

EDF response to the European Commission Consultation Paper on International Rail Passengers' Rights and Obligations

(DOC EDF 02-16 – November 2002)

"States should recognise the rights of organisations of persons with disabilities to represent persons with disabilities at national, regional and local levels. States should also recognise the advisory role of organisations of persons with disabilities in decision-making on disability matters."

Rule 18 of the United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities

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1 Introduction

EDF welcomes the consultation process by the European Commission on proposals relating to rail passenger rights and obligations.

As EDF has mentioned in previous position papers on this subject, the transport system is there to benefit society as a whole and therefore must be accessible to society as a whole. Disabled people make up at least 10% of the population in the European Union and represent a diverse group of persons including persons with physical / locomotory disabilities; persons with sensory impairment (deaf & hard of hearing persons, blind & visually impaired persons); persons with learning and intellectual disabilities; persons with cognitive disabilities and persons with mental health disabilities.

In addition to disabled persons, persons with reduced mobility include older people, parents with children and persons with heavy luggage can make up to 40% of the population. An ageing population is increasing the need for transport policy to give much higher priority to the needs and interests of persons with reduced mobility. Given the significance of this population it is important that an integrated European railway area takes on board the concerns of such passengers.

As an important principle, rail services must, in all respects comply with the principle of social inclusion covering service delivery, passenger vehicle and infrastructure design, in accordance with COST 335¹

EDF requests that this response paper is considered in conjunction with the EDF Response to the second Railway Package “Towards an integrated European railway area” (COM (2002) 18 final) (ref: DOC EDF 02-13 – September 2002)

EDF has the following comments to make on this Consultation Paper which reflects the concerns and views of its members.

¹ Passengers’ Accessibility of Heavy Rail Systems; European Commission publication (1999)
ref: ISBN 92-828-8223-3

2 Section III - Quality of the international rail passenger services

2. Services for persons with reduced mobility

EDF welcomes the positive proposals given in relation to access for Persons with Reduced Mobility (PRMs) to rail travel with the understanding that the term PRMs shall be recognised as a broad term which incorporates the diversity of disability as well as older persons, parents with children, pregnant women and persons with heavy luggage.

EDF considers that the first part of the section on services to PRMs must not focus just on information but on the physical access to the stations and trains themselves. It is essential that this physical access must be considerably improved across the whole railway network operating in Europe ensuring the diversity of access needs for disabled persons is recognised in the planning and development of the rail infrastructure as well as the operating and information system.

It is very true that the information services available to PRMs is poor and incoherent across the Member States. The diversity of standards in terms of providing services to PRMs across the rail system in Europe is confusing and means that disabled people and other PRMs cannot travel with confidence by rail. This problem must be addressed.

EDF welcomes the recognition in the consultation paper of the importance of awareness of railway staff of the needs of disabled persons. With well-trained staff the service to PRMs would be significantly improved. Major problems disabled people face include communication breakdown between stations when disabled persons requiring assistance at their destination are left abandoned on the train.

The consultation paper refers to the fact that the rolling stock is often inaccessible to PRMs and that coaches cannot accommodate groups of disabled people travelling together. This is very true but it must also be recognised that the stations themselves also need to be examined and adapted to ensure they are accessible. Again, EDF calls for the railway undertakings to fully implement the recommendations given in COST 335.

EDF agrees and welcomes the proposals presented by the European Commission in the section on PRMs in consultation paper with some additions:

> ***Improve quality of information on services to PRMs***

Information on services must be made available in accessible formats, in particular for persons with sensory disabilities and learning disabilities (eg providing information in easy-to-read formats, large print and Braille)

> ***The need for disability awareness training***

EDF very much supports the emphasis in the consultation paper on appropriate training which must be disability awareness training for all staff, in particular front-line staff. The training packages must meet with the approval of representative disability organisations and must recognise the diverse nature of disability.

> ***Address the access shortfalls of international stations and trains***

EDF stresses again the absolute necessity of ensuring full and equal access for disabled persons to all stations, not just the major international stations, and to all trains.

Disabled persons and other PRMs want to be able to travel as independently as possible. By ensuring an accessible rail service it will ensure a service accessible for all customers not just for disabled persons.

Railway undertaking must offer assistance when required but this must not exempt them from the obligation to make their service fully accessible in all respects. The reverse is also true, that is that in providing an accessible service including infrastructure, the railway undertakings must still offer assistance to disabled persons as required.

> ***Consultation with representative organisations of disabled persons and PRMs***

EDF very much welcomes the recognition made in the consultation paper for ensuring consultation by railway undertakings and infrastructure managers with representative organisations of disabled people and PRMs. This is essential if the systems and infrastructure are to be developed in a way which meets the needs of disabled people and PRMs.

> ***Access to rolling stock and stations***

EDF recognises that some time is needed to secure an accessible service to PRMs with regards both railway rolling stock and infrastructure. However, EDF calls for concrete changes and improvements to begin without any further delay. Some actions can be taken immediately, for example in cases where stations are being renovated or rebuilt they must be made accessible – there can be no

excuse for renovation work which ignores access needs of disabled persons and other PRMs.

