missions the promotion of peace in the world. More than symbolic words in its Constitution, peace is the compass for many of our ideals and practices: the fight against injustice and war, social dialogue, transnational solidarity. Alongside the rest of the Trade Union movement in Europe³, ETF has always supported a global order based on international law and multilateralism, refusing the use of force to change borders, favouring diplomatic solutions to conflicts while recognising the right to defence against aggression. ETF is aware that unilateral intensification of defence capacities can lead to a spiralling arms race and wants to avoid this at all costs.

Furthermore, ETF believes the fundamental role of transport is to promote prosperity and cohesion with quality employment, bringing people together rather than tearing them apart. In times of crises or conflicts, transport systems are a lifeline both for frontline response and continued societal functioning on the ‘homefront’. We know workers in general are too often the ones paying the dearest price in armed conflicts. Transport staff, many of them civilian due to the dual use nature of a significant share of transport, are bound to find themselves close to or in the middle of such conflicts, at times becoming a target. Away from the frontlines, the militarisation of civilian spaces also represents a danger for workers.

ETF will not give in to militaristic obsessions, but it also acknowledges that Europe is in a complex geopolitical situation. The security, preparedness and resilience of our societies are a priority for ETF insofar as they are understood in a broad, people-centred perspective, coming hand in hand with social justice. Defence objectives do not get precedence over basic health and safety rules, workers’ rights or the rule of law. ETF will stand against any instrumentalization of European people’s legitimate concerns to water down social or civic rights.

ETF has been part of European discussions on military mobility since the onset and has publicly expressed its views⁴. The Military Package discussed here mostly ignores transport workers (I), while it presents a number of derogations and exemptions to ordinary transport rules, not least those affecting working conditions in the sector. These resonate with similar measures applied to

¹ European Commission, Commission Moves Towards a ‘Military Schengen’ and the Transformation of the Defence Industry, 19 November 2025, https://transport.ec.europa.eu/news-events/news/commission-moves-towards-military-schengen-and-transformation-defence-industry-2025-11-19_en

² European Commission, JOIN(2025) 846, 2025, https://transport.ec.europa.eu/document/download/4466a1dc-49d8-459f-9afa-d93c4346c26a_en?filename=JOIN_2025_846.pdf

³ European Trade Union Confederation, Resolution on Peace and Security (2025): <https://www.etuc.org/en/document/resolution-peace-and-security>

⁴ European Transport Workers’ Federation, ETF Briefing Paper on Military Mobility and Preparedness (2025): <https://www.etf-europe.org/resource/etf-briefing-paper-on-military-mobility-and-preparedness/>



workers of other sectors deemed strategic for defence, notably industrial workers⁵. At the same time, the regulation struggles to justify itself, failing to provide convincing examples of situations calling for these new rules (II). Under vague allegations of exceptional military transport needs, workers' rights (III) and safety (IV) risk be sidelined. Ensuring the success of European military mobility plans implies ensuring European, public oversight over transport capacities and operations, reversing to the liberalisation trend of the past decades (V). Finally, military preparedness must not override efforts for broad societal resilience and conflict prevention (VI). ETF comments on the Military Package with a stance resolutely aimed at safeguarding transport workers' rights and safety, peace and general societal resilience.

I. The flagrant absence of transport workers

An interesting feature when reading of both the Commission's Communication and the proposal for a Regulation, is that none of them mentions transport workers even once. 'Personnel' is used a few times, usually explicitly as 'military' or 'defence', other times not specifying the military or civilian character, such as in the definition of transport and logistic capabilities. The Regulation proposes derogations and exemptions to rules that are very clearly linked to working conditions, such as the derogations on driving and rest times, yet affected civilian workers are not addressed. Transport is dehumanised, as if military mobility was all about infrastructure, permits, removing barriers, as if trains, planes, trucks and ships drove, loaded and unloaded themselves. **The reality is of course that there are millions of people making this work, many of them civilian transport workers, and this is the first point that ETF wants to make in this conversation.**

In ignoring the role of transport workers, the Commission also fails to see the biggest threat to transport resilience: **the severe and persistent labour shortages** affecting transport. Fundamentally, these shortages are driven by deteriorating quality of employment and working conditions, with stagnation of real wages in the past decade, in transport⁶, and serious increases in job strain. The Commission's own research comes to that conclusion.⁷ Those shortages evidently threaten the ability of the sector to respond efficiently in an emergency, and therefore the resilience of transport and of Europe as a whole. Redundancy – the existence and incorporation of backups and duplicates destined to prevent failure of an entire system upon failure of a single component – is a key element of resilience. In transport, redundancy is desirable on routes and means of transport, vehicles, and of course staff. However, what ETF witnesses is that transport lines are closed rather than duplicated and staffing levels are reduced to the minimum necessary for operations to (barely) run. **Shortages logically lead to an unchanged workload being distributed across a reduced pool of workers.** For Europe to be prepared to face transport crises, adequate staffing levels must be guaranteed.

