ANDRÉ: Hello, everyone.

And welcome to the webinar

on Passengers' Rights.

Today I hope that everyone

is well and safe

and that you are having

a good start of the morning.

Before we start by presenting

the webinar and speakers

I wanted to just share

some logistical information.

You'll find the link to access

the real-time captioning

on the chat box

which should be to your right.

The webinar will have international

sign language interpretation

as you can probably see

right now.

If you have any technical issues

you can ask my colleague Raquel

in the chat box

on your right as well.

And if you need to download

the presentation of the webinar

we have the presentation available

in the box called handouts.

You should be able to download it

yourself and follow it.

During the webinar all participants

will remain muted

to avoid sound problems,

but at the end of the webinar

we'll have 15 minutes to answer

some questions.

We'll take them

through the question box on the right.

You can write your questions any time.

We'll take note at the end.

You can start asking questions

from now.

The webinar will also be recorded

and we'll share the video subtitled

with our participants

and through our website.

However, the attendees will remain

anonymous

and we won't say any names out loud

for privacy reasons.

We won't share the video

of the speakers.

You'll be able to see

the presentation in the screen

but you won't see the speakers

for technical reasons.

Before the overview I'd like to thank

our sign language interpreters,

Gerdinand and Lissa,

and our real-time captioner, Tina.

I'll give now a short overview.

The webinar will consist in two parts.

An overview at EU level

on Passengers' Rights regulations

and these are nominally

air, rail, bus and coach

and sea and inland waterways

Passengers' Rights.

And the second part we'll talk

about the status of the regulations

and EDF positions and focuses.

At the end we'll have a short time

for questions.

A bit about EDF now.

We are an organization

with over 100 members,

and we defend the rights of 100 million

persons with disabilities in Europe.

Very briefly, we're based in Brussels.

And we focus and we fight

for the implementation of the UN CRPD

and to uphold the rights of persons

with disabilities in the EU,

its member countries

and also in Europe in general.

Now I'll present our two speakers

and then I'll give them the floor.

We'll start with Mher Hakobyan.

He is our Accessibility Officer.

He'll give an overview on what the EU

is doing on Passenger' Rights

in all travel modes: air, train,

bus and coach and maritime travel.

He'll explain what and how

the EU guarantees

the rights of persons

with disabilities when travelling.

And what pieces of legislation the EU

is working on to improve these rights.

Then, Marie Denninghaus,

our Policy Coordinator will speak.

She'll share EDF's positions

and recommendations to improve

the rights of persons with disabilities

in all those transport modes.

She'll explain the future actions

within the EU and how to get involved.

And finally there is me,

I'm moderating this webinar.

I'm Andre Felix. I'm

the EDF communications coordinator.

After this introduction, I'll give

the floor to Mher Hakobyan.

MHER: Thank you. I hope

that everyone can hear me well.

Good morning, everyone.

We'll talk about the EU laws

and protect the rights of passengers

and these are, as he mentioned,

in four transport modes: air, train,

bus and coach and water transport.

Next slide, please.

But before we start presenting this

I want to mention two key things.

First of all, I want to say

that we'll talk about regulations.

And this is important

because regulations are

the strongest legal tool

in EU's toolbox, so to say,

which means when they're adopted

at the EU level they're binding

and they apply to all of the addressees

that the regulation aims to address.

So that can apply directly

to the EU countries or services

and citizens that it addresses.

And the Member States

cannot really choose to apply

what parts of the regulation they want

unless the regulation text allows them

to do in certain parts.

So the regulation itself will mention

on certain provisions

they can have exemptions.

But other than this

they cannot choose and pick.

The next important thing is

that all of these regulations oblige

EU countries to designate

a special body which you call

National Enforcement Bodies

or in short NEBs.

That these bodies are there to ensure

that the EU law is properly followed.

And one of the functions in this

is also to ensure

that rights of passengers

are respected.

Any passenger who believes their right

under the regulations have been breached

they can contact

the national enforcement body

where the incident happened

and raise their complaints with them.

At the end of this presentation

you'll find the contact links

to the national enforcement bodies.

The regulations we'll mention today,

first on air, they are three.

There is a general one,

there is a specific one

when harm is caused to a passenger

or their belongings

and one specific regulation

on persons that is called

rights of disabled persons

and persons with reduced mobility.

Then we have a general regulation

for the rights of rail passengers

with the specific chapter

on lead disability rights.

