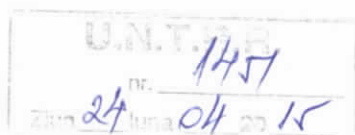


VIOLETA BULC
Member of the European Commission



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Brussels,
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Mr Radu DINESCU
Secretary General
National Union of Road Hauliers from Romania
Ienăchiță Văcărescu 60, sector 4
RO - Bucuresti

Dear Mr Dinescu,

Thank you for your letter of 27 January addressed to Commissioner Elżbieta Bieńkowska, in which you raise concerns about the impact of the new German law introducing minimum wages on transport operations.

Let me first highlight the Commission's full commitment to promoting fair social standards, working and business conditions in the transport sector. We believe that each of these three elements is crucial to create a sound framework for more and better jobs in this sector. As regards specifically the introduction of minimum wages, as a matter of principle the Commission welcomes such national measures, which are fully in line with the social policy commitment of this Commission.

However, it should also be pointed out that the undisturbed functioning of the internal market which contributes to developing the economy in the EU constitutes a primordial aspect to be regarded. With a view to this, national measures on minimum wage applicable to the transport sector must be applied in full respect of EU law, including principles on the free movement of goods and the freedom to provide services, the latter to which you letter also referred.

Since January, Commissioner Thyssen and I have been in contact with the German authorities regarding the way in which the application of the German rules on minimum wage impacts the internal market and specifically the transport sector. Our services are examining thoroughly the information provided by the German authorities in response to the Commission's inquiry. This also implies a complex assessment of all elements of national measures against the basic EU principles of proportionality, effectiveness and non-discrimination.

Please also note that following complaints from several Member States and industry, German authorities suspended the application of the law on minimum wages to transit operation until legal clarity as to compatibility with the EU law is established.

Based on the assessment of the clarifications provided by the German authorities the Commission will decide on appropriate steps.

Yours sincerely,



Violeta BULC