The shortages in transport are the very real threat to resilience, yet the conversation on EU preparedness and in particular on military mobility has not acknowledged this liability. ETF stresses the need for investment in transport jobs to attract and retain workers and improve resilience of transport.

⁵ industriAll European Trade Union, *European Parliament leaves workers behind in EDIP* (2025): <https://news.industriall-europe.eu/Article/1393>

⁶ Wouter Zwysen, ETUI (2024). Labour Shortages, Job Quality and Workers' Bargaining Power: A European Quantitative Analysis: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4975409

⁷ European Commission, DG EMPL (2023). Employment and social developments in Europe 2023: <https://op.europa.eu/en/publication-detail/-/publication/680d6391-2142-11ee-94cb-01aa75ed71a1/language-en>



In the silence on the role of civilian transport workers in military mobility, workers' rights and the risks for these workers are also put at risk. Beyond adequate numbers, the transport sector, and *a fortiori* military transport needs qualified personnel, which requires significant and structural investments in training. Recommendations to rectify these omissions are proposed in chapters III and IV.

ETF recommends the following:

- ▶ Investment in transport jobs to attract and retain workers.

II. A three-case framework decoupled from the existence of a threat or a danger

Military Mobility plans would apply according to three different scenarios, none of which is actually contingent on the existence or perception of a concrete threat. Derogations and exemptions from existing rules are foreseen in a new *status quo* described in the section 'Uniform military transport permission procedures and rules' referred to in this paper as 'the new standard'. Derogations and exemptions expand under an 'emergency' framework (a European Military Mobility Enhanced Response System – EMERS). Member States will also have to devise what appears to be requisitioning frameworks. Transition and exit options between scenarios are not considered or only superficially.

1. With the new standard, an ordinary erosion of workers' rights in transport

The document proposes a number of exemptions to ordinary working patterns as the new normal. The Commission justifies the use of these derogations on grounds that the armed forces already benefit from those, alleging that it is only fair to extend armed forces' exemption regimes for military transport to civilian operators doing military transport. This is the case in article 13, authorising Member States to exempt civilian road operators performing military transport from cabotage rules. What a Member State lifting the cabotage rules means in practice is that this State allows more extensive operations on its territory from foreign companies. Should limits to cabotage be lifted on a European scale, we would be in a situation allowing companies from low-wage countries to operate extensively in higher-wage countries, all while paying drivers lower home-country wages. Rules on cabotage exist to limit to unfair competition and mitigate the risk of exploitation of workers. It is surprising that these rules could be suspended in the absence of any justification for why this is necessary.

Another example is the lifting of traffic restrictions during weekends, public holidays, national celebrations and nighttime, foreseen in article 12. This means transport workers, most of whom already very fatigued, will have to be working under increased strain, performing military transport, at times that are normally dedicated to being with one's family or resting. One can legitimately wonder what the justification is for derogating to ordinary rules in the absence of an emergency.

ETF recommends the following:

- ▶ Implementation plans for this regulation must be set up at national level to negotiate, in advance, changes in organisation of the work and working conditions, in the 'new standard' and EMERS scenario, and in the transition between them. Such plans must be drawn up with the full involvement of social partners, and, where applicable, sectoral social partners in the transport sub-sectors concerned by military mobility.

- ▶ A Member State wishing to lift cabotage rules for military transport should demonstrate that it is necessary for one or several operations in particular.

2. An exceptional framework that fails to justify its existence

(i) *The absence of a threat element*

The regulation and the joint communication generate confusion around the purpose of military mobility plans. While the language used is that of emergency ('facilitate military transport in response to temporary, extraordinary and urgent situations'), leaving the reader to assume the measures proposed are meant to respond to an attack, interference or a threat, the actual conditions for activating the emergency mechanism are very broad.

ETF and transport workers know only too well what 'extraordinary' or 'urgent' circumstances might mean for them. During the Covid-19 pandemic in 2020, disproportionate and harmful derogations to the social Union acquis in transport were taken. This was particularly the case in road transport, where drivers had to undergo tough conditions following derogations to the driving and rest time regulation: some had to spend up to 12 days confined in their vehicle. ETF has pointed out these derogations were unnecessary⁸.

Based on article 19, the activation of EMERS would require two simultaneous conditions: an existing or expected need for significant higher volumes, frequency or speed of military transport in the Union, and an inadequacy or insufficiency of existing rules to meet the need. Recital 23 complements article 19 by listing a few examples of situations that could cause an increased need for military transport.

