



EUROPEAN COMMISSION

*Brussels, 21.2.2018
C(2018) 883 final*

Dear Presidents,

The Commission would like to thank the Cortes Generales for their 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 aims to contribute to creating a deeper and fairer internal market, with an adequate system to protect consumer rights as a core element. The proposal for a revision of rail passenger rights aims at improving the protection of rail passengers in the European Union and at facilitating their access to these rights while 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 its application. 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 possibility of excessively burdensome obligations for 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. The second major problem area concerns the possibility that excessive costs for railway undertakings would result from an inconsistent application of the Regulation in the event of "force majeure", which might in turn create a competitive disadvantage for the rail sector compared with other transport modes.

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The Commission welcomes the support of the Cortes Generales for this 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*