



NLA position on cabotage

The road transport market in the EU is today in a crisis. Road hauliers are facing more challenges than ever. Some of these challenges reflect a natural competition in an Internal Market, but some of them reflect unfair competition caused by the fact that the Internal Market has serious shortcomings.

The new rules on cabotage has brought these shortcomings to the surface and caused serious disturbances in our national road transport markets.

United in the Nordic Logistics Association we support the Internal Market and the free movement of labour. But road transport distinguishes itself from other industries by ultimately being mobile. This creates situations where transport services are offered at prices, wages, social conditions, that national hauliers in our countries cannot compete with.

Liberalisation of cabotage need to go hand in hand with harmonisations of these differences. Otherwise the Internal Market will lead to unfair competition and a worsening of the social conditions in the road transport sector.

This is against the long term objectives for road transport. We want a sustainable sector, capable of financing investments in technology for the future, capable of offering quality jobs at competitive wages, and in a position to meet all legal requirements.

What we have today will not deliver these objectives.

Cabotage is by its nature a temporary activity. Otherwise the term would not have to exist. But a number of companies exploit, that our authorities do not set a limit for how many times a lorry, by doing international freight transport, can have the right to carry freight internally in our market. This makes cabotage in reality a permanent operation.

The transport and logistics organisations in NLA from Norway, Sweden, and Denmark fear, that the situation is running out of control. The lawmakers took such a situation into account, when adopting the new rules for cabotage. Art. 10 in the Regulation 1072/2009 gives the opportunity for the introduction of a safeguard mechanism, if serious disturbances of the national transport market and an excess of supply over demand are observed.

However, we must conclude that no one has the willingness to apply this safeguard clause. This leads to a serious problem with the existing legislation. On one hand the rules are applied in such a way, that they are de facto a full liberalisation in some countries, on the other hand the authorities claim not to have the competence to stop the unfair competition and social dumping.

We cannot accept this situation. Cabotage operations must remain within a limited framework as long as the social and fiscal conditions within the EU are not yet harmonised. Cabotage operations need to remain limited, temporary and linked to an international transport, in order to ensure a fair and equal competition between the member states.

In view of the present situation in the market we call for a clarification of the existing rules for the purpose of ensuring that these operations remain limited. In particular we call for

- a definition of the 7-day period to reflect that 7 days must pass before a new round of operations can start
- a clearer definition of what is one operation in order to prevent permanent and systematic operations
- a joint liability with other parties in the transport chain to ensure that the rules are respected
- the possibilities and obligations of member states to control and enforce the rules must be improved and increased

Furthermore, the rules on cabotage are in fact only rules for the vehicles. They must be accompanied by European rules on the social conditions of the international driver and a regime must be introduced which is adapted to the situation for highly mobile workers is introduced.

Only this way can a true Internal Market for hauliers, vehicles and drivers be established and maintained.

We call for a revision of the present rules to reflect these concerns.