The same goes for bus and coach,

sea and inland waterways.

So next slide, please.

So the first one is on air.

You can see a wide airplane

on a blue sky background.

Very nice picture.

We'll see if this reflects the state

of production of citizens' rights.

So the next one.

First, I'd like to say that often

when we talk about regulations,

we name them by mere numbers.

So let's say this regulation is 261.

Often in discussions

like EU law discussions

you can hear like regulation 261

or regulation 1107.

This is kind of the jargon

that is used in discussions.

The first one is, as I said,

regulation 261.

This is a general regulation

on rights of passengers,

of all passengers including

passengers with disabilities.

It states the rules on compensation

and assistance to passengers.

By assistance here I mean meals

and accommodations,

not assistance for persons

with disabilities.

In case of denied boarding,

flight cancellations or long delays.

I'm denied boarding. Notice this isn't

about denied boarding

which we'll talk about a bit later

because passengers with disabilities

they are often denied boarding

due to their disabilities.

This is when the flight is overbooked

and the airline calls for volunteers

to step down because

of the overbooking.

And when they don't find

enough volunteers to do this,

then they can deny boarding

to passengers against their will

in which case they have to compensate

them but the important thing here is

that airlines when doing this practice

they need to give

priority for boarding to persons

with reduced mobility

and any other person

that is accompanying them.

If you have a cancellation the airline

is obliged to care for you,

which means refreshments, meals,

hotel accommodation if needed,

and they have to reimburse the cost

of the ticket within seven days

or provide you with a return flight

to your first point of departure

or rerouting option.

And on certain cases they have

to compensate you.

The difference between reimbursement

and compensation is

that reimbursement is the refund

of the price of the ticket.

And compensation can be in addition

to this as a kind of...

To compensate your time

or the difficulty that was caused you.

The compensation is only on conditions

where the passenger is not informed

sufficiently before and these are

like in general two weeks in advance.

And it doesn't apply if the airline

can prove that the cancellation was due

to extraordinary circumstances

which is important,

especially now

during confinement measures.

We'll talk about this a bit later

at the end of my presentation.

And the airline is also obliged

to provide clear information

about the cancellation

or delay of your flight.

And in this regulation is written

this information has to be accessible

for blind

and partially sighted persons.

It doesn't specify how

this should be done

but the obligation is stated

in the law.

Next slide, please. Thank you.

So the next regulation is

regulation 889.

This is about liability.

So about the airline's obligation

to compensate for any loss,

distraction or damage to your luggage

that both check-in luggage

and carry on.

But this also includes any harm

that is caused to the passenger,

for example, any injury

or even death cases.

So the compensation for your luggage

according to this law

it's approximately of 1290 Euro.

But you can before taking the flight

at the check-in

you can make a special declaration

of value

which is a form you fill out and often

you are required to pay a fee.

And then in this you can state

the value of your luggage.

Then the airline has

to compensate more.

And this is crucial

for many persons with disabilities

who have a mobility equipment

which is a lot of the times

much more expensive than 1290 Euros.

So this can ensure

when something happens

you are fully refunded

or now compensated for this.

For these things there are time limits

for complaints and court actions.

The law also states that limitations

before you have to take action.

Otherwise your right

to this compensation would expire.

The next slide, please.

So the next regulation, the third one

I talked about air is a specific one.

It's the only specific regulation

on the rights of disabled persons,

persons with reduced mobility

that we have in transport.

And just to note that in EU laws

this is how it is defined,

rights of disabled persons

and persons with reduced mobility.

This can include persons

with temporary reduced mobility

due to accidents or older persons

who need assistance,

but generally we often say persons

with disabilities when we talk,

meaning all of these people also.

This also has provisions to guarantee

that persons with disabilities

they aren't refused of reservation

or boarding due to their disability.

This is a non-discriminatory insurance

for persons with disabilities.

Also they have the right to get

free-of charge-assistance

at the airport

and also in the aircraft.

Next slide, please.

But, of course, there are some caveats

that the law also says

even if you have the right to board

and you can't be denied boarding

under certain circumstances

this can actually happen.

Marie will talk about this later.

Just to note it's an argument

about safety requirements

or if the size of the aircraft makes

impossible the carriage of the person.

There is no protection guaranteed

for damaged or lost mobility equipment

So this is also negative in this law.

And we'll talk about EDF's position

a bit later.

Next slide, please.

Okay. The next regulation

I'll mention is the rail regulation.