Firstly, ETF takes issue with the extreme vagueness of these conditions. Even with the examples brought by recital 23, we might end up in a situation where EMERS can be activated without a defence emergency. In the current wording of article 19, an ordinary military transport bottleneck would meet the threshold to activate EMERS, with no need for any threat or actual danger to the security of the Union or a Member State. It also seems as though a lack of contingency planning for the increase of military transport would be sufficient to trigger EMERS, as opposed to a structural deficiency of the transport network and rules. **There is also no quantifiable element that the Commission or the Council is required to provide in order to demonstrate the need to derogate to staple rules in the area of transport.** If criteria are not established in advance, there is a risk that emergency allegations take precedence over the proportionality of the activation of EMERS, even in the absence of a 'real' emergency, particularly as both the Commission and the Council will have very little time to gather the relevant expertise and make a decision. As we show throughout this paper, the EMERS rules will have very a material impact on civilian transport workers' tasks and working conditions, therefore they should be activated only when necessary and not for trivial reasons. Derogations already exist to ordinary rules for situations such as floods or natural disasters, therefore to justify its relevance it would only be appropriate that the level of emergency required to appeal to the derogations foreseen here, is elevated. Transport workers should not have to pay the brunt for poor planning in non-critical contexts.

Secondly, the system can be activated for up to twelve months (to be specified by the Council in its implementing act), but there is no plan for any kind of shorter-term review of the necessity to apply the emergency measures. This absence allows an exceptional regime to become protracted without justification and should be rectified.

⁸ European Transport Workers' Federation, 'ETF Calls for No More Derogations to Driving and Rest Time' (2020): <https://www.etf-europe.org/etf-calls-for-no-more-derogations-to-driving-and-rest-time/>



Last but not least, while we trust the Commission does have defence and deterrence in mind with this proposal, it should be made clear in the text that EMERS may not be activated to fulfill military transport needs of Member State(s) following a breach, by them, of international law.

(ii) An increased strain on transport workers in emergency

Under the enhanced response system, **article 21** foresees the **interruption, postponement or cancellation of ongoing or planned transport services or operations, in order to allow for priority access to military transport**. This would concern railway, ports, inland waterways and air transport, and transport users affected by this priority access would not be entitled to any compensation. While it is legitimate to ensure priority access for military transport, transport workers risk bearing the brunt of delayed or cancelled transport services with no compensation for civilian users. Not only might they have to work longer hours to complete the delayed or cancelled operations, they will also be dealing firsthand with passengers' and operators' frustration. Increased strain and entitlement to compensation must be discussed.

Article 26 and 27 allow for exemptions in road transport in particular, from cabotage rules for both haulage and passenger transport, and driving times and rest periods. As we explained earlier in this paper, lifting cabotage limits across the Union would exacerbate the capacity of companies from low-wage countries to operate in higher-wage countries, all while paying drivers lower home-country wages. Moreover, article 27 paragraph (g) proposes something very harmful: drivers could be made to drive 12 weeks with only one 24-hour rest. The rest of proposed changes on driving times and rest periods may not look so drastic at first look, but they must be understood in the context of a continuous erosion of rules on rest times. The Covid-19 pandemic is a recent illustration: extended derogations led to excessive working hours, increased fatigue, and deteriorating working conditions⁹. These measures contributed to many international truck drivers leaving the profession. Further weakening driving and rest time protections would make it extremely difficult to recruit and retain drivers for military transport operations. According to figures from the International Road Transport Union, we might be looking at 275 000 unfilled drivers vacancies by 2028¹⁰.

In the absence of a well-defined framework applying when strictly necessary, the measures are disproportionate. Moreover, allowing for flexibility in extraordinary times does not preclude guaranteeing protection, compensation, and respect of minimum safety rules.

ETF recommends the following:

- ▶ Setting clearer cumulative conditions of activation of EMERS that need to be demonstrated, meaning, in addition to the two foreseen in the regulation: the existence of an ongoing or expected crisis or threat; and an insufficiency of localised or national measures to meet the needs for military transport. EMERS may not be activated to fulfill military transport needs of one or several Member States caused by those same Member States having acted in breach of international law.
- ▶ Establishing a mandatory assessment of the necessity to keep applying EMERS after 3,

⁹ These derogations typically included increasing daily driving time (often from 9 to 11 hours), reduced daily rest (from 11 to 9 hours), increasing weekly driving time (from 56 to 60 hours), postponing weekly rest (often from 45 to 24 hours) and allowing drivers to sleep in the cabin, permitting two consecutive reduced weekly rests (with later compensation), and raising the fortnightly driving limit from 90 up to 120 hours.

¹⁰ International Road Transport Union, 'Europe's Bus and Coach Driver Shortage Widens to 54% with Grim Outlook for 2028' (2023): <https://www.iru.org/news-resources/newsroom/europes-bus-and-coach-driver-shortage-widens-54-grim-outlook-2028>



6 and 9 months. It should not be possible to extend the application of EMERS, even once, without a re-assessment by the Commission of whether the conditions pursuant to paragraph 1 continue to be met.

