

STATEMENT

We, the Transport Ministers of Bulgaria, Hungary, Latvia, Lithuania, Poland and Romania expect with concern the forthcoming trilogue on the Mobility package I. At its launch, this legislation promised to make European transport fairer for workers and companies, more effective, and less climate damaging. Currently we see the package taking a wrong turn towards more emissions, supply chain disruptions as well as unfair and discriminatory rules towards workers and companies from Member States lying on the external borders of the EU.

The proposed **rule for the return of the truck as an establishment criterion** goes directly against the freedom of providing services under the Treaties, and will undoubtedly lead to more empty runs on Europe's roads and additional emissions. According to Eurostat (2017), the level of empty road journeys is already worryingly high. The rule for the return of the truck coupled with **a more restrictive regime for cross-trade operations** would make it even higher and counter the efforts of other climate-friendly regulations aimed at the reduction of CO₂ emissions of road transport.

We are also concerned about the **reference to Rome I Regulation**, which will cause legal uncertainty as it is not consistent with the posting model. Introduction of a new definition of establishment together with reference to Rome I Regulation could lead to serious limitations concerning possibilities of providing international transport services, except the bilateral ones.

The European economy, which is based on the mobility of goods, capitals, people and services, and the competitiveness of European companies will be affected by the increased transport costs that will incur through new **restrictive rules on cabotage** or the **excessive and disproportionate application of posting regulations** to the highly mobile international/cross-trade transport operations. The loss of transport competitiveness will lead to loss of jobs in many sectors of our economy.

As for the proposed **rule for the return of the driver**, we consider that in the present form it will affect the rights and fundamental freedoms of the workers by prescribing where should the resting period take place. In addition, due to the low availability of safe parking lots in the EU, **the ban on sleeping in the cabin** will in effect deteriorate drivers' quality of rest. We are indeed supportive of all measures meant to enhance the working conditions, work-life balance and safety for the transport workers. But these measures should be positive, gradual, based on real market possibilities and investment capacities, and proportionate.

In a recent letter, the Prime Ministers of our countries pointed out in detail the pitfalls and regress of the envisaged measures. We trust that the issues signaled by us and their collateral impact will be considered fully during forthcoming negotiations.

We are confident that it will be possible for negotiators to find well-assessed and acceptable solutions for all Member States, to adequately modernize the European road transport sector, increase competitiveness, preserve the Single Market and reach ambitious climate goals.