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DIRECTORATE-GENERAL FOR ENERGY AND TRANSPORT

DIRECTORATE E - Inland Transport
Rail Transport and Interoperability

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Summarising notes on the hearing Rail Passenger transport, 15 October 2001

Attachments:

- list of participants;

Introduction by the Commission

Mr Vinois welcomes the participants to the hearing. This hearing is an important step to give European railway users a voice to its suppliers. In his presentation Mr Vinois addresses the European Commission's White paper in Transport Policy (http://europa.eu.int/comm/energy_transport/en/lb_en.html), the current legal framework for railways and the new railway package (adopted on the 23rd of January 2002 by the Commission, see http://europa.eu.int/comm/transport/rail/index_en.html). This new railway package describes the Commission's policy with regards to market opening in international rail passenger transport and with regard to rail passenger rights.

In this note the main points of the speakers will be outlined, with the purpose of serving as a background document for developing the rail passenger policy.

Results from the hearing

All participants are invited by the chairman to present their view on international rail passenger transport, taking into account the main points from the responses participants may have provided to the Commission on the questionnaire that was sent out.

European Associations

Bureau Européen des Union des Consommateurs (BEUC), Mrs Villamar

Commission européenne, B-1049 Bruxelles/Europese Commissie, B-1049 Brussel - Belgium - Office: Rue De Mot 28 04/51.
Telephone: direct line (+32-2)2902-2993760, switchboard 299.11.11. Fax: 2902-2995887.
Telex: COMEU B 21877. Telegraphic address: COMEUR Brussels.
Internet: http://europa.eu.int/comm/dgs/energy_transport/index_en.html

Internet: Hinne.Groot@cec.eu.int

The BEUC is a European association of consumer organisation and represents 23 national consumer organisations.

Lack of good information to passengers is number one key item. It regards information on services and prices, compensation for bad performance, terms of contract that are not published, intermodal chain information, area's of responsibility of the railway undertaking.

Second key item is remedies for passengers. It regards complaints, compensation for delays, third party dispute settlement, standard complaint form, and representation of consumers, reporting on performance, monitoring and sanctions.

European Cyclist Federation (ECF), Mrs Coppieters

ECF is a European association of 40 cyclist organisations, representing 400.000 members from 25 countries.

International rail passenger transport needs major service improvements for bikers ECF argues. Bike and rail is vital for intermodality and a door-to-door transport solution. At the moment biking is performing below its normal market share. Bike facilities in rail could either be a public service requirement or a passenger right. Mrs Coppieters presented the following main issues for bikers regarding international rail passengers. On the substance:

- lack of information on services for bikes, especially for international journeys;
- no bikes in High Speed trains;
- bikes on trains is possible see Switzerland: 1.6 mln bikes on the trains p.a. compared to 100.000 in Italy;
- parking bikes on stations is often poor;
- no reservation possible for bikes;
- no marketing at all, it looks like the railway undertakings do everything not to sell bike services;
- price is not the main problem for bikers.

European Disability Forum (EDF) , Mrs Beaumont

EDF is strongly in favour of passenger rights and hopes this hearing will be the start of the consultation process. Concerning People with Reduced Mobility the following issues are important:

- use study COST 335 in interoperability TSI and not only improve services for people with reduced mobility where 'where reasonably practicable', as is often formulated;
- for cross border services a breakdown of information should be available on services of help at stations (such assistance to busses and taxis);
- staff disability training;
- more than 2 people with reduced mobility per train is often too impossible for the railway undertaking but people with reduced mobility should be able to travel together;
- take note of the diversity of inability's;
- transparency is needed on concessionaire fares;
- monitoring and enforcement are needed; how many people with reduced mobility do use rail in practice;
- complaint handling;
- right to influence at all stages of planning;
- EDF offers the expertise to work with the railway undertakings;

National Associations

In this note the national rail passenger organisations are shortly introduced and in a second section the main comments on international rail passenger transport are presented.