- ▶ If the increased pressure on workload caused by priority access to military transport is not addressed in existing agreements containing provisions in case of delays, postponements or cancellations, national implementation plans should cover them.
- ▶ Cabotage rules for military transport carried by civilian operators should be lifted only on the territory of the Member State(s) requesting the activation of EMERS, with the possibility for other Member States to lift the restrictions on their territory voluntarily.
- ▶ Derogations from EU driving and rest time rules foreseen in article 27 should not exceed the national derogations adopted during the COVID-19 pandemic, and must apply only to military operations. Paragraphs (d), (f), (g) and (h) cross this line and are not acceptable.
- ▶ Making it the responsibility of civilian road operators contracted by Member States' armed forces to perform military transport to ensure that drivers have all necessary documents in case of roadside checks, to justify operating under the derogations of the military transport.

3. A requisitioning framework

Article 38 enjoins Member States to adopt, or adapt their existing frameworks to 'issue, as a last resort, orders to obtain the temporary control or right of use over an infrastructure, asset or equipment located on its territory which is necessary for the execution of military transport operations', essentially requisitioning frameworks.

First of all, ETF welcomes the fact article 38 does not mention the requisition of workers. Moreover, though neither 'infrastructure', 'asset' or 'equipment' is defined, one can reasonably expect these terms are not intended to include workers. Requisitioning of workers is regulated by national legislation, and Member States are free to characterise a 'last resort' situation as they please, as they are free to adopt frameworks to requisition workers. However, in the absence of clearly defined levels of threats attached to the various levels of response, including on 'last resort', and given the practice, common in civilian transport, of leasing equipment and crew (wet-leasing in aviation for instance), it should be clearly stated that workers are not meant to be included in article 38.

ETF takes the opportunity to underline the absence of a European framework for requisition (whether assets or personnel), in a sector characterised by a high degree of cross-border mobility, can generate legal uncertainty in a time of crisis. Several Member States may attempt to requisition the same asset or personnel based on different claims to requisition (based on country or citizenship/ownership or based on the territory of residency/location). The same unclarity prevails concerning the opportunity to requisition assets or citizens from third countries working or located in Europe. Proper planning for readiness calls for clarification on these questions, well in advance of a crisis.

ETF recommends the following:

- ▶ ETF opposes any automatic requisition of staff attached to requisition of infrastructure, asset or equipment. Article 38 should state that its provisions cannot be interpreted in a way that calls for workers to be included in the requisition plans, and that workers or crew can never be automatically requisitioned together with infrastructure, asset or equipment.
- ▶ Introduce an obligation for Member States to carry out, in the event of resorting to



requisition, as much as feasible and in an expedited format if necessary, an impact assessment of requisition measures on employment, industry, and society. This assessment should establish the necessity and proportionality of measures as per paragraph 3.

4. A lack of reflection on exit scenarios

With the possibility that EMERS stays in place for up to two years once activated, significant disruptions to ordinary working patterns would persist, possibly enough to durably shift the composition of the transport sectors. It would be welcome to organize modalities for exiting EMERS, first to ensure a smooth, safe transition back to 'normal', but also to avoid extraordinary measures becoming the new normal.

As for the requisitioning framework envisaged in article 38, no limit of duration is imposed. It is positive that frameworks under article 38 will entail compensation for the expenses incurred and damages for owners and managers of affected infrastructure.

ETF recommends the following:

- ▶ Include transition back to normal in negotiations on national implementation plans.

III. The lack of safeguards for workers' rights

1. The definition of an emergency

The proposal organises a system designed to speed up and facilitate military transport in critical situations, where needs cannot be met with current rules or network capacity. As ETF has pointed out repeatedly, a strike by transport workers can never be considered a crisis situation, in itself. This has been confirmed by the Court of Justice of the European Union (CJEU) in the following terms: 'a strike nevertheless remains one of the ways in which collective bargaining may manifest itself and, therefore, must be regarded as an event inherent in the normal exercise of the activity of the employer'¹¹. Despite this case-law, the current wording of article 19 is too vague to rule out that a strike can be interpreted as causing the gap between needs and capacity foreseen at paragraph 1. This loops back to what we said in section II. We cannot have a broad definition of the extraordinary framework, in which any normal disruption of activities, like a strike, can be treated like a military transport crisis, and trigger the activation of EMERS.

In fact, beyond EMERS, **article 34** leaves another door open to undermining the right to collective industrial action. Member States, owners, operators and managers of Strategic dual use infrastructure (SDI) shall take measures to protect their SDI 'against all hazards' and 'ensure effective operations at all times', in accordance with Directive (EU) 2022/2557 on the resilience of critical entities. There is no exhaustive list of the disruptions those actors should take measures against, or exclusions. Many transport services fall under the scope of Directive (EU) 2022/2557, which recognises Member States' ability to take emergency measures to ensure the continuity of service of critical entities during a crisis. Since the Directive does not explicitly exclude collective industrial action from the list of events that Member States may take measures against, **ETF calls for a clear statement that collective industrial action cannot in itself be considered an event that can trigger the activation of EMERS, or any measure to enhance resilience under article**

¹¹ Airhelp Ltd v Scandinavian Airlines System (C-28/20) EU:C:2021:657; Organisationen Danske Slagterier v Germany (C-338/89) EU:C:1991:61.



