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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

COMMUNICATION FROM THE COMMISSION

on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services

(2020/C 96 I/01)

Summary

- *The Guidelines for border management measures to protect health and ensure the availability of goods and essential services* ⁽¹⁾ adopted by the European Commission on 16 March 2020, stress the principle that all EU internal borders should stay open to freight and that the supply chains for essential products must be guaranteed. The free flow of goods, especially in times of emergency and in the interest of all, requires that Member States respect and fully implement the Guidelines at all border-crossings at internal borders. This document is designed to help Member States implement the Guidelines as regards the green lanes. It is intended to engender a cooperative process across the EU to ensure all freight, including but not limited to essential goods such as food and medical supplies, gets quickly to its destination without any delays.
 - In order to preserve the EU-wide operation of supply chains and ensure the functioning of the Single Market for goods, wherever internal border controls exist or have been introduced Member States are requested to designate immediately all the relevant internal border-crossing points of the trans-European transport network (TEN-T) and additional ones to the extent deemed necessary, as 'green lane' border crossings – for land (road and rail), sea and air transport.
 - Going through these 'green lane' border crossings, including any checks and health screening of transport workers, should not exceed 15 minutes on internal land borders. The 'green lane' border crossings should be open to all freight vehicles carrying any type of goods.
 - Member States should act immediately to temporarily suspend all types of road access restrictions in place in their territory (week-end bans, night bans, sectoral bans, etc.) for road freight transport and for the necessary free movement of transport workers.
 - Transport workers, irrespective of their nationality and place of residence, should be allowed to cross internal borders. Restrictions such as travel restrictions and mandatory quarantine of transport workers, should be waived, without prejudice for competent authorities to take proportionate and specifically adapted measures to minimise the risk of contagion.
1. The COVID-19 outbreak is having a major disruptive impact on European transport and mobility. The European supply chain is maintained through an extensive network of freight transport services, including all modes of transport. Continued and uninterrupted land, maritime and air cargo services are of key strategic importance for the whole EU. Land-based supply chains, particularly road, which today accounts for 75 % of freight transport, have been particularly severely affected by the introduction of entry bans at internal land borders, and/or restrictions on professional drivers accessing certain Member States. Waiting times on some recent days, at certain internal EU borders, went beyond 24 hours, even for medical supplies.

⁽¹⁾ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20200316_covid-19-guidelines-for-border-management.pdf

2. The present Communication urges Member States to implement the Guidelines for border management in full on all intra-EU freight transports ^(?), and provides specific additional guidance to Member States on how to implement paragraphs 1 to 6, 8, 10, 11, 19 and 22 of those guidelines. It invites Member States to put in place the necessary operational and organisational measures, with the understanding that these exceptional measures will be temporary for the duration of the containment of the Coronavirus.

1. Ensuring continuous flows along the TEN-T Network

3. The **trans-European transport network** ^(?), which consists of the most important arteries for road, rail, and inland waterways, and which integrates ports, airports and multimodal terminals, plays an essential role to ensure the circulation of goods. Ensuring the smooth flow of all goods along this network is crucial in order to ensure an efficient sanitary response to the pandemic, to reassure the population that supplies will be safeguarded, and to mitigate the impact of the virus on the economy.
4. **Member States should implement immediately the following measures to ensure unobstructed transport of goods along the entire TEN-T Network.**
5. **All freight vehicles and drivers should be treated in a non-discriminatory manner**, irrespective of the origin, destination, or country of registration of the vehicle, or of the nationality of the driver. Member States should not distinguish between vehicles carrying goods for use in their territory and those merely transiting.
6. Wherever internal border controls exist or have been introduced, Member States are invited to designate the relevant internal border-crossing points of the TEN-T ^(*) as well as additional major border-crossing points to the extent necessary, as **'green lane' border crossings**.
7. Passing through these 'green lane' border crossings, including any checks and screenings, **should not exceed 15 minutes**. Additional border crossings should be opened, focused exclusively on goods passage, if those on the TEN-T Network are saturated. They should be located as near as possible to the TEN-T Network border crossings.
8. **The 'green lane' border crossings should be open to all freight vehicles**, incl. all heavy and light duty vehicles and where applicable trains and vessels.
9. The Commission recognises that some Member States wish to prioritise certain types of freight in this crisis. However, given the complex nature of supply chains and the need to ensure the free circulation of all goods, **vehicles carrying any type of goods should be able to use 'green lane' border crossings**. The Commission is ready to explore if needed whether further measures are necessary to prioritize particular categories of goods, building also on best practices at national level, but underlines that Member States should do their utmost to keep *all* goods moving. Emergency transport services should be given priority at all times.
10. At 'green lane' border crossings, **procedures should be minimised and streamlined** to what is strictly necessary. Drivers of freight vehicles should not be asked to produce any document other than their identification and driving licence and if necessary a standard template letter from the employer (Annex 3). The electronic submission/display of documents should be deemed sufficient.