You see an image of a white

and red train at the platform.

This is about general rights

of all passengers

including passengers

with disabilities.

And the part about disability rights

is covered under chapter 5.

To go to the next slide I'll give

an overview of the general rights.

This mostly applies

to long-distance travel

which means urban, regional

and suburban rail travel

these are mostly exempt

from the regulation.

But to be more specific the parts

where countries can make exemptions

those are domestic railway services

but this they can do for a maximum

of 15 years after the regulation

came into force.

There are permanent exemptions

that countries can make

about urban, suburban

and regional travel.

And also there are exemptions

for five years

which can be renewed again later

for any rail service

which has a significant part

of its service outside the EU.

This is more important for countries

that are on like the borders of the EU

that they have neighbouring countries

which are bordering the EU so to say.

Certain provisions of the regulations

are actually mandatory

which is rules on the availability

of tickets,

liability for passengers

and their luggage,

right to transport of passengers

with reduced mobility,

accessible information of rail services

and obligations on passenger' safety.

This also includes compensations

and reimbursement conditions

and effective complaint mechanisms.

So to go to the next slide,

we'll talk specifically

what the law ensures for persons

with disabilities.

But it's a right to access

to transport at no additional charge.

It also applies for urban and suburban

and regional rail.

And information about the accessibility

of rail services and stations.

This has to be requested before.

This again applies for all rail travel

including local trains.

And there is a guarantee of free

of charge assistance on board trains

and at staffed stations which is crucial

because sometimes the argumentation is

that some stations are too small

and they don't have staff.

So the provision can't be ensured

and there is a prenotification time

in the current EU law for 48 hours

in advance.

In this law it is a good point

you'd be compensated fully

for your last and damage

of mobility equipment

so unlike in the air regulation

we discussed.

Next mode of transport is...

Next slide, please.

Bus and coach.

Again this is a regulation

on the rights of all passengers.

You can see a blue and black sort

of coach bus in these colours.

The chapter that applies to persons

with disabilities is chapter 3.

So the next slide we'll again give

a small overview.

So this regulation applies

to ordinary bus and coach services

that carry passengers

along specific routes

with predetermined pickup

and stopping points.

Not all bus and coach services

would go under this but specific lines

and operating lines that have

specific stops that the law mentions.

And in general the law is applicable

to travel for long distance,

bus and coach travel which means

Under this you have a guarantee

for assistance.

Again assistance meaning

like providing refreshments, meals

when there is need to accommodate

at a hotel under certain circumstances.

You can be compensated, reimbursed

or rerouted in delays or cancellations

You have a right to get information

about your cancelled or delayed service.

And you have to be protected

in case of rural accidents.

So the next slide.

This part applies to all travel

so it doesn't mater

if it's more than 250 kilometres

or less.

This is non-discrimination provision

based on nationality.

So nobody can deny you the ticket

or to board a bus based on nationality.

There is also that you have to get

information about your travel.

For example, timetables, and services

have to provide you

with the information about your rights

as a passenger.

This information provision also notes

the information must be accessible

for disabled persons and persons

with reduced mobility.

This can be in large print, Braille

plain language or audiotapes

which is a very good point in terms

of accessibility of information.

Now provisions on how to make complaints

and how the mechanisms work.

And then we go to the next slide

which is a bit more specific

on the rights of persons

with disabilities.

It applies for all distances.

There is a non-discriminatory treatment

to access the transport equally

as other passengers.

But again there is a small caveat

where we have safety concerns raised

to go against this right

and the vehicle design itself

they can be reasons for denial

of right to transport.

And then the good thing again here is

that you have full compensation

for loss or damage

of mobility equipment.

For long distance travels you have

the right to assistance

free of charge at designated terminals.

This means not at all stops

but a list of stops where you have

the right to assistance.

This is linked in the presentation.

You can check which these are.

You have to prenotify 36 hours

in advance.

and where it's necessary,

transport free of charge

for an accompanying person

is also ensured under this law.

So the final transport mode is

sea and inland waterway.

And this is again a general regulation

on all passengers' rights

which has a specific chapter

on disability, chapter 2.

In the image, a white and red cruise

at the south harbour of Helsinki.

Very beautiful. And again I'll give

a very short overview.

Next slide, please.

So the law protects the rights

of all passengers

when traveling on large ferries

and cruise ships on sea, rivers,

lakes and canals in the EU.

Large is a key word here

because there are exemptions.

