



**Groupement des Unions Nationales des Agences et Organismes de Voyages de l'UE**  
**Group of National Travel Agents' and Tour Operators' Associations within the EU**

Association Internationale sans but lucratif

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**1. ANNEX 1**

**Answers to the questions raised in the consultation paper  
 « International Rail Passengers' Rights and Obligations »**

1	<p>What are the most cost-beneficial <b>measures</b> justifying a Regulation at EU level?</p> <ul style="list-style-type: none"> <li>▪ <i>Improve information and communication technologies between railway undertakings</i></li> <li>▪ <i>Transparence of fares, easy access to information</i></li> </ul>
2	<p>Should occasional services be excluded from the scope of the regulation if such a service is not a service open to the public?</p> <p><i>No</i></p>
3	<p>Should the scope also cover entirely national services or should it be left to the sole competence of the Member States to establish appropriate passenger rights for those services?</p> <p><i>Yes. In the spirit of one single market, no distinction should be made between international and entirely national or domestic services.</i></p>
4	<p>Should consultation of consumer and passengers organisations be regulated? If yes, according to what principles of organisation?</p> <p><i>Yes. Travel agents representing rail passenger clients should be allowed to participate as well.</i></p>
5	<p>What issues should be covered in such an exercise (e.g.: investigation of individual complaints not satisfactorily addressed by the railway undertakings concerned consultation on changes in timetables, fares, conditions of carriage, monitoring of passenger rights, cross-border services, line closures)?</p> <ul style="list-style-type: none"> <li>▪ <i>Changes in timetables, fares</i></li> <li>▪ <i>Bad conditions of carriage</i></li> <li>▪ <i>Service quality</i></li> </ul> <p>Should there be minimum requirements?</p> <p>-</p> <p>Should an independent chairperson be appointed to facilitate to consultation process?</p> <p><i>Yes, e.g. Commission official</i></p>
6	<p>Could the set-up of the monitoring scheme contribute to better service quality in international rail passenger transport?</p> <p><i>Yes</i></p>
7	<p>What essential performance indicators are to be measured and disclosed by the railway undertakings?</p> <ul style="list-style-type: none"> <li>▪ <i>Punctuality of services</i></li> <li>▪ <i>Number of cancellations</i></li> <li>▪ <i>Seat availability on the reserved versus non-reserved part</i></li> <li>▪ <i>Comfort / cleanliness</i></li> <li>▪ <i>Facilities on the train</i></li> <li>▪ <i>Travel information</i></li> <li>▪ <i>Fare per mile (or per kilometer)</i></li> <li>▪ <i>Passenger security</i></li> <li>▪ <i>Luggage facilities / transportation of bikes</i></li> <li>▪ <i>Fast compensation procedures in case of delays, cancellations or overbooking</i></li> </ul>
8	<p>Which of the contract conditions should at least be mentioned on the ticket, and how should that be regulated? See Annex I for an example.</p> <ul style="list-style-type: none"> <li>▪ <i>TCV/CIV</i></li> </ul>

