



EUROPEAN COMMISSION

*Brussels, 16.3.2018
C(2018) 1575 final*

Dear Chairs,

The Commission would like to thank the Assembleia da República for its Opinion on the proposal for a Regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast) {COM(2017) 548 final}.

In proposing these measures, the Commission is delivering on its promise to ensure a deeper and fairer Internal Market where consumer interests and social policy are at the core of the single market. The proposal aims to improve the protection of rail passengers in the European Union and to facilitate their access to these rights, whilst striking the right balance with regard to the economic situation of the rail sector as a sustainable mode of transport in a competitive environment.

The current Regulation has had an overall positive effect on increasing the protection of rail passengers. However, two major problem areas were identified with the application of the Regulation. These relate, on the one hand, to the rights of passengers, including persons with disabilities or reduced mobility and, on the other hand, to the burden on railway undertakings. Firstly, passengers cannot always fully enjoy their rights under the Regulation when using rail services. This is notably due to the fragmentation of the rail sector owing to extensive exemptions granted by Member States to domestic services. Also, the rights of persons with disabilities or reduced mobility were not fully in line with the United Nations Convention on the Rights of Persons with Disabilities and needed to be updated. The second major problem area concerns the burden on railway undertakings due to the inconsistent application of the Regulation and the risk of unfair treatment of the rail sector in comparison with other modes of transport as regards compensation to passengers for delay in the event of force majeure.

*Ms Regina BASTOS
Chair of the European Affairs Committee of
the Assembleia da República*

*cc. Mr Eduardo FERRO RODRIGUES
President of the Assembleia da República
Palácio de S. Bento
P - 1249-068 LISBOA*

*Mr Pedro BACELAR de VASCONCELOS
Chair of the Committee on Constitutional
Affairs, Rights, Freedoms and Guarantees*

*Mr Hélder AMARAL
Chair of the Committee on Economy,
Innovation and Public Works*

The Commission welcomes the support of the Assembleia da República for the proposal and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Violeta Bulc
Member of the Commission*