It is welcome that the recently adopted Directive on Conventional Rail² recognises the need to provide an accessible service to PRMs and that this issue is also to be recognised in the revision of the Directive on High Speed Rail³ and EDF also welcomes the fact that a mandate was recently adopted by the Committee to provide that AEIF must develop a draft TSI on accessibility for PRMs.

It is essential that EDF and other organisations representing PRMs are fully involved and consulted on this work. EDF again reiterates the need for AEIF⁴ and the rail industry to refer to and implement the proposals given in COST 335.

In conclusion, EDF wishes to respond in the positive to all three questions presented by the consultation paper - questions 22; 23; 24

- > Yes, EDF agrees the proposal that associations/organisations representation disabled people and PRMs must be involved in the consultation procedures on these matters;
- > Yes, EDF agrees that regulation is needed to ensure a legal obligation on railway undertakings to provide an accessible service. EDF agrees the three related points presented by the European Commission in the consultation paper but with the understanding that these three points should be further strengthened and recognition given to the responses made by EDF on these matters.
- > Yes, EDF agrees the need for a mandatory impact assessment for PRMs of any modification proposed for rolling stock or station. It is important that such an impact assessment is designed to be a holistic approach – ie that the social benefits for the customers must be included in this assessment in addition to the economic aspects of the impact assessment.

² Council Directive 2001/16/EC - Conventional Rail

³ Council Directive 96/48/EC - High Speed Rail

⁴ The European Association for Railway Interoperability

3 Mainstreaming of the access requirements

EDF would like to refer to the interest of disabled people to the other mainstream elements of the consultation paper which must not be ignored. It is very important that disability questions are considered across the mainstream of rail service delivery.

3.1 Section I - General Provisions concerning international rail passenger journeys

The cost-beneficial measures justifying a Regulation at EU level:

EDF supports the need for a Regulation on rail passenger rights and obligations as it will place a legal obligation on the railway industry to provide a minimum quality service and thereby improve the overall confidence in the service of the customers. By developing an accessible service for PRMs the service will be improved for all passengers and make the service more attractive and thereby increasing the use of the service.

4 Scope of the Regulation

EDF would favour the scope of the Regulation in relation to accessibility requirements to cover national as well as international services to ensure a certain quality service standard in relation to accessibility to PRMs across all train services operating in Europe. This would ensure that disabled people and other PRMs will have much greater freedom to travel and provide a confidence in the minimum quality of service to be expected across all the Member States. The Regulation would provide a minimum quality standard with the understanding that measures which go over and above the minimum quality standard in the rail services across the different Member States should be strongly encouraged.

5 Consultation of passenger groups and Monitoring of Service Quality

EDF supports the need for regulation of consultation requirements with consumer and passenger organisations as a way to oblige the rail industry to consult with consumer groups.

EDF supports the idea for a European Platform representing rail passengers. The representation should be made up of, in particular, well-established representative European umbrella organisations representing the key consumer groups, including EDF as the European umbrella body representing the European disability movement. The European Platform should also include key organisations from the rail industry. Such a European Platform should also provide for similar consultation fora or mechanisms at national level.

Consideration should be given about possibilities to provide funding for the participation of NGO representatives to the Platform meetings. Such a European Platform must be provide adequate means to ensure the interests of all rail passengers are represented and that the Platform can effectively monitor performance of the rail industry in meeting the needs of all consumers and bring the rail industry to account where shortcomings are identified

The European Platform must be chaired by an independent person/representative which could be the European Commission. The European Commission has played an important and positive role in brokering work on air passenger rights, a model which could be repeated in the case of rail passenger rights.

6 II - Passenger rights before the international rail journey

6.1 Information availability

Information must be available on the service provided to PRMs by the railway undertakings. This information must include details regarding the accessibility of trains and stations, assistance provided by railway personnel and concessionary fare schemes.

Written information must be available in accessible formats including easy-to-read formats, large print, Braille and where information is provided on websites,

the websites must comply with the Web Accessibility (WAI) guidelines⁵. For international routes information should be available in several European languages.

EDF wishes to stress that written information and information provided on the internet must not replace information available over the telephone. Information provision must include a free 24 hour helpline number for railway users, of particular importance to disabled users, which can provide information on journey times, routes and assistance requests.

Railway undertakings can improve their information service by consulting regularly with consumer groups and receiving feedback from rail users on the service delivered. EDF agrees the need for a legal obligation on rail operators to supply information of a decent standard.

6.2 Tickets and Fares

EDF calls for the a more transparent and coherent system with regard concessionary fares offered by the railways to disabled passengers. The diversity of different concessionary fares systems operating across Europe makes it very confusing for disabled travellers. More detailed examination and consideration needs to be given to this issue in order that the diversity of different concessionary fares systems operating both nationally and internationally are made less confusing. All disabled persons must be recognised by the system. There are cases on international services where wheelchair users are eligible for concessionary fares but blind persons, deafblind or persons with learning disabilities are not. At national level there are cases where blind persons receive concessionary fares but other disability groups do not. The system of concessionary fares is particularly important and necessary for disabled people who need to travel with a personal assistant; without such concessionary fares available it proves to be a very expensive business as two tickets have to be purchased for every trip.