If the ship carries up to 12 passengers

this doesn't apply.

If it has up to three persons who are

the crew members, this doesn't apply.

This doesn't apply either

If there is passengers services

that travel less than 500 meters

in one way, this doesn't apply to them.

And excursion and sightseeing tours,

other that cruises and ships,

not repeal by mechanical means

they don't go under this regulation.

And then also

some small specific private...

There is other also exemptions

but these aren’t too important.

You can check in the links,

there is more detailed information.

So the law guarantees reimbursement,

compensation or rerouting

in case of cancellations

or delays.

Notice here this doesn't apply

to cruise ships.

So if you've a cruise booked

and it gets cancelled,

you cannot claim reimbursement

or compensation.

And then your guaranteed assistance

in case of delays or cancellations.

Again this is about accommodation,

meals, this kind of assistance.

You have the right to information

about the travel arrangements

and your rights as passengers.

And the law also provides the details

about how to make complaints

and what are

the complaint-handling procedures.

Next slide is focusing on the rights

of persons with disabilities.

You have the non-discriminatory access

to transport

but safety and ship and port design

can be again arguments

for denial of right to transport.

And if we talk for example

about port design or ship design

there are accessibility barriers.

This can in the end mean

that you're denied boarding

or you cannot board the ship

and you can't blame the service

for being discriminatory to you,

so Passengers' Rights are unprotected.

Then you have the right to assistance

free of charge for both

at port terminals and on-board ships.

This is specific to persons

with disabilities and reduced mobility.

And then you have compensation

for loss or damage mobility equipment

either at replacement value

or repaired value.

This has to be discussed

with the service.

I'm not sure if the law is

very specific on this.

Okay. So I finished about the rights

that are guaranteed

under the regulations

in this port transport mode.

But we just recently found out

that the Commission issued

some explanations how these rights

can be affected because of COVID-19

and I want to mention

this very briefly.

The Commission issued what is called

interpretive guidelines.

It means how to interpret

the regulations during COVID-19.

And this applies

to four specific regulations.

So in air it only applies

to the general regulation.

Not to the one about passengers

with disabilities.

And also in rail, bus and coach

and sea and inland waterways,

also these regulations are affected

by COVID-19.

So the next slide.

There are some small details

and differences but in general,

Passengers' Rights in case of delays

and cancellations are guaranteed

also in a COVID-19 situation

for reimbursement,

so you'd get a refund for your travel

or the rerouting at earliest opportunity

but since we live now

in a very uncertain period

and the earliest opportunity isn't known

to anybody what this can mean,

you can also be offered rerouting

at a later date of your convenience.

This is only if the Transport Service

cancels your service themselves.

If you are the one that decides

not to travel,

for example, if you feel unsafe

to travel, or you are sick,

then they aren't obliged to do

this reimbursement or rerouting.

But many services have special offers

now because of the situation.

So you can directly discuss with them

what your options are.

But in general they have

the right to information,

care and assistance which means

reimbursement rerouting

which also applies

under the circumstances of COVID-19.

But here there are some exemptions,

such as for air and water transport.

The force majeure which means situations

like COVID and confinement measures,

and Transport Services can used them

not to compensate you.

So they have to still reimburse you,

but you can't claim extra compensation.

Also if the airline cancels your flight

two weeks in advance

you cannot claim compensation

but they have to reimburse.

There is no exemption for rail.

The COVID-19 measures don't apply to rail

but you can ask for compensation.

And only severe weather conditions

are considered

as extraordinary circumstances

for bus and coach.

So again this cannot be used to,

for example,

not provide you with accommodation

if you are stranded somewhere.

But in different countries

you might have different national laws.

So this is a general guidance

on the EU level

but in different countries

you might have some differences.

So here I finish my presentation.

I want to highlight at the end

you can find links to all the laws

and also explanations and summaries

which can be very helpful and now

I pass the floor to my colleague Marie

who will talk more

about the current status of the laws

and also what our positions

are on them.

Thank you.

MARIE: Thanks a lot.

This was a great introduction.

Most important things have been said.

What I'll do now is

I'll go more into detail

about what is happening right now

and what EDF's position is

on these developments

and most importantly how you

as stakeholders,

as EDF members can get involved

to improve these regulations.

What is happening is that the Commission

is evaluating at the moment

several of these regulations,

among others,

the regulation on air Passengers' Rights

for persons with disabilities

the bus and coach and the maritime

and inland waterway regulations.