^(?) The principles relating to transport of goods in this Communication apply mutatis mutandis to shipments of waste under Regulation (EC) No 1013/2006 of the European Parliament and the Council of 14 June 2006 on shipments of waste (OJ L 190, 1.7.2006, p. 1).

^(?) <https://ec.europa.eu/transport/infrastructure/tentec/tentec-portal/site/en/maps.html>

^(*) See for reference in Annex 1 and online: TEN-T Network road internal border crossings

11. **Health screening can be carried out before or after the internal border**, depending on the available infrastructure, to ensure traffic remains fluid. Member States should coordinate to carry out health screening on one side of the border only to avoid overlaps and waiting times. Health screening should in principle be based on electronic body temperature measurement, unless equally speedy but more effective methods become available.
12. **Other checks on documents and cargo** – such as road-side checks – should be minimised, and not exceed normal levels, to ensure the free flow of goods and avoid additional delays.
13. **Checks and health screening** should be undertaken in a way that minimizes delay and therefore should not necessitate the drivers to leave the vehicles.
14. The **national contact points** established following the teleconference of the Transport Ministers on 18 March should work together to ensure the effective functioning of the ‘green lane’ border crossing points. A platform to provide information on the relevant crisis transport measures taken by Member States has been set up by the Commission ⁽⁵⁾.
15. As regards the United Kingdom, being treated as a member of the EU until the end of the transition period, as well as neighbouring non-EU countries, EEA members, Switzerland, the Western Balkans countries and economies, as well as cooperation with countries participating in the Union Civil Protection Mechanism, in particular those on the extended TEN-T network, the respective national authorities are invited to closely work with the EU contact point network. This is essential to fully align all the necessary procedures to ensure flow of all goods, both destined for these countries and in transit from one part of the EU (or of this wider group of countries) to another. The Commission will also work closely with the Permanent Secretariat of the Transport Community to facilitate the coordination and implementation of measures between the EU and the Western Balkans Six countries. Without prejudice to specific controls on goods or transport workers inherently and habitually linked to crossing external borders of the single market, the customs union or the Schengen area, respectively, Member States should apply to the greatest extent possible at such external borders the implementation guidance set out in this Communication.
16. On all their territories, Member States should temporarily **suspend all types of driving restrictions** in place (week-end bans, night bans, sectoral bans, etc.) for freight transport. The suspension of these driving bans will contribute to increase the fluidity of traffic.
17. Member States should ensure the availability of adequate sanitary facilities and food supplies / catering for transport workers on the main transport routes. As accommodation facilities along routes are likely to be unavailable, and in order to limit exposure to contagion, Member States should consider urgent suspension of the ban on transport workers spending rest periods in vehicle cabins, in accordance with Article 14 of Regulation (EC) No 561/2006 ⁽⁶⁾. For periods exceeding 30 days, in light of persisting problems, the Commission will consider favourably Member State requests for authorisation for extension of such exceptions.
18. The Commission urges Member States to set up safe passage **transit corridors** to allow private drivers and their passengers, such as health and transport workers, as well as all EU citizens being repatriated, regardless of their nationality, to directly pass with priority through the country in each necessary direction along the TEN-T Network, while respecting the need to stay strictly on the designated route and to take the necessary minimum rest breaks. Member States should also ensure that they have at least one airport functional for repatriation and international relief flights.

⁽⁵⁾ https://ec.europa.eu/transport/coronavirus-response_en; contact: EU-COVID-TRANSPORT@ec.europa.eu