BTTB, Mr Dusselaar (Belgium)

About the organisation:

- 1000 members, mostly individuals;
- covers only Flanders;
- BTTB has newly installed local committees oriented to specific railway lines;
- BTTB organises campaigns to promote public transport;
- co-operation with environmental groups;

- involved in the conference Easy rail travel in Europe in April 2001;

About (international) rail passengers:

- lack of information;
- transparency of fares, too much time is needed to buy a ticket;
- fares for cross border transport are too expensive, not competitive with air;
- Complaint handling: would an umbrella organisation be supportive for international journeys?;
- lack of cross border trains;
- Consumer representation in railways important. BTTB is appointed by government in SNCB/NMBS users committee;
- passenger security usually good;
- intermodality needs improvement;

Rover, Netherlands, Mr van der Borgt

About the organisation:

- has more than 1000 individual members;
- covers all kinds of public transport;
- meet at national and local levels with public authorities. LOCOV is the national level conference, imposed by law, with participation of consumer organisations, railway undertaking and Ministry of Transport. LOCOV has to be consulted on i.a. timetable, fares, and public service contracts.

About (international) rail passengers

- Better travel information essential. DB is good practice at the moment but does not cover all members states and does not cover engineering work (real time travel information). Information on services. In NL this intermodal information system already exists and is imposed on operators, could be done at EU level.
- Fares too high for cross border, too complex systems. One type of fare should be available for all international journeys like TCV fares but then including all trains, also new trains.

- Consultation procedure for consumer representations is important also for international trains. It helps in practice to achieve better solutions.

Bundeskammer für Arbeiter und Angestellte Abteilung für Umwelt und Verkehr, Austria, Mr Unfried

About the organisation:

- established by law

About (international) rail passengers

- lack of procedure for complaints;
- in favour of compulsory compensation to passengers for late trains;
- travel information is vital;
- requirements for people with reduced mobility such as elevators at stations are important;
- interoperability should also look at enlargement EU - involvement of accession countries in the process;
- agrees with BEUC;

Probahn, Germany, Mr Schneider

About the organisation:

- 3000 members
- no subventions

In 2001 consumer organisations discussed in Paris the issue of passenger rights and agreed that the following issues are important:

- right of information, also in cases of strikes;
- information real time, standard;
- all railway undertakings responsible for complaints international rail passengers;
- prompt refunds for trips not carried out or hotel for missed connections;

- compensation claims;
- complaints handled on time;
- offer same legal rules and regulations.

The conference in Paris, 2001 was meant to address the issues for international rail passengers and fits in perfectly well with the Commission's approach in establishing international rail passenger rights.

DBV, Germany, Mr Miertschischk

About the organisation:

- DBV has members mostly from the East of Germany;
- DBV is in contact with Polish and Czech rail consumer organisations;
- DBV also attended the consumer conference in Paris 2001;

About (international) rail passengers:

- binding information on tickets is needed;
- information on concessionaire fares is lacking;
- missed connections: treatment of passenger is too much dependent on individual railway undertaking;

COMBICI, Organisation of bikers (member ECF), Spain, Mr Sierra Ibanes

About the organisation:

- 30.000 members;
- association concerned with bikers' interests;
- the organisation has links with bus companies and employee organisations;

About (international) rail passengers

- limited services for bikes in trains
- facilities for people with reduced mobility are usually only available in major cities;
- Pyrenées crossings by rail are insufficient and lead to more transport by road;
- Th organisation is generally concerned about rail privatisation and safety of rail transport.

Associação Portuguesa para a Defesa do Consumidor (DECO), Portugal, Mr Moita

About the organisation:

- DECO has 12500 members;
- DECO is a general consumer affairs organisation

About (international) rail passengers

- involved in studies on cleaning, travel information, punctuality
- investment is being made first time in 5 years;
- a survey on quality was made i.a. showing that consumer information is a major issue;
- wheelchairs in trains are problematic;

Advice for the European level:

- create quality indicators to measure quality;
- complaint handling and out of court settlement of disputes a priority;
- set minimum services levels in cases of strikes;

Altroconsumo, Italy (BUEC member), Mrs Crisigiovanni

About the organisation:

- Altroconsumo has 300.000 members;

- 100 employees;
- all modes of transport are covered;
- provides legal advice and supports complaints procedure;

On service quality Altroconsumo had, based on reports and letters several remarks to make:

- Replies on complaints were not always received;
- Consumer information poor;
- No refunds are provided for intercities;
- Theft in trains and insurance;
- Quality standards should be set publicly by the railway undertaking;
- Exchange of information on international connections vital;

On international services Altroconsumo mentioned the following issues:

- Lacking interoperability;
- Infrastructure shortfalls (e.g. Lyon – Torino);
- Liability far from clear;

On the initiative of Altroconsumo a consumer satisfaction survey was undertaken in 1999 based on 3000 respondents showing a rather bad picture for rail passenger transport:

- 57% of respondents were negative on punctuality;
- 95% of respondents found trains dirty;
- 82% of respondents was negative on comfort levels, air conditioning was an item;
- 70% of respondents do not ask for refunds even if they could;
- 75% of respondents receive no replies from railway undertakings on complaints.

Lately there was an interesting court ruling in Venice saying that if for 21 days out of 30 there is a train delay 21/30 of the price should be refunded where normally no refunds are given for journeys < 100 km.

Recommendations for further work at European level include:

- support development of EU passenger rights;
- standard service quality levels e.g. concerning safety and cleanliness, consumer information;
- improved monitoring at EU level;
- compare with approach in air and Telecom;
- Dialogue on the basis of data with the railway undertakings.

Consumer Association of Ireland (CAI), Mrs Gallagher

About the organisation:

- 7500 members;

About (international) rail passengers:

- Major issues to address are safety, people with reduced mobility and ticket integration with bus and taxi;
- In Ireland overcrowding of trains, shortage of seats, is a problem nowadays leading to dangerous situations at train station platforms. Overcrowding has become a rail safety issue. For passenger security unattended stations after 8PM is an issue in Ireland;
- The use of an ombudsman is strongly supported.

Railway Development Society (RDS), UK, Mr Gerrod

About the organisation:

- Covers Great Britain and Northern Ireland
- representing 20.000 users, i.a. through 70 local associations;
- international contacts with e.g. Rover ,FNAUT

The heavy cuts in rail services during the 1960's motivated the work of RDS and since then RDS has tried to re-open stations. RDS welcomes the initiative of the EC on the hearing because 'rail travel should be easy and attractive' and at the moment it does not meet that standard. In 1999 RDS published a brochure about easy rail travel. One of the priority topics in this respect is ease of information and access to the services.

Gerrod questioned whether rail had lost the battle for long distance rail travel. There may not be a level playing field with road and air transport concerning the pricing of external costs but there are internal reasons too. One of them is the bad marketing of international services:

- That tickets difficult to buy in UK;
- Eurostar services is not marketed on other cities than served by Eurostar itself;
- Intermodality should be improved, e.g. selling Paris Metro tickets in Eurostar.

In UK ATOC is marketing national rail and in some cases there is good intermodality promotion (e.g. selling connecting rail tickets in air services). Passenger rights in the UK are legally protected by the passenger charter of 1993, which has national dimension as well as a dimension per railway undertaking. Issues on the passenger charters are e.g. missed connections, compensation, intermodality with coaches and air.

London transport Users Committee (LTC) ,Mr Barnes, United Kingdom,

About the organisation:

- Statutory committee (in the UK also existing for other utility sectors like gas, electricity, post);
- Part of (national) Rail Passenger Council;
- Sponsored by the London Assembly;
- Covers the Eurostar services as well;
- Has the right to be consulted on timetables, fares, rolling stock, stations, penalties;
- Has the right to monitor the service quality;

A particular issue is the Eurostar Act of Parliament which gives the LTU particular responsibilities concerning:

- To act as an appeal body for complainants;
- To monitor performance;
- However no consultation on fares and timetables;
- Scope of action concerns only the stations London Waterloo and Ashford International;

Eurostar itself doesn't see itself as part of the UK transport systems because there is no public service contract with the government concerning these services and therefore Eurostar not involved in issues like concessionaire fares (like e.g. for disabled people).