They'll be evaluated as a package.

It's planned for this year and next year

This is very important for us

to know because how it works.

The Commission is basically given

a contract to an external consultancy

who they'll do interviews, studies,

they'll collect data

on how these regulations are working

at the moment

and where the problems are

and how they could be improved.

They'll give recommendations

based on these studies,

on if there should be an evaluation,

an actual revision,

to change the text of this regulation

and to start a legislative procedure

or if they say everything is fine,

we don't need to change it

or there need to be interpretations

to clarify certain aspects.

We have on-going legislative procedures

also at the moment

and this is mainly

the rail Passengers' Rights regulation

which I'll go also into detail.

But for these two on-going mechanisms

what is chief is the possibility

to improve the texts.

Because as Mher says these regulations

aren't perfect

and they have certain weaknesses

and I can summarize this

that in all regulations we have

the same issues to different extents.

In all regulations there is an issue

of where safety reasons can be put

against the right to access and to travel

for persons with disabilities.

So it's very difficult to weigh up

what is now a safety measure.

I'll give the example later in rail

as well where, for example,

the captain of the plane can decide

from just looking at you

whether you're deemed to travel

by yourself if you're disabled or not.

These are problems we see

in all transport modes, mainly in rail.

Then a big problem is

the inaccessibility of vehicles

and this isn't at all addressed

in these regulations.

We have some separate regulations,

for example, in rail

which also addresses

the technical accessibility of trains

but this, for example, doesn't exist

for air, so there is no approach

to making airplanes more accessible

to facilitate travel

This is a big gap in the regulations

on Passenger's Rights,

they guarantee you the right to travel

without addressing the enabling factors

like the accessibility of the stations,

airports, vehicles, etc.

Also we criticize that assistance

should be booked in advance.

In some cases up to two days

in advance which is way too long.

The transport providers should make

an effort to provide you assistance,

but in small stations it isn't possible

because there is no staff.

So you'll have to somehow prenotify,

and even if you turn up

you can still be lucky

that you get assistance.

Furthermore, the quality of assistance

in all transport modes is

in practice often questionable,

you probably all had that experience

that even if you book an assistance

there is nobody there.

The staff is overwhelmed

with too many requests.

For example, at the airport they may take

two or three people at the same time

even if they have to go

to different gates which causes delays

or passengers are forgotten

on airplanes and they wait long time

to actually disembark a plane.

So the quality of assistance needs

to be addressed in all modes.

And finally Mher mentioned

the exemptions are also important.

So the scope often excludes urban

and regional transport modes.

This is for example clear

in the rails regulation

what the rights of persons

with disabilities concerns

we are still relatively lucky

because this chapter is excluded

from the exemptions,

but still you are a passenger.

So you'd like to get a compensation

also if your regional trains is delayed

and not only the long distance train

is delayed.

And this is important

because at the moment we have

no EU regulations whatsoever addressing

rights of passengers in urban transport.

So anything that is about metros,

trams, local buses,

this is completely out of the picture

and this should be improved.

This is the general overview and now

I'll elaborate in each transport mode.

For the air regulation, the one

on passengers with disabilities,

there is at the moment a roadmap.

So a roadmap, in EU speaks,

it's that before the EU

is actually considering changing it.

They do a test where they ask

for opinions of all different stakeholders

and look into if there should be

a study or if or an evaluation.

So this looks into how effectively

the current regulation is working,

whether it's responding

to all the challenges,

it can be now that also with COVID-19

these are new challenges.

And as you maybe remember

a few years ago in air travel

the ash cloud disaster in Iceland was

a huge game changer for air travel.

and this is still under discussion

and you can imagine

such impact on travel as COVID-19

has had,

it might can be reflected

in the EU regulations.

This is responding to challenges

that could now come up

and maybe open up a new angle

for us to improve

the rights of passengers

with disabilities.

So there was already

this first consultation in last summer.

It was in a very inconvenient time,

in July. I hope you saw it.

It may have passed

under people's radar, we replied.

This was the first let's say

kind of roadmap.

And now they'll look into doing

the study.

We aren't 100% sure if there will be

a revision but it's a start.

We've been contacted

by the external consultancy

which is tasked by the Commission

to do the study which is Steer.

They might get in touch

with you separately.

So if you get an email

from them don't delete it.

It's important

because they do the study

and we need to give as much detailed

input as we can.

And it's crucial to give input

from the national level.