34 of the Regulation. This is nothing unseen before in EU law – in fact such statement is present in the 2017 Port Services Regulation (article 7.4)¹².

ETF demands the following:

- ▶ The insertion in article 19 of the following paragraph 'Collective industrial action that takes place in accordance with national law shall not be considered a situation for which EMERS might be activated.
- ▶ The insertion in article 34 of the following paragraph: Collective industrial action that takes place in accordance with national law shall not be considered an event against which Member States or the Commission may take protection and resilience measures.

2. The non-obligation to participate in military transport

The fundamental right to conscientious objection is recognised by various international and European texts, such as the International Covenant on Civil and Political Rights and the EU Charter of Fundamental Rights, though it is mostly governed by national laws. It is also something the Trade Union movement, ETF actively included, is dearly attached to. The right to conscientious objection is absent from the Commission proposal, which is not particularly surprising considering that the proposal does not mention workers once. With the ambition to have a large portion of the EU's transport network for dual use, and the military having little to no capacity of its own in certain sectors like rail, civilian transport workers are implicitly expected to contribute to military mobility efforts. There are no provisions for what happens if a worker exercises their right to conscientious objection by choosing not to partake in military transport operations. For transport workers with a status of civil servant, the question is more acute yet. Legal clarity is needed on this. ETF is in favour of full transparency on the purpose of tasks of a dual use nature, as well as on risk areas, and a non-obligation to participate in military transport, extending to all workers in the public and private sectors alike. ETF also wants to be clear that its affiliates will not be bound to accept derogations or other emergency measures based on a need for military transport in violation of international law.

Besides, in the scenario of a crisis or war, workers must have the right to refuse to carry out operations in or over (in the case of flying) high-risk zones, whether civilian or military transport in fact. Where they agree to undertake such operations, they must be protected by law and/or collective agreements. In the maritime sector, the ITF-IBF framework agreements concerning Warlike Operations Areas and High-Risk Areas, for instance, cover entitlements to additional pay, benefits, evacuation rights and insurance coverage.

The Solidarity Pool (article 35) and the Member States temporary-control-or-right-of-use frameworks (article 38) leave uncertainty as to whether workers are to be included. The Solidarity Pool refers to 'transport and logistics capacities', which, read in conjunction with article 3 paragraph 13 which includes personnel in the definition of capacities, could be interpreted in a way that civilian workers are capacities that can be registered in the Pool and made available to other Member States. ETF firmly opposes this possibility.

ETF recommends the following:

- ▶ The fundamental right to conscientious objection is recognised by the EU Charter. Civilian transport workers must have the possibility to refuse military transport or activities supporting military transport, without fearing reprisal.

¹² Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports [2017] OJ L57/1, art 7 paragraph 4



- ▶ For the above, it is paramount that workers are informed in a timely manner of the purpose of operations, particularly dual use operations with a military purpose.
- ▶ Specifying that the regulation does not restrict or undermine the right of workers involved in military transport to refuse to participate in operations conducted in, or over, conflict zones, warlike zones or other high-risk areas, without reprisal; where a worker expresses their consent, they are entitled to enhanced protection measures and corresponding compensation provided for in applicable Union or national law, as well as in relevant collective agreements. Workers must be informed of the classification of the area and the level of risk involved.
- ▶ Civilian workers are excluded from the Solidarity Pool and requirements on national requisition frameworks.

3. The proportionality of exceptional measures

It is essential that measures taken during the activation of EMERS remain proportionate and justified, and must be designed to be clear, predictable and agreed in advance of a crisis.

First of all, article 19 paragraph 2 foresees that the Commission, prior to requesting activation of EMERS or in parallel, shall conduct an impact assessment of this activation on the functioning of the internal market, and possible needs for mitigating measures. ETF argues that if there is time to assess impact on the internal market, there is time to assess, crucially, impact of fundamental and social rights, in particular for transport workers in Europe.

Second, with the activation of EMERS carrying concrete consequences for transport workers' working times, safety and other working conditions, it is fundamental that the exact conditions of deployment are negotiated, with social partners. This should include mechanisms to resolve disputes and provisions on health and safety, and wherever applicable, compensation for the increased strain. While the right to strike may legitimately be suspended in security crises¹³, it must be preserved as much as possible.

