



## Maintaining the Single Market – Re-affirming the free movement of goods, services and workers in the Single Market during the COVID-19 outbreak

The outbreak of the Covid-19 pandemic heavily disrupted the integrity of the Single Market and therefore the life of citizens and enterprises all over Europe. In many countries, public gatherings have been restricted or forbidden and the economic production was reduced to a minimum. A widespread reaction was also the introduction of border controls and health checks.

The Chamber network therefore fully supports the implementation of the [guidelines](#) on internal border management measures in the EU as well as the subsequent [Communication on the implementation of the Green Lanes](#). These publications rightly underline that the integrity of the Single Market cannot be put into question.

We have unfortunately found that the measures taken at the (internal) borders continue to lead to massive impediments in the movement of goods, services and workers within the Single Market, thereby disrupting value chains throughout Europe with a big impact in the EU, the global economy and European citizens. This has showed how integrated European value chains are and how dependent the Member States are on each other for the supply of basic goods and services. Traffic jams at the European borders have made us drastically aware of the need to coordinate controls at border crossings. More cooperation is needed between the Member States to guarantee the functioning of the Single Market in the midst of a crisis.

It is of essential importance that all Member States recognize the crucial role of the transport system in the current crisis in order to guarantee the supply of goods under all circumstances. Furthermore, guaranteeing the free movement of all service providers and workers is also paramount to maintaining value chains within the EU.

In this context EUROCHAMBRES wishes to contribute to a more European, efficient and coordinated approach among Member States regarding the movement of goods, services and workers in the Single Market and therefore proposes the introduction of the following measures:

### 1. Removal of border controls as soon as sanitary situation permits

Border controls within the Single Market shall be removed as soon as the sanitary situation enables it. Health remains a priority and Member States are now elaborating strategies to lift containment measures while observing strict health protection rules in their territories. Instead of resorting to unilateral controls at national borders, a coordinated approach of the Member States, including digital solutions, would be much more efficient in order to preserve the integrity of the Single Market in a crisis situation.

## **2. Better information of the public and coordination between Member States**

Many companies have turned to the Chambers of Commerce to obtain information about goods traffic and the movement of (transport) workers and service providers at internal border crossings within the Single Market. While various Chambers have provided companies with comprehensive information about the situation at the various borders, in practice it has turned out to be difficult to obtain information on the situation in the individual countries. Often, official information is only available in the national language of the country concerned and is only translated into English or other languages at a later moment. Member States should therefore always provide information in the national language and in English to improve transparency and intelligibility of the measures introduced due to the pandemic. Furthermore, the information provided by Member States is sometimes obsolete. Member States should be strongly encouraged to provide up-to-date information.

Furthermore, Member States should coordinate their measures. For instance, they should recognize health checks carried out by other EU-countries. For example, if a truck driver has to drive through two different EU-countries that impose health checks, the second country should not test the driver again, and by doing so improve the flow of goods at the border crossing. The measures of the Member States should be coordinated, and in the best case aligned (or even the same) in all Member States.

The newly set up Single Market Enforcement Task Force (SMET) has exactly been created to foster exchanges between the Commission and the Member States. Stakeholders and the European Parliament should also be systematically informed about the discussions taking place in the group in order to allow them to inform the Commission better about the most pressing issues at the internal borders of the EU. The SMET could work as central information point on border measures adopted by the Member States.

## **3. “Green lanes” for the transport of goods**

Wherever physically possible, the competent authorities should introduce “*green lanes*” at the border crossings to facilitate the flow of goods. As most major border crossings are along motorways, these lanes should be used for vehicles transporting goods and one lane in particular should be signed out as “*green lane*”.

## **4. Maximum waiting time of 15 minutes for good transports at the border crossings**

As already proposed by the European Commission, the waiting time at the border for good transports – including checks and health screenings of transport workers – should not exceed 15 minutes. Today, however, the waiting times at many European borders still far exceed 15-minutes. Procedures should be minimized to what is strictly necessary and health checks should be mutually recognized. There is no need for a single driver to be checked at various borders for the same delivery. Furthermore, to fasten the procedure, border controls should be standardised at European level. The incorporation of new digital tools to attend this need should be assessed to alleviate and reinforce the normal functioning of our Single Market.

