



Draft

**Policy considerations for a pandemic or other major crisis contingency plan for
European freight transport**



I. Introduction

The past months have shown us very clearly how important but also how sensitive the mobility and logistics sectors are. In many places, the spread of the COVID-19 pandemic led to curfews as well as a lockdown in the economy and public life. This also had a considerable impact on the transport sector.

In the months of March, April and May 2020, it would not have been possible to ensure the supply of the European citizens with everyday goods without the seamless transport of goods by rail, HGV, ship or aircraft. It has become very clear that **large parts of the transport and logistics sectors are systemically relevant for our community**. Supply chains do not end at national borders. We need to look at transport and logistics from a European and international point of view, also in times of crisis.

We have to develop, within the European Union but also together with non-EU Member States, a carefully thought through concept for ensuring the transport of goods by road, rail, waterway and air during a pandemic. Never again must we allow a crisis situation like the COVID-19 pandemic to abruptly interrupt (not even briefly) systemically relevant European freight traffic flows and logistics chains and to catch us unprepared. Creating reliable and robust supply chains – while observing the principle of subsidiarity – requires uniform and clear standards and emergency mechanisms for cross-border freight transport at all organisational levels as well as an efficient, resilient and modern transport sector and infrastructure. Only in this way will we be able to act jointly, rapidly and effectively when a crisis occurs.

We want to **draw on the experience** gained during the COVID-19 pandemic and **strengthen our cooperation**. In doing so, we have to carry on with the **important and good approaches** pursued during the past months:

- close coordination between the EU ministers of transport, with the involvement of the relevant government departments and agencies,
- regular exchange of information via the network of national contact points of the ministries of transport of the EU Member States under the chairmanship of the Commission,
- coordinated compliance with the recommendations and guidance of the European Commission by the EU Member States in their national measures,



e.g. the Guidelines for border management measures to protect health and ensure the availability of goods and essential services (C(2020) 1753 final) and the Communication from the Commission on the implementation of the Green Lanes under the aforementioned Guidelines (2020/C 96 I/01), as well as with the recommendations and guidance of the EU agencies,

- rapid, thought through and determined adoption of targeted legislative contingency measures of the EU for maintaining freight transport operations,
- regular exchange of information and coordination with associations of the transport and logistics sectors at national and European levels.

Together with the EU ministers of transport and in close cooperation with the European Parliament and the European Commission, the German EU Council Presidency would like to provide the impetus for further steps to prepare the European mobility sector even better for future pandemics. We therefore call for a European pandemic contingency plan for the freight transport sector, starting with those freight transport operations that ensure the supply of basic goods. We request that the European Commission act expeditiously and present an appropriate draft on the basis of the following action areas and benchmarks.

II. Action areas for a European pandemic contingency plan for the freight transport sector

During a pandemic, critical and systemically relevant infrastructures and transport services must be kept functional to the greatest extent possible. Moreover, the fastest possible resumption of critical and systemically relevant processes, which might be necessary after a pandemic has begun or subsided, must be ensured. A basic prerequisite for achieving this are clear guidelines and a sound organisation of responsibilities at European and national levels. Here, three action areas are important: maintaining freight transport operations, strengthening the self-reliance of the economy and guidelines for exemptions.



1st field of action: maintaining freight transport operations by specifying basic supply networks for road, rail and waterborne transport, if appropriate including cross-border detour infrastructures or by defining a basic supply infrastructure for air transport that depends on the given situation as well as by pooling information and digitalizing.

“We have to ensure the functioning of the cross-border transport of goods also during a pandemic to guarantee the supply of the population with basic goods and to keep the economy running.”

- **prioritising the cross-border transport of goods and ensuring the functioning of supply chains** to safeguard the supply of the population with basic goods and the operation of critical and systemically relevant transport infrastructures and services,
- defining **critical or systemically relevant transport infrastructures and services** throughout Europe (e.g. traffic management centres, air navigation services, signal boxes, locks, pilotage, etc.) to ensure the functioning of intermodal supply chains,
- defining a **basic supply network** across the road, rail and waterway modes (with the involvement of the respective sectors) whose functioning must be ensured during a pandemic and, if appropriate, a **basic supply infrastructure** for air transport that depends on the given situation, taking into account systemically relevant **transport hubs** (border-crossing points, airports, ports, transshipment terminals, etc.),
- examining whether it would be a good idea to identify **detour infrastructures** and specify usage requirements taking into consideration all modes of transport,
- setting up a **network of national commissioners for the maintenance of the free movement of goods** that coordinates decisions, serves as a contact point for industry, pools issues and forwards them to the competent bodies at EU, Member State, regional and local levels (e.g. expansion of the existing network of national contact points of the transport ministries of the EU Member States) and ensures the functioning of the international supply chains,



- considering **international agreements** laying down rules for maintaining freight transport operations to the greatest extent possible during a pandemic,
- creating an **EU situation centre** that is activated for the freight transport sector in an emergency and that is interlinked with the national situation centres; alternatively, if appropriate, evolution of the Emergency Response Coordination Centre (ERCC),
- EU-wide **pooling of information**, without reference to specific persons, on technical and organizational measures to be taken in the EU Member States and at EU level concerning industry and administration in the event of a pandemic; in doing so, creating a **digital platform** on which the individual regulations, status reports and checks are posted on a daily basis,
- increasing the level of **digitalisation** of
 - all systemically relevant infrastructures and transport services,
 - all freight transport processes and, in this context, in particular speedy adoption of the further legal acts provided for in Regulation (EU) 2020/1056 on electronic freight transport information as well as rapid implementation in all Member States,
 - all communication with public authorities (including approval procedures) as well as of official documents (including customs declarations and documents to ensure the freedom of movement of cross-border workers and commuters who are systemically relevant),
 - training courses for obtaining certificates of professional competence and training certificates (e.g. eLearning),
- continuing the **Galileo Green Lane App** for real time visualisation of congestion at European border-crossing points beyond the end of the first pilot phase in mid-September with the involvement of further Member States, including Germany.



