

Consultation Paper

International Rail

Passenger Rights and Obligations

Answers on behalf of the
Royal Dutch Tourist Club ANWB

2. Yes, services not open to the public should be excluded.
3. Yes, the scope should include national services in their entirety. There should be no discrimination made between national and international travellers.
4. Yes, consultation with consumers should be regulated. The principle should be a passenger representation organisation based on the proportional representation of special groups (disabled, bikers, international travellers, and the like).
5. Such consultation should not deal with individual complaints: these should go to a special out-of-court settlement body. Consultation should cover general complaints like:
 - changes to timetables
 - fares
 - ticket points of sale
 - conditions of carriage
 - passenger rights
 - line closures
6. Yes, a monitoring scheme would contribute to improving the quality of international rail passenger transport services.
7. The essential performance indicators that that should be monitored include:
 - security
 - travel info and tickets
 - punctuality/cancellations
 - seat availability
 - accessibility of trains and stations
 - cleanliness & health conditions
 - quality of food & beverages
8. The minimum contract conditions listed with tickets should include:
 - the route and en-route stops
 - scheduled departure and arrival times
 - station of departure & arrival
 - fares and applicable conditions
 - class
 - date and time (if necessary)
9. Minimum information included on tickets: see 8 above.
10. Information services could be improved by one central website. The scope of these services should include a wide choice of services: the cheapest and/or quickest train connections, regardless of transport company. The information provided should include all options including connections and the use of lines serviced by other providers.
11. Transport companies should be obliged to transfer data to a central authority that maintains the website. The provision of this information must comply with certain conditions: prompt delivery with no costs passed on.

12. Yes, there should be a legal obligation set down in an EU Regulation for rail operators for the provision of information in accordance with minimum EU standards.
 13. Yes, railway undertakings should be obliged to provide information on the services of their direct competitors using the same infrastructure: prompt and with no costs passed on.
 14. Yes, railway undertakings should be obliged to sell tickets for all possible connections. This should be defined in an EU Regulation.
- NB all transport companies must accept all tickets issued by any other transport company if the ticket concerned is for a route serviced by the companies concerned. In such cases, extra costs may apply.
15. Yes, new railway operators should be allowed to use the existing ticketing systems at reasonable costs
 17. Yes, we do agree that railway undertakings should be obliged to develop public quality standards for international services.
 18. The list is adequate.
 19. A consumer panel reporting to the EU Commission could monitor quality standards.
 20. The plans should cover a method or scenario for consumer information provision.
 21. Yes, there should be EU quality & reliability standards for international rail services.
 22. Yes, associations representing PRMs should be involved in consultation procedures.
 23. Yes, we do agree with the 3 proposals and these should be set down in an EU Regulation.
 24. Yes, a mandate impact assessment for PRMs should be sufficient.
 25. Railway undertakings should be obliged to carry bicycles on international journeys.
 26. Yes, an accessibility assessment for bikes should be compulsory in case the modification of stations or their surroundings are planned.
 27. No, railway undertakings should not be obliged to offer registered luggage.
 28. Yes, railway undertakings should be obliged to at least offer a safe or secure area for the transport of luggage in (long-distance) trains.
 29. Yes, issues such as noise levels (mobile phones!) smoking, cleaning of trains should be part of a Regulation.
 30. A public security analysis would be preferable if stations are to be modified or restructured. A mandatory analysis could have a negative effect on the modification or restructuring of stations.
 31. Onboard cameras are a measure for stepping up the prevention of security infringements.
 32. Yes, there should be a standard form for victims to report theft and other petty crime.
 33. No, because of the principle of consumer freedom of choice.
 34. Yes, a one-stop shop for complaint handling should be obligatory and in all the official languages of the EU.
 35. Publication of complaints analyses and discussions with passenger organisations should be conducted on a yearly basis.
 36. Four weeks to answer complaints is a reasonable time limit.
 37. Railway undertakings should handle complaints directly in a simple and accessible way.
 38. See answer 34 above.
 39. Representative consumer bodies could have a role in dealing with individual complaints if they are capable of doing so and so desire.
 40. An out-of-court dispute settlement procedure according to the Recommendations of the Commission would suffice. A mediator could play a role before an out-of-court settlement procedure is started.

41. Passengers should be permitted to file a lawsuit in their country of residence. If the journey did not take place in this country, the passenger should have the choice between the country in which he bought the ticket or the country in which the incident/accident took place.
42. The applicable language should be the official EU language of the passenger's choice.
43. There should be a strict liability regime like in the air transport sector: Council Regulation no 2027/97.
45. If passengers were to have the right to make a direct claim to the insurer of the liable railway undertaking, it would indeed be a procedural improvement.
46. Yes, an EU-wide approach in respect of the minimum requirements for a refund policy is necessary.
47. Yes, we agree with the principle of reimbursing passengers for damages caused by delays.
48. We do not agree with the proposal for compensation payments for delays. The compensation arrangements of the NS system in the Netherlands are of much more benefit to passengers. The same applies to the arrangements for the Thalys as these apply regardless of the duration of the journey.
49. All passengers should be entitled to compensation for fares in the event of delays.
50. Yes, there should be common rules at an EU level, that determine the surcharge to be paid for travelling without a valid ticket. If a distinction should be made between travel without a valid ticket and without any ticket at all, depends on the kind of validity of the ticket. If the ticket is valid for a shorter journey, there could be a distinction made. If it is valid for another journey, no distinction should be made for not having a ticket.
51. In the Netherlands, the national statutory provisions with respect to the authority charged with ensuring safety and security are sufficient.
52. Yes, there should be common rules at an EU level to deny a passenger the right to board a train or to have access to a station, if that passenger presents a danger to safety and security onboard and/or at the station.