

(English version)

**Question for written answer E-001659/24
to the Commission
Claudiu-Richard Târziu (ECR)
(9 September 2024)**

Subject: Request for clarification of legal exemptions for Ukrainian lorry drivers transiting Romania

In June, an update and extension of the Road Transport Agreement between the European Union and Ukraine was officially signed in Brussels. Thanks to this agreement, Ukrainian exports to Member States have increased, resulting in huge dissatisfaction among Romanian carriers. According to their representatives, the Commission has concluded that Ukrainian lorry drivers can now only be stopped at customs or during traffic checks under exceptional circumstances. Ukrainian transport operators are no longer subject to routine checks to verify compliance with legal requirements. These exemptions raise concerns about unequal treatment compared to other transport operators.

1. Given that Romanian carriers, as well as foreign carriers transiting Romania, are required to comply with all legal regulations and face sanctions for non-compliance, why are Ukrainian transport operators not held to the same legal standards?
2. Considering that authorities allow lorries transporting goods from Ukraine to transit freely, who ensures that these carriers are not involved in human trafficking, drug smuggling or other illegal activities?
3. Given that Ukrainian lorry drivers appear to be exempt from the rules and general regulatory standards, how does the Commission consider this situation to be compatible with the principles of fairness, the right to safety and fair competition?

Submitted: 9.9.2024

**Answer given by Mr Hoekstra on behalf of the European Commission
(30 October 2024)**

1. Under the Agreement between the European Union and Ukraine on the Carriage of Freight by Road signed on 29 June 2022 ⁽¹⁾, Ukrainian hauliers are granted only limited rights for access to the EU market compared to the rights of the hauliers established in EU. The Ukrainian operators are only allowed to perform bilateral transport operations from or to Ukraine and transit the EU territory in case of operations with third countries. They do not have the right to perform cross border trade between Member States or cabotage within a Member State, unlike European hauliers. Ukrainian hauliers are required to comply with all the obligations resulting from the Agreement. Member States have the responsibility to enforce these obligations including by laying down effective, proportionate and dissuasive penalties.

The amending Agreement between the European Union and Ukraine signed on 20 June 2024 ⁽²⁾ has clarified and reinforced control measures to enhance its implementation ⁽³⁾, including a system for monitoring compliance of road haulage operators.

2. The Agreement does not affect the competence and responsibility of Member States to control road transport activities, including to ensure that they do not involve any criminal or illegal activities such as human trafficking or drug smuggling.

3. Under the Agreement Ukrainian haulage undertakings are not granted the right to compete with EU hauliers for intra EU trade. Ukraine is a member of both the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport ⁽⁴⁾ and the European Conference of Ministers of Transport (ECMT) Multilateral Quota System ⁽⁵⁾, Ukrainian haulage companies and drivers are therefore subject to the safety, social and competition standards contained in these agreements.

⁽¹⁾ OJ L 179, 6.7.2022, p. 4, ELI: http://data.europa.eu/eli/agree_international/2022/1158/oj

⁽²⁾ OJ L, 2024/1878, 2.7.2024, ELI: http://data.europa.eu/eli/agree_international/2024/1878/oj

⁽³⁾ EU and Ukraine update and extend Road Transport Agreement: https://ec.europa.eu/commission/presscorner/detail/en/ip_24_3382

⁽⁴⁾ https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-21&chapter=11&clang=_en

⁽⁵⁾ <https://www.itf-oecd.org/ecmt-road-transport-platform>