2nd field of action: strengthening the self-reliance of the transport industry, recommendations on uniform regulations on health tests and coordinated exemptions from quarantine requirements in accordance with relevant national regulations

“We have to protect transport infrastructures, transport services and the people working in this sector.”

- strengthening the freight transport industry’s **self-reliance and self-organisation** by providing recommendations on
 - the appointment of internal **emergency officers**,
 - the preparation of **contingency plans** with fixed working groups to limit possible infections to the individual group and the creation of fact sheets with concrete recommendations for action for different work areas,
 - the building up of **backup personnel**, e.g. by providing staff usually engaged in other activities with additional training or by creating company-wide personnel pools, as coordinated by the associations,
 - the creation of **decentralised IT infrastructure** to be able to maintain operations and the provision of services in the event of a pandemic (working from home),
 - the **stockpiling of hygiene articles** for personnel,
- recommendations on a uniform **quarantine regime** for the whole of the EU, both for job-related border crossing as part of freight transport operations and for commuters as well as the home leave of foreign workers, ensuring, in this connection, the necessary **freedom of movement for systemically relevant personnel** by creating coordinated and flexible framework conditions for their entry, exit and transit,
- recommendations on uniform rules for **health tests** (mutual recognition of test results; digital platform for storage and verification of the test results of systemically relevant personnel in compliance with data protection provisions, if appropriate),



- creating a **platform for the exchange of best practices** and preparation of a **best practice toolbox**,
- developing criteria for the recognition of existing or imminent **supply shortages** and laying down countermeasures that are binding throughout Europe.

3rd field of action: European exemptions in favour of the modes of transport, and ensuring the supply of goods and services required for their operation.

“We have to support transport infrastructures and transport services.”

- creating a coherent European regulatory framework with appropriate **exemptions** and implementing them in the corresponding sectoral regulations
 - in the **air transport sector**, for the temporary waiver or flexible application of night-flying bans at airports providing essential air cargo handling services, for facilitating the use of passenger aircraft for the provision of all-cargo services, for permitting additional cargo movements in slots not used by passenger aircraft due to slot waivers as well as for the limited extension of the validity of licences, attestations, etc. (personnel) and of certificates, extension of deadlines for inspections and audits (aircraft, security, safety, etc.),
 - in the **rail transport sector**, for the temporary extension of train driving licences (e.g. in the absence of training and fitness certificates), of working time rules that can be adjusted flexibly, of safety certificates and safety authorizations, of EC certificates of conformity and EC certificates of verification as well as for the extension of deadlines for inspections and audits,
 - in the **maritime transport sector**, for the temporary suspension of inspection activities (port state control inspections, surveys of ships, port security inspections, MARPOL, dangerous goods inspections) that can be put off and for the limited extension of expiring attestations and certificates of personnel and ships as well as for changes of crew as regards third country nationals,



- in the **inland waterway transport sector**, for temporary exemptions as regards minimum safe manning as well as expired certificates (personnel and ships),
- in the **road transport sector**, for temporary exemptions as regards driving times and rest periods and the driving ban on Sundays and public holidays, for the temporary suspension of certifications or temporarily refraining from requiring the renewal of certificates of professional competence and training certificates as well as regarding options for extending driving licences (e.g. if aptitude tests cannot take place due to a pandemic) and regarding the legislation relating to the training of professional drivers (continuous training every five years),
- mechanisms for **temporarily allowing more flexibility** depending on the given situation,
- **compensatory measures** and further regulations to ensure that, despite more flexibility being allowed, the safety and health of the personnel are not endangered and worker protection is guaranteed,
- **ensuring the provision of basic services** for transport operators and their staff, namely
 - availability of rest areas (including provision of food and sanitary facilities), filling stations and garages,
 - (partial) continuation of hotel and accommodation services and
 - access to hygiene products, protective equipment and medical care,
- appropriate consideration of the freight transport sector and systemically relevant transport infrastructures if cross-sectoral recommendations are made for **giving priority to personnel as regards childcare and medical protective equipment**,
- providing help and guidance to the transport industry regarding **business continuity** and the **resumption of business operations** after a pandemic has begun or subsided,



- ensuring the **competitiveness** of transport operators also in the event of stricter safety requirements,
- implementing the requirements set out in Regulation (EU) 2019/452 establishing a framework for the **screening of foreign direct investments** into the Union as well as compliance with the Guidance to the Member States concerning foreign direct investment and free movement of capital from third countries, and the protection of Europe's strategic assets, ahead of the application of the Regulation,
- elaborating a **special State aid framework** of the European Commission also for future pandemics.