	<ul style="list-style-type: none"> <li>▪ <i>Conditions of contract for each carrier</i></li> <li>▪ <i>Rights and obligations in case of cancellations or changes</i></li> </ul>
9	<p>What is the minimum set of information that should be mentioned on a ticket, and how should that be regulated? See Annex II for an example.</p> <ul style="list-style-type: none"> <li>▪ <i>Name of operator</i></li> <li>▪ <i>Date of issue</i></li> <li>▪ <i>Validity</i></li> <li>▪ <i>Origin and destination</i></li> <li>▪ <i>Train number</i></li> <li>▪ <i>Class</i></li> <li>▪ <i>Reservation: seat and coach</i></li> <li>▪ <i>Date and time</i></li> <li>▪ <i>Clear confirmation of reservation</i></li> <li>▪ <i>Restriction and limitations (including baggage if applicable)</i></li> <li>▪ <i>Fare, taxes and other charges, total</i></li> <li>▪ <i>Form of payment</i></li> <li>▪ <i>Name and user-ID of issuing office</i></li> <li>▪ <i>External reference (file number from the travel agency)</i></li> <li>▪ <i>Internal reference (file number from the carrier)</i></li> </ul>
10	<p>How can information services, especially concerning fare levels and conditions, be improved?</p> <ul style="list-style-type: none"> <li>▪ <i>Clear fare structure, i.e. fares for A to B</i></li> <li>▪ <i>Inclusion of information on internet and global distribution systems</i></li> <li>▪ <i>Simplification and standardization of numerous reductions would make pricing clearer</i></li> </ul> <p>How should the scope of services to be covered be defined, in order to ensure that the majority of passengers' needs are served without imposing unjustified costs on the undertakings concerned?</p> <p>-</p>
11	<p>In the short term, how can reservation systems be made more compatible with each other in order to have EU wide reservation made possible, and how to ensure their interoperability with other modes of transport?</p> <ul style="list-style-type: none"> <li>▪ <i>Inclusion in CRS</i></li> <li>▪ <i>Access to all national reservation systems via CRS or internet</i></li> <li>▪ <i>Travel agents' dedicated websites</i></li> </ul>
12	<p>Should there be a legal obligation on rail operators to supply information about international rail of the same standard as the information they supply about national rail?</p> <p>Yes</p>
13	<p>In the absence of accurate information on train services, should railway undertakings be obliged to provide information on the services of their direct competitors?</p> <p><i>No, airlines don't do it either.</i></p>
14	<p>Should the railway undertakings be obliged to sell tickets for all possible connections between major stations or alternatively the most important international connections?</p> <p><i>Yes, however this would probably be very costly and administratively very complex, as trains do not operate like air carriers, who transport passengers from one spot to another. There are many possibilities, which would make the system very complex. As a trade-off, at least the most important international connections should be included. !!!</i></p> <p>How could this obligation be defined?</p> <p><i>It should guarantee the lowest fare</i></p>
15	<p>Should incumbent railway undertakings be obliged to allow new railway operators to use the existing ticketing systems in order to ease distribution of tickets?</p> <p>Yes</p>
16	<p>What could be done at EU level in order to ensure that also as regards fare levels for cross-border rail, these are in line with fare levels for a similar distance within one country?</p> <p><i>A number of suggestions were made:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Oblige the rail operator to offer the choice between one international ticket (for the whole journey) and domestic tickets (to cover the whole journey). The passenger should have the choice to take the cheapest option</i></li> <li>▪ <i>Regularisation and standardization of all fares for all European rail networks</i></li> <li>▪ <i>No surcharge on cross-border tickets</i></li> </ul>

17	Do you agree with the proposal to oblige railway undertakings to develop public quality standards for international services geared at the specific services applicable? Yes
18	Is the proposed list of quality standards to be made public by railway undertakings adequate? Yes
19	How should the performance of the quality standards be monitored? <i>By an external and neutral audit company or by an EU-wide Steering Panel</i>
20	Should railway undertakings develop contingency plans in case of major service disruptions? And if so, what should they cover? <i>Yes. Alternative transport, assistance and compensations except for cases of force majeure</i>
21	Should there be European quality and reliability standards for international rail services as in the other sectors? Yes
22	Do you agree with the proposal to involve associations representing PRMs in consultation procedures to enable an improvement of the shortcomings mentioned above? Yes
23	Do you agree with the 3 proposals mentioned above, and should those be regulated in a Regulation? Yes
24	Do you agree with a mandatory impact assessment for PRMs of any modification proposed for rolling stock or stations? Yes
25	Should railway undertakings be obliged to carry bicycles on international journeys or should they merely concentrate on developing facilities for bike rental at the major stations (and allowing bikes to be returned in another station)? <i>Railway undertakings should be encouraged to carry biked but not obliged. Also the development of bike rental at the major stations should be encouraged (but this is a commercial matter)</i>
26	Should an 'accessibility assessment' for bikes be compulsory in case modifications of stations or its surroundings are planned? -
27	Should railway undertakings be obliged to offer registered luggage for PRMs? <i>Yes. But not only PRMs (also older people, families with young children, etc)</i>
28	Should railway undertakings be obliged to have a safe or secured area for the transport of luggage in long distance trains? Yes
29	Should the issues raised in this paragraph, such as noise levels, smoking, cleaning of trains be part of a Regulation or a Quality Charter to be developed by the railway undertakings? Yes
30	Should a public security analysis be mandatory if plans are drawn up to modify or restructure stations and what should be the consequence? Should initiatives, such as the improvement of the co-operation with law enforcement services, be taken under the Justice and Internal Affairs pillar (third pillar)? Yes
31	Which are the measures to step-up prevention of security infringements? What are measures to improve the possibility to act in case of infringement occur (e.g. are there any measure to improve security such as possibly an emergency voice contact between passengers and on-board staff to be required for all services?). <ul style="list-style-type: none"> <li>▪ <i>Closed circuit TV / Camera monitoring</i></li> <li>▪ <i>Closed circuit phones</i></li> <li>▪ <i>Railway police on board</i></li> <li>▪ <i>Introduction of a three digit emergency telephone number. This number can be used by rail staff and passengers in case of emergency</i></li> </ul>
32	Should there be a mutually recognised standardised form for reports of theft and other petty crime and/or a shortened procedure for victims to report this type of crime? Yes
33	Is any legislative action necessary to improve intermodality between rail and other modes of