## **5. Coordinated exemptions from traffic bans and driving times**

Many Member States have recognized the importance of maintaining the supply of goods. For this reason, they have temporarily suspended the weekend traffic bans in their countries and/or relaxed the driving and resting times of drivers in these difficult times. While as such, this is a commendable policy, it has led to each country adopting its own national regulation. In practice this leads to a patchwork of national regulations creating considerable uncertainty and difficulties for the

international transport of goods. Situations arise in which drivers can be fined in one country for exceeding the permitted driving time, even though they have legally performed this driving in another Member State. The exemptions of driving and resting times as well as of weekend driving bans are essential for the fluidity of traffic, however they need to be commonly defined by the European Union in order to give the transport companies a common EU-wide framework which they can adhere to.

## **6. Reduce bureaucracy and uncertainty for all workers and service providers at border crossings**

The free circulation of all workers and service providers is guaranteed under the treaties. Limiting the movement of the workforce has a direct negative impact on European economic activity, particularly for companies employing cross-border workers.

In addition, enabling only the free movement of workers in so-called 'essential occupations' threatens value chains. The definition of 'essential' occupations' is indeed extremely problematic, given the EU interdependence of sectors in the supply chains. Hence, it risks being too restrictive by nature and thus not proportional to the aim pursued, as well as being open to differing interpretations among Member States. Finally, implementation will certainly lead to practical and bureaucratic difficulties.

In the current situation, new national rules applicable for the border crossing of (transport) workers lack clarity and can change rapidly. Many Member States have created new border crossing forms for truck drivers and cross-border workers. These forms are solely specific to a Member State and often only available in the national language. This creates bureaucratic burdens and uncertainties for businesses and causes congestion and delays at border crossings.

Where border controls are in place, it would be advisable for the Member States to agree on a common form for the border crossing of transport workers, as well as for other categories of workers. Such a form should be minimized to what is strictly necessary. To support the Member States in this process, we call upon the Commission to make available a single standard template containing a translation in all EU-languages directly usable by any country. (Transport) workers would thereby need only one form for all border crossings within the EU. Since the form would be standardised, it could be filled out in English or in another EU-language, and understood and recognised by any border official. Furthermore, in the current situation the use of e-CMR should be adopted by all Member States, in order to reduce physical contact in exchanging paperwork.

Additionally, the free circulation of service providers in the Single Market should be ensured at all times: any applicable border controls regarding service providers should be clarified and kept at a minimum.

## **7. A better work environment for drivers**

The health and safety of the truck drivers must be considered a priority. It must be ensured that all freight vehicles and drivers are treated in a non-discriminatory manner. Common guidelines for the drivers are needed. Every driver should be provided with disposable gloves, and to the extent available, other PPE such as masks and disinfectant. In addition, at border crossings as well as during the loading and unloading process, the driver should remain in the cabin to minimize contact with other people. Personal contact should also be avoided as far as possible when handing over the freight documents. Today there are already various national codes of conduct for truck drivers, but here too a uniform European code of conduct would be desirable.

At present, truck drivers work under increasingly difficult conditions. The lockdown has led to the closure of motorway service areas in some Member States. These closures mean that drivers often have no proper access to sanitary facilities and food. It is of the utmost importance that we guarantee truck drivers appropriate access to clean, disinfected toilets and food. The Member States must ensure that the drivers' provisions are guaranteed. A best practice example in this case is France, which has published a map showing all the service areas that are open. This allows drivers to plan their breaks accordingly.

EUROCHAMBRES urges the Member States and the European institutions to implement bold and coordinated measures reflecting the points above in order to tackle the problem of the supply of goods in the Covid-19 crisis. The European Chambers of commerce and their members support this process. They represent the European connectivity and stay ready for participating and supporting the decision-making process with professional knowledge at EU-level.

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EUROCHAMBRES – The Association of European Chambers of Commerce and Industry represents over 20 million enterprises in Europe – 93% of which are SMEs – through 45 members in 43 countries and a European network of 1700 regional and local Chambers.

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