The LTU tried, unsuccessfully, to discuss with Eurostar the introduction of advance purchase tickets, also to extend the social role of the services provided.

Concerning compensation for late trains All train services need a compensation scheme at the moment (30 min 50% off, 60 minutes full refund irrespective of ticket type).

Concerning disability the UK disability Act applies. One has to be aware of the fact that station buildings and surroundings are at least as important as the facilities for disabled people in the rolling stock itself.

London rail services are heavily affected by capacity problems at the moment, leading to knock on effects in cases of disruption of services. Furthermore in trains there is a trade off between space reserved for bikes and for regular passengers because of this capacity problem.

Presentation of the results on a study on international rail passenger on behalf of the Commission, Mr Mathieu, OGM

OGM has conducted a study concerning international rail passenger transport to assess the opportunities for market development and need for service quality improvements. Slides are attached. The participants of the hearing will get access to the slides, the final report if concluded and the CEN quality standard for public transport services (slides and CEN standards distributed already in the meeting).

As a follow up of this study, Mr Vinois outlines, the Commission considers to come forward with proposals on bringing more competitive pressure in the market by opening of the market and by setting common EU international rail passenger rights.

The full study report will soon be available on the EC's Webster (http://europa.eu.int/comm/transport/rail/index_en.html).

Reaction for the Community of European Railways (CER), Mrs Ottavianelli

Mrs Ottavianelli shortly reacted on the hearing of this day on behalf of the CER. She outlined that CER is currently reflecting on the issue of rail passenger rights and sees considerable relation to the material presented by OGM and the work of CER in this respect. The approach of CER is that rail passenger rights should be developed through the following lines:

- Voluntary service level agreements by the railway undertakings;
- Additional legal regulations where necessary.

Mrs Ottavianelli stated that there could be a conflict of interest between the business focus of the railway undertakings and the public service focus. All obligations that are not profitable that are put on the railway undertakings should be financially compensated by the Member States.

Furthermore she made clear that there can be a conflict of interest here with the EU Competition policy where co-operation above a certain size are subject to competition rules on concerted action of undertakings.

The service levels of railway undertakings depends heavily on. The availability of sufficient railway infrastructure provided by sometimes-separated infrastructure managers.

The CER considers the existing and new CIV (OTIF) as not sufficient on all relevant parts e.g. on missed connections / complaint handling. (<http://www.otif.org/>).

On passenger information Ottavianelli outlined that progress is made in linking the different software systems for providing information on timetabling.

Concluding words on the hearing by the European Commission

Mr Vinois thanked the participants in the hearing for their contributions, which were very positive and valuable in drawing up the Community policy framework regarding international rail passengers.

Vinois asked all participants whether the (written) information obtained could be spread elsewhere or possibly on the (EC) internet. All participants agreed to that.

Mr Vinois outlined the lines of working of the European Commission on the subject:

1. The EC advocates and would like to support the setting up of a European platform of rail passenger organisations and invites the participants to come forward with proposals in this respect;
2. Within the framework of the Commissions Rail Market Monitoring Mechanism, which is currently, being developed quality indicators for passenger transport will be used and measured within the Community. A EU wide rail passenger satisfaction is considered at the moment;
3. The Eurobarometer (nr 53) (http://europa.eu.int/comm/dgs/health_consumer/library/surveys/index_en.html) monitors the customer satisfaction in rail passenger transport
4. Building on good practices from the Member States for the development of EU international rail passenger rights. The Paris 2001 initiative of various rail consumer organisations regarding passenger rights presented here is welcomed in this respect. The Commission will come with concrete proposals;
5. The work on Technical Specifications of Interoperability (based on interoperability directives) where the consumer organisations will be involved in the work on rolling stock.
6. Working groups on specific issues with consumer representations and railway undertakings could be set up in co-operation with the Commission.
7. The new railway package, to be adopted by the Commission by the end of the year, will address the issue of international rail passenger transport both concerning market opening as well as international rail passenger rights.

Done at Brussels, 25 April 2002