	<p>transport?</p> <p>Yes</p> <p>If yes, what actions in particular?</p> <ul style="list-style-type: none"> <li>▪ <i>Inclusion of fares in CRS</i></li> <li>▪ <i>Code-sharing possibilities between air and rail transporters !!!</i></li> </ul>
34	<p>Should a one-stop shop for complaint handling in relation to international services be obligatory for railway undertakings?</p> <p>Yes</p>
35	<p>Should railway undertakings be obliged to publish analyses of the complaints, such as the number of complaints, broken down by category and service, and the average time to handle a complaint? Should the results of these analyses be monitored and discussed with passenger organisations?</p> <p>Yes</p>
36	<p>Is 4 weeks a reasonable time limit to answer complaints?</p> <p><i>10 days to send letter of acknowledgement and 4-6 weeks for resolution of problem</i></p>
37	<p>For points where tickets are sold or distributed on behalf of railway undertakings, should these points also handle complaints, which are the results of a situation beyond the control of the distributor? Or should they be referred directly to the railway undertaking?</p> <p><i>The intermediary should assist his clients and offer to transmit complaint to the railway undertaking but point 36 should be compulsory (time for complaint handling)</i></p>
38	<p>What language regime should be applied for complaint handling? Should the official languages of the countries where the trip has taken place determine the language used, in case a ticket was purchased in another country than where the trip was undertaken? What should be the regime for users of cards like the Eurail or Interrail card?</p> <p>Several alternatives were proposed:</p> <ul style="list-style-type: none"> <li>▪ <i>Official languages of the countries traveled through and English compulsory</i></li> <li>▪ <i>Language of the country where the ticket was bought</i></li> </ul>
39	<p>Could representative consumer bodies have a role in taking up individual complaints?</p> <p>-</p>
40	<p>Should an out-of-court dispute settlement procedure according to the principles of Recommendations of the Commission (98/257/CE and 2001/310/CE) be sufficient, or should there be additional requirements, such as the creation of a mediator within railway undertakings to review replies to complaints in case the plaintiff is not satisfied?</p> <p>Out-of-court settlement procedure.</p> <p>In Finland the European Consumer Centre Helsinki is part of a European-wide Euroguichet-net. This means that consumers within the EU can get guidance on disputes related to the purchase of goods and services. It would be reasonable to use this system also in consumer complaint issues concerning railway services purchased by a consumer.</p>
41	<p>If the passenger wants to file a lawsuit, where should he be able to do that? Where the case/accident happened, where he bought the ticket, the origin and destination of the journey, the country with a changeover in the journey?</p> <p><i>The country where he bought the ticket</i></p>
42	<p>What language regime should be applicable to this?</p> <p><i>Language of the country where he bought the ticket</i></p>
43	<p>Are there reasons for a higher upper limit of the liability of railway undertakings or should it not be limited at all? Should there be a common upper limit for the EU?</p> <p><i>A regime comparable to regulation 2029/97 should be implemented</i></p>
44	<p>Should there be a strict liability regime, like in the air transport sector?</p> <p>Yes !</p>
45	<p>Mandatory insurance of railway undertakings would help the passengers practically in pursuing their claim. Are any procedural improvements of this kind necessary?</p> <p>-</p>
46	<p>Should there be an EU-wide approach in relation to minimum requirements regarding refund policy?</p> <p>Yes</p>
47	<p>Do you agree with the principle to reimburse passengers for consequential damage in case of delays, unless the railway undertaking can prove it is not responsible?</p>

	Yes
48	<p>Do you agree on the proposal for compensation payments for delays? What would be a reasonable minimum compensation payment in the form of reimbursed tickets for late and cancelled train services?</p> <p>Yes. Example Thalys plan.</p>
49	<p>Should all passengers have the right for compensation of fares in case of delays or could this condition be limited to a certain number of tickets with a possible different price?</p> <p><i>All passengers should have the same rights. Similar to air passenger compensation.</i></p>
50	<p>Should there be common rules at EU level, which determine the surcharge to be paid in cases of travel without a valid ticket?</p> <p>Yes</p> <p>Should there be a distinction between travel without a <b>valid</b> ticket, and without a ticket at all?</p> <p><i>No distinction</i></p>
51	<p>Should train staff be given a limited law enforcement authority in order to safeguard safety and security on board of international services as well as the punctuality of the service or do the existing, national provisions suffice?</p> <p><i>Yes, should be defined very clearly</i></p>
52	<p>Should there be common rules at EU level to deny a passenger the right to board a train or to have access to a station, if that passenger might endanger safety and or security on board of international services?</p> <p><i>Yes, should be defined very clearly</i></p>