Access to ticketing systems

Transport systems are moving increasingly towards a system of screen based, kiosk type ticketing and information services. Such systems exclude many

⁵ <http://www.w3.org/TR/WCAG/>

disabled people, in particular visually impaired persons, deafblind persons and persons with learning disabilities and therefore alternative means for ticket purchasing must always be possible. Such systems can also be difficult for wheelchair users and persons of small stature as they are built too high.

7 III. Quality of the international rail passenger services

7.1 Cleanliness and health for passengers

EDF supports the need for the issue of cleanliness and environmental conditions to be recognised in the Regulation or at least recognised in a Quality Charter. It is an issue of particular importance to persons with allergies and persons with asthma or other similar conditions.

7.2 Security for passenger

Safety and emergency procedures must take account of disabled passengers' needs. Consideration must be given to the procedures such as for evacuation, as must the design of safety and warning mechanism, for example the installation of visual alarm systems which can alert deaf and hard of hearing persons.

7.3 Intermodality

For access to transport to be a reality for disabled people it is essential that it operates on the basis of a seamless journey. It is important that the White Paper has recognised the need to improve travelling conditions and facilitation of modal transfers. The major problem this represents for disabled people / persons with reduced mobility must be addressed by the Common Transport Policy. Without the existence of seamless and accessible transport system disabled people do not have the confidence to travel and their freedom is restricted in a major way.

The principle of integrated and seamless travel for all, including disabled persons / persons with reduced mobility, must be fundamental to the development of the transportation system across Europe. It must apply both a local and national level but also across the trans-national network system.

An integrated transport system, including integrated ticketing systems and information on interlinking connections, would facilitate travel for disabled people as it would for all travellers.

However, seamless travel for disabled people requires particular consideration regarding:

- > access to the pedestrian and built environment (such as to the train station, bus stop, airport)
- > access to transport vehicles and vessels (buses, trains, coaches, taxis, airplanes, ferries)
- > information provided in accessible formats relating to timetables and interlinking connections

Lack of access to travel information is a major problem for disabled persons.

Difficulties exist at stations where no public announcements are made and with on-vehicle information for visually impaired and deaf/hard of hearing people and persons with learning difficulties. This information should be provided in appropriate formats for all stages of the journey. This would mean, for example, the name of every station should be announced audibly and displayed visually, as a train progresses along its route.

Accessible information at railway stations, bus stations, bus stops etc varies from inadequate to non-existent.

There is also a need for real-time information on the status of particular journeys; if there are delays, disabled travellers are extremely vulnerable.

8 IV - Passenger rights after the international rail journey

8.1 Assistance to passengers

Assistance to disabled travellers

There is a need for clear information on, and coordination of, assistance provision for disabled people across the different transport modes. Transport providers should also accept more responsibility for providing assistance to disabled travellers in cases of delays, cancellations or emergency situations.

9 The CER⁶ proposals for a Passengers Charter

EDF welcomes the work CER has undertaken on a Passenger Charter and would be pleased to work closely with CER to build understanding and awareness in the industry on the question of the barriers facing disabled passengers to rail travel and how to address these barriers.

A Passengers Charter which is a voluntary commitment is an important means to identify the willingness and commitment of the railway industry to addressing shortfalls in terms of meeting the interests of disabled rail passengers and other rail passengers. Work on developing and implementing the terms of such a Charter can be an important means to bring consumer groups and industry together in dialogue and promote information exchange in order to agree solutions to problems.

However, EDF considers that the serious access barriers faced by disabled people in rail travel must be addressed by means of a Regulation as it places a legal as well as a moral obligation on the rail industry to provide an accessible and satisfactory rails service for disabled persons.

⁶ Community of European Railways

ANNEX I: About the EDF and other documentation

A.1 About the EDF

The European Disability Forum (EDF) is a European umbrella organisation with 70 European NGOs and 17 National Councils from all of the EU, plus Norway and Iceland, as members. EDF represents the interests of 37 million disabled citizens in the EU. Our mission is to advance disabled people's human rights and promote equal opportunities in the EU Institutions and Member States in accordance with principles of non-discrimination.

A.2 Other relevant EDF documents:

EDF 02/15 - European Disability Forum's response to the European Commission consultation paper on Airlines' Contracts with Passengers

EDF 02/14 - Response paper on the Commission Communication on the enhanced safety of passenger ships in the EU (COM (2002) 158 final)

EDF 02/13 - EDF Response to the second Railway Package "Towards an integrated European railway area" (COM (2002) 18 final)

EDF 01/13 - EDF Position Paper on Tourism: Framing the Future of European Tourism (2001/12 – EN)

EDF01/11 - EDF response to the European Commission White Paper European Transport Policy for 2010 (2001/12 – EN)

EDF 00/26 - EDF Response on the Commission proposal « Towards a Barrier Free Europe for people with disabilities » (COM(2000)284final) (2000/11 - EN/FR)

EDF 00/2 - EDF response on Air Passengers' Rights (2000-03 –EN)

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