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CLECAT feedback on the call for evidence on the Fair Labour Mobility Package.

CLECAT welcomes the opportunity to provide feedback on the call for evidence on the Fair Labour Mobility Package. CLECAT is the European Association for Forwarding, Transport, Logistics and Customs Services, representing 25 national freight forwarding and logistics associations across the European Union and beyond. Our members organise and manage complex, cross-border supply chains across all transport modes and play a central role in facilitating the free movement of goods within the internal market.

The vast majority of companies represented by CLECAT are small and medium-sized enterprises (SMEs), operating in highly internationalised and competitive environments. As coordinators of transport operations and service providers at the interface between shippers and carriers; CLECAT members are directly affected by EU rules on labour mobility, posting of workers and subcontracting.

CLECAT therefore welcomes the Commission's objective to promote fair labour mobility, high standards of worker protection and a level playing field across the internal market. From the perspective of the logistics sector, EU action can deliver real added value if it focuses on simplification, legal clarity, digitalisation and consistent enforcement of existing rules, while fully reflecting the operational realities of cross-border logistics and transport services.

Enforcement, legal clarity and subcontracting in transport

CLECAT agrees with the Commission's assessment that enforcement and correct application of existing EU rules remain a central challenge for labour mobility, particularly in highly mobile and cross-border sectors such as transport and logistics. From the perspective of freight forwarders and logistics service providers, the key issue is not the absence of regulation, but rather the complexity, fragmentation and uneven application of existing rules across Member States, which undermines both worker protection and fair competition.

The EU already has an extensive and mature regulatory framework covering labour mobility, posting of workers, social security coordination, health and safety, and market access in road transport. In recent years, this framework has been significantly strengthened, notably through the Mobility Package I. These rules are still being implemented, interpreted and tested in practice. CLECAT therefore considers that EU action under the Fair Labour Mobility Package should prioritise improving enforcement capacity, coordination and consistency, rather than introducing new horizontal restrictions. In practice, enforcement challenges arise from divergent national interpretations, differences in inspection practices, and limited cross-border cooperation between authorities. This creates legal uncertainty for compliant companies and protection gaps for workers. In this respect CLECAT considers that strengthening coordination between national authorities and enhancing the operational role of the European Labour Authority (ELA) could bring added value. There could be an important role for ELA in developing common templates and minimum information standards, while supporting Member States in making posting declarations, remuneration details, and A1 certificates clearer and more user friendly. This would particularly benefit logistics employers, who need accessible tools to comply with varying national requirements without excessive administrative overhead.

Legal clarity and rules that are understandable and workable

CLECAT strongly emphasises that rules which are difficult to understand and apply are also difficult to enforce. This is particularly evident in the application of posting and remuneration rules in real-life operational scenarios. International transport operations frequently involve subcontracting, driver or vehicle swaps, multimodal legs and short-notice changes. Existing legislation does not always sufficiently reflect these realities, leading to uncertainty for operators and enforcement authorities alike. In 2024 CLECAT suggested a number of [recommendations](#) which are still valid. The list of recommendations includes (but is not limited to):

- the development of a user-friendly tool able to calculate the remuneration of drivers according to their journeys and posting situations.
- the development of a tool calculating the exact time allowed for cabotage operations and cooling-off periods in each Member State. Such a tool, accessible to any stakeholder would ensure a better understanding of the rules by the industry and avoid fines related to divergences of interpretations from a Member State to another.
- the improvement of user-friendliness and efficiency of the IMI interface for posting declarations.

In this respect the implementation of the eFTI regulation and e-CMR should allow a smarter, more efficient application of the rules from enforcers but also at the benefit of users of road freight services.

Overall CLECAT considers that improved access to reliable and standardised information on applicable remuneration, clearer interpretation of cabotage and cooling-off rules, and legislation that is better aligned with digital enforcement instruments should significantly improve both compliance and enforcement, while reducing administrative burden.

Subcontracting: a legitimate and indispensable practice

CLECAT recognises that enforcement may be more challenging in long and complex subcontracting chains and that abusive practices must be addressed decisively. It is however also essential to avoid oversimplified narratives that portray subcontracting itself as inherently problematic. In transport and logistics, subcontracting is a structural and legitimate business model. It enables specialisation, flexibility and efficiency, allows SMEs to participate in international supply chains, and supports the resilience of logistics networks.

Restricting or prohibiting subcontracting chains, introducing caps, or imposing broad joint-and-several liability regimes would constitute a disproportionate intervention in the internal market. Such measures would fundamentally alter established business models, increase fixed costs, reduce flexibility and risk driving market concentration. They would also undermine crisis resilience, as demonstrated during recent disruptions where dynamic and decentralised logistics networks proved essential. As noted above, existing EU and national legal frameworks already contain safeguards to address abuse in subcontracting chains. The priority should therefore be effective enforcement of these existing rules, supported by transparency, legal certainty and targeted action against non-compliance.

Third-country workers

CLECAT notes that Europe is facing a structural shortage of professional drivers. In this context, attracting qualified drivers from third countries can be one of the ways to help alleviate shortages and

maintain the functioning of European supply chains. For this to be effective, it is essential that systems for the recognition of professional qualifications and driving licences are clear, proportionate and predictable, and do not create unnecessary administrative barriers for qualified candidates and employers.

CLECAT underlines that labour mobility policies must go hand in hand with improving the attractiveness of the profession. Better working conditions are essential to attract and retain drivers, irrespective of nationality. In this regard, CLECAT actively supports efforts to expand and upgrade safe and secure truck parking areas, together with ESPORG and other stakeholders. Adequate parking facilities contribute directly to drivers' safety, well-being and job quality, and are a concrete, non-bureaucratic measure to improve working conditions across the EU.

Conclusion

CLECAT supports the objective of reducing reporting burdens, cutting red tape and simplifying procedures, including through digitalisation, while maintaining high standards of social protection. CLECAT considers that the objectives of fair labour mobility, worker protection and a level playing field can best be achieved by improving the clarity, usability (through digital solutions that support compliance) and enforcement of existing EU rules, rather than by introducing new prescriptive measures that risk unintended consequences for SMEs and cross-border supply chains.

CLECAT remains at the disposal of interested parties for any further information.

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