ETF recommends the following:

- ▶ The introduction of a fundamental rights impact assessment as part of, or in addition to, the internal market impact assessment to be conducted by the Commission.
- ▶ National implementation plans shall be negotiated with the full involvement of social partners, and, where applicable, sectoral social partners in the transport sub-sectors concerned by military mobility, to define the modalities of work during EMERS, appropriate training, among other.
- ▶ Reminding that even under extraordinary circumstances, the right to strike is a fundamental right guaranteed by article 28 of the Charter and should be preserved as much as possible.

4. Governance and the role of social partners

In connection to the above, it is **crucial that social partners be consulted, both** on the conditions of activation of EMERS, and on the measures to deploy in case of activation of EMERS or disruption

¹³ Point 4.1 of European Transport Workers' Federation, ETF Briefing Paper on Military Mobility and Preparedness (2025): <https://www.etf-europe.org/resource/etf-briefing-paper-on-military-mobility-and-preparedness/> <https://www.etf-europe.org/resource/etf-briefing-paper-on-military-mobility-and-preparedness/>



to an SDI. ETF is dismayed to see there is no plan to consult social partners at any point. In fact, the Military Mobility Transport Group will not mandatorily comprise any civilian transport and logistics sector representative. If we are serious about transport network preparedness and the key role of dual-use infrastructure, social partners must be part of the governance of military mobility, for their expertise and experience of the sector, and because of the impact of military mobility plans on work and management in civilian transport.

In addition, and given the Commission is always mandated to consult the Military Mobility Transport Group, social partners' experience and ground insights of the sector are also indispensable in the negotiations of this very regulation, national implementation plans, any impact assessment prior to activation of EMERS, and the evaluation on the application of the regulation.

ETF recommends the following:

- ▶ Any implementation plan for this regulation, in particular under EMERS conditions, covering training, working conditions and compensation, or occupational safety and health must involve social partners
- ▶ Member States shall consult social partners in the elaboration of requisition plans
- ▶ Adding the possibility for social partners to be invited to participate in meetings of the Military Mobility Transport Group.

IV. Guaranteeing the safety of transport workers

Transport is a highly safety-critical sector with an array of legislation in place to guarantee safety of operations, personnel and third parties. Transport of military goods, personnel or equipment is bound to be more dangerous than civilian transport from the outset, and it derogates to some of the very measures destined to ensure transport safety. Safety must be central in Military Mobility plans and reflected on staffing, infrastructure and equipment, and training.

1. Safe levels of staffing

As we explained above, shortages lead to a workload being distributed across a reduced pool of workers. In other words, workers may be stretched thin to deliver the work, particularly so in workplaces with an obligation of continuity of service. This leads to unsafe operations for these workers in understaffed services: not only threatening their immediate security and that of operations, but also causing stress and fatigue.

Labour shortages in transport in times of peace, mean understaffing in times of crisis. Nobody wants sleep-deprived, overstretched drivers transporting dangerous cargo across Europe.

The only way for safe levels of staffing in an emergency is for the European Commission, Member States and employers to invest in the transport and in the attractiveness of its jobs to attract and retain transport workers.

2. Safety of infrastructure and equipment

Beyond the issue of transporting military cargo, looking at the practical aspect of such an operation raises the question of how this cargo will be protected. Military cargo is of high value and risks being the object of theft, destruction or sabotage by third parties. This represents a risk for workers transporting it as they risk themselves becoming a target of malicious actions. They cannot be expected to guarantee the safety or security of military freight on their own. In the case of road



drivers, they will inevitably have to take rest during a long haul journey. The lack of safe and secure parking areas in sufficient numbers further increases the risk of theft, damage, or harm. Civilian transport workers cannot assume liability for this cargo. The Commission proposal foresees guard or police force 'escorting' military transport operations, but ETF remains sceptical about the feasibility of this on a large scale.

Military equipment is oftentimes oversized and heavy, sometimes falling into the category of 'abnormal military cargo' when it exceeds certain parameters. This puts strains on critical transport and logistics infrastructure such as roads, rails, bridges, cranes, berths... Article 32 identifies some of the upgrades to infrastructure that are needed to prepare the transport network. ETF insists on the absolute necessity to ensure that infrastructure has been made safe for military use before military transport is carried out.

Rail being the safest mode of transport for hazardous or oversized military cargo – in fact often the *only* safe mode – calls for an upgrade of Europe's railway network, and investment in freight capacity, backwards to decades of underinvestment.

Under EMERS, article 29, restrictions on air quality and noise control in place at ports and airports will be lifted. Transport workers on these sites normally are trained and equipped with protective personal equipment to face straining conditions. Adaptations of health and safety rules must be planned, in full consultation of social partners, to ensure workers' safety under at all times, and, potentially, adequately reflect the increased strain on workers on their wages or benefits.

ETF recommends the following:

- ▶ Liability for the security and integrity of military cargo must not remain with the workers.
- ▶ Contingency safety plans must be prepared in workplaces, with full participation of Trade Unions, well in advance of the activation of EMERS.