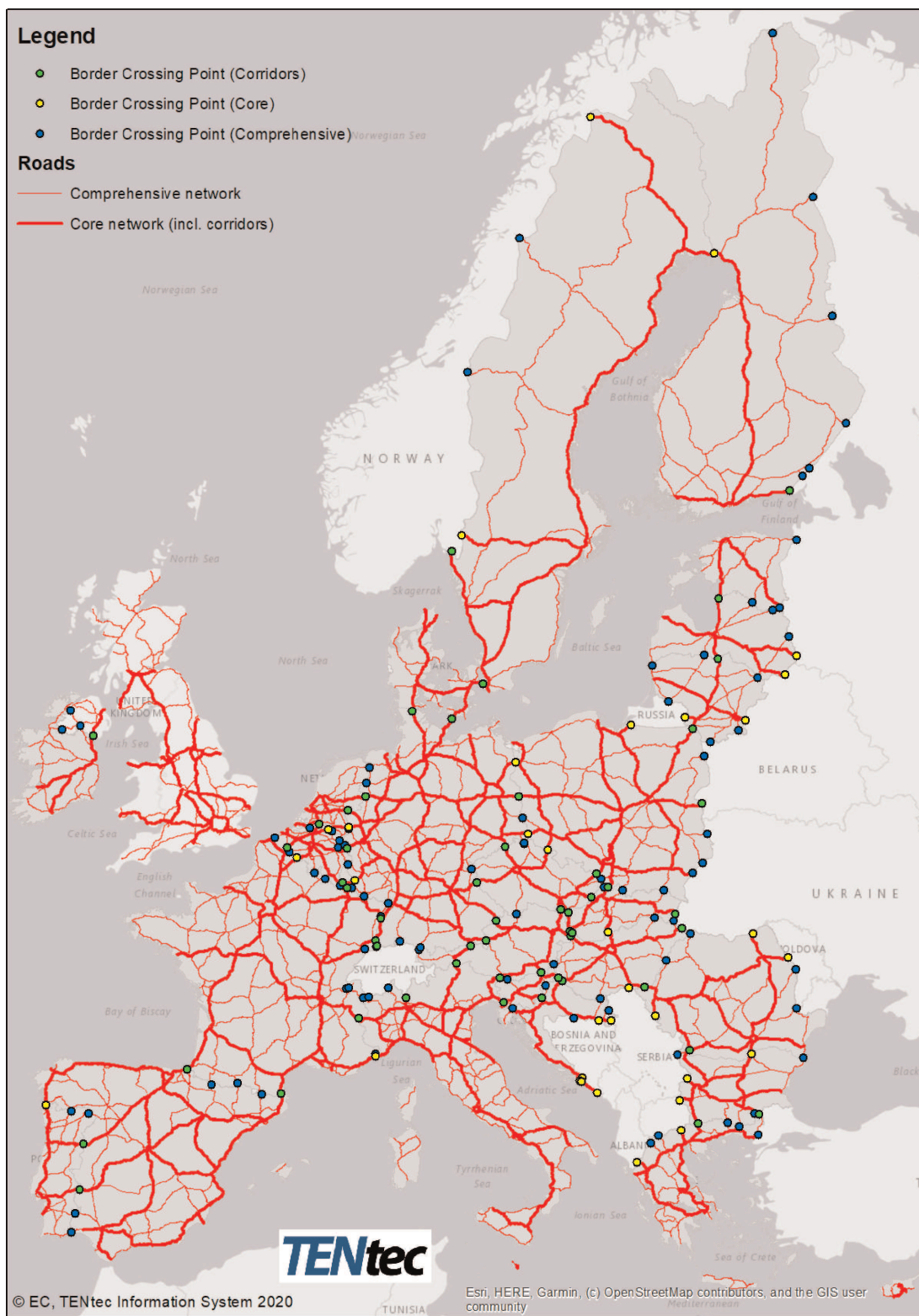
⁽⁶⁾ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1).

2. Better tailored application of rules for transport workers

19. As part of the overall effort to keep essential transport flows moving, Member States should also take action to ensure the free movement within the EU of all workers involved in international transport in all transport modes, such as drivers, seafarers, pilots, crew, wagon inspectors, maintenance workers, etc.
 20. In particular, **rules such as travel restrictions and mandatory quarantine of transport workers not displaying symptoms, should be waived**, without prejudice for competent authorities to take proportionate and specifically adapted measures to minimise the risk of contagion. For example, Member States should abandon requirements to oblige asymptomatic transport workers to produce for inspection a doctor's certificate to demonstrate that they are in good health. Such requests would be disproportionate and of limited value, given the possibility of asymptomatic infection after such a certificate is issued, and as access to doctors is already restricted by the COVID-19 outbreak.
 21. Workers should not be prevented from crossing an internal border in order to carry out their transport functions: **internationally recognised certificates of professional competence should be considered sufficient to prove that a worker is active in international transport**. These certificates should temporarily be deemed valid for a reasonable period beyond their date of expiry during the Covid19 outbreak.
 22. If necessary, for example in the absence of an internationally recognised professional certificate (e.g. van drivers) or in case the certificate expired, Member States may require a letter from the worker's employer to establish their *bona fides* together with the appropriate identification papers in order to enable them to cross the internal border in the exercise of their profession. The Commission is assisting this process by providing a standard template letter (Annex 3).
 23. Where deemed necessary by national authorities, health screening of transport workers should in principle be based on electronic body temperature measurement. Temperature checks on drivers should normally not be done more than three times within the same day. In case the worker has fever and the border authorities deem that s/he should not be allowed to continue with the journey, the transport worker should have access to appropriate health care. The Member State in question should provide appropriate facilities for the temporary storage of the vehicles, until replacement drivers arrive.
 24. The Commission also recommends the use of measures to deliver enhanced hygiene in airports, ports, railway stations and other land transport hubs. Designation of priority staff should also be considered in transport hubs as well as measures to ensure disinfection, etc. Recommendations to ensure the safety of transport workers such as those referred to in Annex 2 should be followed.
 25. To ensure the continuation of the flow of goods and materials, particularly fresh food and essential food products, live animals and feed, agricultural production inputs, medicines including veterinary medicines, personal protection equipment (PPE), and substances of human origin, and industrial inputs for production and maintenance of these processes, transport workers and operators of critical and essential supply chain services in all modes of transport should be considered as one of the priority groups – after strictly medical needs are addressed - in the distribution and allocation of personal protection equipment (PPE) such as disinfection products and gloves.
 26. Member States should cooperate to facilitate the repatriation of transport workers whose contracts have terminated and provide them with any necessary assistance to get home.
 27. All of the above principles should also apply to 3rd country nationals if they are essential to provide free movement of cargo in and to the EU.
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ANNEX 1

