EUROPEAN CONFERENCE OF MINISTERS OF TRANSPORT
COUNCIL OF MINISTERS

Council of Ministers

HARMONISATION IN ROAD TRANSPORT

Social Aspects of International Road Freight Haulage:
Information and Policy Issues for Ministers

This document is presented under item 5 of the Council of Ministers’ agenda of 30-31 May 2000, for information and discussion.
SOCIAL ASPECTS OF INTERNATIONAL ROAD FREIGHT HAULAGE: INFORMATION AND POLICY ISSUES FOR MINISTERS

Background

The ECMT Council of Ministers, meeting in Warsaw in May 1999, considered “that it would be appropriate at the level of the ECMT to establish minimal requirements which would actively promote improved working conditions with regard to road transport activities, prevent distortions in competition, improve road safety, safeguard the health of workers in the sector and, in general, improve the quality of transport services”.

For that purpose, it instructed the Committee of Deputies to:

− “examine the possibility of drawing up minimum standards, valid in all ECMT Member countries, with regard to the organisation of working hours in the road transport sector;
− ensure that the said standards are consistent with those already in force with regard to driving and rest times;
− establish the successive stages of wide-scale harmonisation of access to the profession;
− specify and determine the aims of inspections, with a view to introducing regulations and improving their effectiveness;
− design instruments that will make it possible to secure the effective implementation of decisions taken with regard to the road sector and as wide a dissemination possible of the practices required amongst the parties concerned by them;
− link in future, any development of the ECMT multilateral quota for international transport with the efforts undertaken in this area;
− report to the Council, in a year’s time, on the progress made with the above tasks [CEMT/CM(99)13/Final].”

This note is intended to inform Ministers on the work carried out so far within the Conference.

Summary of discussions

It should be stressed at the outset that this topic “social aspects” was discussed more intensively than any other topic in the field of Road Transport over the last year. Issues concerning the definition of working time, average working week and compensatory hours, work breaks and night work, have all been examined by the Group. The right of mobile workers to be informed on legislative prescriptions and the links that could be made between the minimum prescriptions on working time and the development of the multilateral quota were also taken into consideration.

From the beginning, several European Union countries entered reservations on the wording of the definitions to be used in ECMT in view of the discussions in progress within the European Union. Some even preferred to wait for a European Union definition on working time before beginning any preliminary discussions in ECMT.
A supplementary difficulty arose from the fact that some countries are opposed to the inclusion of self-employed drivers in any definition, one of the reasons being the difficulty of enforcing the regulations for this category. It should nevertheless be stressed that self-employed drivers, both in Western and in Eastern Europe, are a substantial part, sometimes the most important one, of the profession and they can hardly be ignored at a time when distortions of competition might be worsened.

However, many countries were of the opinion that the lack of concrete conclusions in the EU and the current deadlock within the fifteen EU Member states should not prevent ECMT countries to look for areas of agreement among themselves wherever possible.

A number of Delegations of non-EU Member countries considered that a Draft Resolution could be drawn up and should enable all of the ECMT Member countries to reach a consensus. They would have liked to see a real discussion on the social aspects of road transport within the forum of the ECMT and thought that virtually all ECMT Member countries could subscribe to the social provisions contained in the document CEMT/CS/TR(99)19. This would permit the increase in the quota that many new Member countries had been expecting. They thought that it was not appropriate to base discussions in the ECMT on the still hypothetical outcome of discussions in the EU.

Another document was prepared to overcome the reservations expressed by several delegations from European Union Member states and to facilitate discussion on a less controversial basis [CEMT/CS/TR(2000)1]. This document was well received but did not obtain unanimous support because, on the one hand, it did not fully respond to the request made by Ministers in 1999, to draw up minimum standards relating to working time, and on the other hand, it was dealing only with driving time and rest periods, requiring therefore Ministers to link further development of the quota to the implementation of commitments they have already taken in other fora.

Some Delegates were nevertheless of the opinion that, even if the draft did not cover the requirement of Ministers concerning working time harmonisation, it represented progress, as far as it provided the frame for a common policy on controls and penalties, which at present does not exist, either through EEC Regulation 3820/85, or through AETR implementation, although work is in progress both within the EU and ECE/UN.

Deputies agreed at the last Committee to inform Ministers about these developments and to seek guidance on the outstanding issues.

Issues for Ministers

Ministers are asked:

- to note the results of the discussion on social harmonisation held in ECMT over the past year;
- to agree that the provisions contained in the Consolidated Resolution [CEMT/CM(2000)10], can all be considered as steps towards reducing distortions of competition among Member countries;
- to indicate whether this constitutes sufficient progress to enable further liberalisation of international road freight haulage, i.e. an increase of the multilateral quota;
- to provide views or suggestions on how social harmonisation can be advanced, taking into account the different views expressed so far.