3. Training for military transport and emergencies

Military transport is likely to entail non-standard, complex transport operations, particularly in times of emergency. In hostile contexts, workers may have to carry out their duties in the wake of a cyber-attack, with communications systems down. In practice, we already see shortcomings with civilian transport in times of outage of digital systems: airlines personnel are not properly trained to carry out manual check-in, causing significant delays.

Military materiel requires specialized handling and sometimes involves dangerous goods. Civilian workers are generally not trained for this additional risk on their health and safety. In fact, what ETF affiliates are witnessing is that training levels are on the decline in key transport sectors, where accidents have happened involving personnel that had not completed the mandatory training hours required for civilian tasks. It cannot be stressed enough: for their own safety, and the safety of operations and the broader public, transport workers engaged in military mobility must receive the highest standards of training.

Military secrecy often means less information for the workers, which might put their safety at risk. In the context of dual use operations or in dual use spaces, confidentiality must be balanced with the need for transparency towards workers. This calls for specialized training on relevant military knowledge and procedures and continuous information of workers.



ETF recommends the following:

- ▶ Training for military mobility must be negotiated with Trade Unions. Its cost must not be borne by workers.

V. Reversing declining ownership and control of strategic infrastructure

From an operational point of view, ensuring the success of European military mobility plans also means ensuring European, public oversight over military transport capacities and operations. A lucid look at the state of transport systems tells us that liberalisation may play against Europe's interests, as it has diluted ownership of critical capacities to the benefit of private or non-EU entities.

1. The harm of liberalisation

The last decades of EU transport policies have been all about liberalisation, with competition imperatives introduced in all modes of transport. It has resulted in a race to the bottom in terms of working conditions and salaries, laying the foundation for the structural labour shortages we talked about in section I.

Another deleterious effect of these policies is that they have durably undermined the ability of States to face crises. Liberalisation has reduced incentives to make long-term investments in critical infrastructure. This is particularly evident in railway. For security reasons, only public railway companies with direct employment models should perform military mobility. However, liberalisation led to splitting of state railways into infrastructure managers and railway operators, generating coordination issues. EU transport policy has famously contributed to the fragmentation of European rail freight, leaving the few companies still financially afloat unable to maintain a fine network of connections, with many small operators not even owning their rolling stock.

Military mobility frameworks that do not envisage the reversal of historical mistakes such as privatisation and fragmentation are delusional. Military Mobility plans' success will to a large extent on the willingness to keep (or take back) Europe's railway network under public control and support integrated railway systems, combining infrastructure and operations. For security reasons, only state-owned railway companies are suitable for operating military train services, as personnel must meet elevated security requirements, including strong training standards. Subcontracting or the outsourcing of services to temporary staff must be strictly ruled out.

On top of this, backwards to a Cold War-times situation where the majority of transport infrastructure and operators were state-owned, military planners can no longer as easily count on civilian assets in their strategies. Requisition of assets might be an option for those assets having the country's citizenship, but it will not work for assets owned by third countries. ETF welcomes that the risks associated with foreign ownership or control of strategic dual use infrastructure are recognised and Member States are called to prevent and mitigate those risks. Trade Unions have warned of the dangers of selling critical infrastructure and assets to third countries, the case of the sale of the Port of Piraeus to the Chinese state-owned COSCO a very regrettable event that has concrete adverse consequences on Europe's resilience. Similarly, the widespread practice of flags of convenience whereby European shipowners can choose to register their flag in non-EU jurisdictions to evade, usually, social security regimes, and in this particular case, the possibility of



requisition by an EU State, undermines EU's military maritime transport capacity. Dual use ships should be under EU flags. In civil aviation, not least, looming liberalisation of ownership and control rules for European airlines threaten EU strategic independence.

ETF recommends the following:

- ▶ Acknowledging that the European railway policy has led to fragmentation of European rail freight, which is a liability in terms of societal resilience and military mobility readiness. Recognising the benefits of keeping Europe's railway networks with state-owned companies with adequate support for integrated railway systems.
- ▶ An ambitious call to maintain European ownership and control over critical dual-use infrastructure and assets, particularly Europe's railway networks and ships, rather than just mitigate the risks of foreign ownership.
- ▶ Recognising that only state-owned railway companies are suitable for operating military rail services and ruling out any subcontracting or outsourcing of military rail transport.

2. Private companies in Military Mobility

With EU transport policy having been driven by liberalisation for decades, the market has been increasingly filled with private companies. This privatisation brings opaque and complex corporate structures, diluting responsibility and weakening enforcement of legislation.

ETF is concerned about the potential consequences of private companies being involved in military mobility. In sectors with little separate military capacity and close to no civilian public capacity, such as road transport, it is inevitable that private companies will perform military transport. This is also organised by the regulation in different scenarios: during EMERS the Commission may assist Member States in contracting, or contract itself, relevant transport and logistic capacities (article 25), whereas article 39 recognises Member States may conclude framework contracts with dual-use transport service providers.