TEN-T Network road border crossings*



* Legend: Green for Border Crossing Point (Corridors); Yellow for Border Crossing Point (Core); Blue for Border Crossing Point (Comprehensive); Thin red line for Comprehensive network; Thick red line for Core network (incl. corridors)

ANNEX 2

Recommendations for drivers and relevant transport-related undertakings and competent public authorities involved in freight transport following the COVID-19 outbreak

These recommendations are without prejudice to the need to respect specific hygiene, social distancing or other rules imposed by national authorities in their respective territories.

- Social distancing should be the rule and drivers should avoid leaving the cabin of the truck for social interactions, as far as possible.
- Employers should provide drivers with sanitising/disinfecting gel and soap.
- Employers should inform drivers of the recommendations of this Annex.
- The use of digital documents should be encouraged and employers should do the utmost to send documents in advance to companies when they know these documents may be required at loading/unloading points.
- When social interactions cannot be avoided, drivers should wear adequate relevant protective gear such as gloves.
- The cabin of truck should be disinfected between each new use (e.g. when another driver or hub staff drive the vehicle).

At loading and unloading locations:

- Drivers should remain, as far as possible, in the cabin on the truck at loading and unloading points.
- The activities of loading and unloading should be performed, as much as possible, by the local staff of the company receiving/sending the goods. When drivers are required to supervise these activities, they should stay at a minimum safe distance from other staff and wear available protective material such as gloves.
- All documents related to the transport operation should be sent electronically by the company beforehand when possible. If physical documents are exchanged at un/loading points, it is recommended that the drivers/staff use gloves, anti-bacteria hand gel or wash hands with soap and water immediately after.

Breaks and rest times:

- Drivers should practise social distancing during breaks and rest periods on the road. During those, it is recommended to avoid close contacts with other people (drivers, parkings staff etc).
- Meals should be taken, as much as possible, in open air away from other people or in the cabin of the truck. When catering is available at their stopping places, it is advised not to eat at the restaurant/cafeteria but to rather order take-away food in order to eat away from other people.

During controls and waiting lines at borders:

- As a general rule, drivers should not be required to leave the cabin of their truck for checks.
 - During checks of documents, paper documents should be exchanged respecting a minimum safe distance. When drivers are required to fill-in documents, national control officers should let drivers fill them in the cabin of the truck.
 - If physical documents are exchanged, or controlled, it is recommended to use an antibacterial hand gel or wash hands with water and soap when possible. It is recommended that the drivers/staff use gloves, anti-bacteria hand gel or wash hands with soap and water immediately after.
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ANNEX 3

Template of Certificate for International Transport Workers



Certificate for International Transport Workers

It is hereby confirmed that the person:

Name and surname:

Birthdate:

Residence:

carries out activities in international transport as *

- a driver of a heavy goods vehicle (HGV)
- a bus driver
- a public transport aircraft crew
- a train driver
- a train crew
- a carriage inspector
- a ship's captain/a boatmaster
- a vessel crew member
- a road administration crew
- a driver of a vehicle of up to 9 persons carrying one of the above categories of persons, who is an employee of the same employer and transports them to or from the workplace, and empty journeys connected with such transports

** Mark with a cross*

Place, date:

For the company/office/organization (Name and signature):

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