Fraud sensitive sectors, such as road transport and especially road freight, are rife with regulatory evasion, exploitation, liability dilution. The fact that some of these operators are under the control of third-country entities or third-country nationals can pose a risk when it comes to military transport. If dual-use or military contracts are opened to these operators, safeguards need to be in place: the companies need to be registered, they must be screened and security-vetted. For road transport, it is important to ensure that these companies have a genuine establishment and high compliance records. The current ERRU-register (European Registers of Road Transport Undertakings) is an EU-wide electronic system that interconnects national registers to allow Member States to exchange information on road transport companies' licences, infringements, and compliance with EU transport rules. As these civilian operators will operate on a different regime of derogations from some of the EU road transport rules (e.g. on the driving and rest time), the extension of ERRU is in the highest interest of fair competition and proper enforcement of these rules across the EU.

Procurement for the construction and operation of transport infrastructure and services, such as rail, falls under Directive 2009/81/EC on defence and security procurement. This allows exemptions from standard EU procurement rules, imposing enhanced requirements - including secure supply chains - on manufacturers and operators for them to be eligible to such contracts. There is particular cause for concerns as the European Commission has announced wanting to 'simplify' the



rules for defence and sensitive security procurement.¹⁴ It is crucial that there be oversight over whether private operators match security, health and safety and labour requirements.

ETF recommends the following:

- ▶ Introduce clear threshold criteria, at EU-level, for eligibility for military transport contracts for private companies, covering at a minimum a check on genuine establishment and high compliance and security vetting.
- ▶ The ERRU rules apply *en bloc* to civilian road operators doing military mobility, and the ERRU register introduces a dedicated section for the registration of civil road operators contracted by Member States' armed forces to perform military transport.

VI. Towards societal resilience

ETF recalls the vital role of all transport and logistics modes in prosperity, socio-territorial cohesion and broader societal resilience. ETF sincerely hopes that plans for military mobility can contribute to a stronger and more resilient transport system, improving in turn transport workers' employment and working conditions. Resilience goes hand in hand with well-funded and functioning civilian transport system, in which people want to work and enjoy quality employment, also for those modes or sectors not directly involved in military mobility (such as urban public transport). This must be considered when planning, upgrading or building new dual-use infrastructure, or negotiating training plans. In times of crises, as much as possible, options must be weighed and decisions made with a view to minimising the long-term employment, industrial and societal adverse consequences of stopping, diverting or repurposing transport infrastructure to do military transport.

ETF is aware that the proposal for a regulation is not focused on infrastructure, nor on funding. Still, we insist that they are two aspects crucial for well-functioning transport systems and therefore indispensable for the success of military mobility plans, since the military has very little own capacity.

Priorities for upgrading dual use infrastructure are identified in the regulation. Here, it is necessary to adopt a balanced approach. Safety of transport workers in all circumstances will inevitably require investment in training and infrastructure specific to military transport. At the same time, civilian parts of dual use infrastructure, and purely civilian transport needs, should not be sidelined. Civilian infrastructure requires urgent investment. On Europe's railway network, key routes and border crossings need to be electrified. Europe's rail freight capacity must be increased, as a strategic imperative and as the greenest way to move goods.

While many governments recognize the need for investment, fiscal constraints persist and some modes remains underfunded, not least Europe's rail. This underscores the need for increased European co-financing. We welcome the European Commission's plan to double the transport infrastructure budget in the next Multiannual Financial Framework (2028–2034) and call for an increase of the budget of the Connecting Europe Facility to 100 billion¹⁵. Any additional duties pertaining to military mobility placed upon its actors must have their dedicated resources, without

¹⁴ European Commission, Simplifying EU Rules for Defence and Sensitive Security Procurement, 25 November 2025: https://defence-industry-space.ec.europa.eu/simplifying-eu-rules-defence-and-sensitive-security-procurement-2025-11-25_en

¹⁵ European Transport Workers' Federation, Open Letter: Transport Coalition, 19 February 2026, <https://www.etf-europe.org/wp-content/uploads/2026/02/Open-Letter-Transport-Coalition--190226.pdf>



depleting resources allocated to existing commitments on civilian transport. This is valid for workers, social partners, but also the European Railway Agency, the European Aviation Safety Agency and the European Maritime Safety Agency, in particular in relation to their mandate to ensure safety.

To finish, going beyond transport, ETF recalls the necessity to promote security and resilience founded on peace, justice and the rule of law. This implies investing in conflict prevention, diplomacy and multilateralism.

ETF recommends the following:

- ▶ Upgrade transport infrastructure to ensure well-funded and well-functioning transport systems in Europe
- ▶ Refrain from diverting resources for civilian transport towards military mobility, in particular in the context of the negotiations on the coming Multi annual Financial Framework.