EDF doesn't have this information

because we look at the bigger picture.

So if you know there are problems

at Copenhagen airport with assistance

please, notify Steer and tell them

what the problems are

so this can be reflected in the study.

As I mentioned in my introduction

the biggest challenge for this regulation

it's the issue of being denied

boarding because of your disability.

There are many cases and unfortunately

there is no obligation at the moment

for airlines to record this data

or give this data to the authorities.

So we have no real data that actually

tell us how many cases there are.

But what we get through here from EDF

even just from colleagues that travel

and they've had these problems

in the past several times,

I guess the problem is quite extensive

so it's a shame this is still happening.

And it can happen

on a very random basis.

One staff can say you aren't fit

to travel, so you can't travel

even though you've bought a ticket,

you have a reservation

and you've booked assistance at time

and everything is fine on paper.

Or they say you have to travel

with an assistant and what do you do?

You are alone so where do you get

an assistant from?

This is the biggest challenge

we want to address at the moment.

But there are other small issues

as well with regulations.

For example, it isn't clear when we talk

about guide dogs or service animals.

This is unclear because they mention

only certified guide dogs

according to national law

and this also varies a lot.

We have to make sure that, for example,

travelling with a guide dog

it has to become easier as well

and somebody with a guide dog

they cannot be denied boarding

because of lack of documentation, etc.

There are a lot of issues to address

but this is our priority

Of course, the other transport modes

are also relevant.

And I'm switching to the next slide

which is on rail where I mention

that we are at the moment

in an active legislative procedure.

We have the highest chance

to actually make concrete changes.

And our biggest issue is highlighted

here in bold.

It's the issue of prenotification

of assistance of 48 hours

which is a ridiculous amount of time.

If you want to travel spontaneously

this is the opposite of spontaneous.

And there are Member States

such as Spain or the Netherlands

that have either completely abolished

this prenotification period

or it's down to one hour as

in the Netherlands.

In Belgium they've done it

for some of the bigger stations.

So we think this is possible

everywhere but I have to say

the political resistance is

really strong.

So there is a lot of lobbying

from the industry going on.

Of course, from the transport operators

but it is also the Member States,

the Council in this case is really opposed

to making the rules stricter in general.

So we have had this in what is called

the trilogue,

when the institutions are negotiating

which is happening right now.

Although there is probably now

a break because of the Coronavirus.

It might be delayed

but it doesn't look good at the moment.

The European Parliament which had

an ambitious position at the beginning

it's starting to soften and they want

to go back to...

(PHONE RINGING)

Sorry.

They want to go back to maybe 24 hours

and it isn't a good solution for us.

So we're already lobbying actively

but we need the support of Member States

because they are, in fact, the ones

who have the last word.

We have an open letter which is linked

here in this slide

that we wrote to the EU leaders

and we started a signature campaign

which you may have seen we got

nearly 60,000 signatures.

It was really fast, within three days

we were over 30,000.

We can see it's a big concern

from the Member States,

from the passengers themselves

obviously.

So Member States can still influence

the position so you can also influence

if you contact your national Government

and explain why this is so important.

All the arguments that you can find

in our official position

and that we have linked later

in the slides as Mher mentioned.

Then we go to bus and coach.

And it's similar also for maritime.

I'll explain a little bit,

it's a similar roadmap and timeline.

It's also part of the evaluation study

that I mentioned for regulation 1107

so air Passengers' Rights

and they have a roadmap.

And now actually they have

workshops scheduled.

And this I hope won't be delayed

with Corona.

And this is also done

by the consultancy Steer.

They'll do interviews

of specific stakeholders

and things like questionnaires

where they try to collect data.

And data is always a problem for us.

We can give more anecdotal evidence,

but if you only knew how many cases

there are of denied boarding

or how impossible is to access

a bus station, this is key to collect.

You can start collecting it and we can

gather them once the consultation starts.

Also focus on three case studies

because they've noticed

that with bus and coach, we mean

mainly things like connections

for example, Flickbus, Eurolines,

these kind of bus and coach travel.

This is long distances

but scheduled services like Mher said.

These seem to be a rogue player.

We hear a lot of complaints

that even the regulators have problems

that they don't adhere to the rules.

That's why I think they focus

on these three case studies.

There will be one on travel disruption

if there are force majeure events,

provision of information

and the complaint handling

because this is an issue

in many other transport modes.

And then similar in the situation

for the sea and inland waterways

they're starting this evaluation

and we actually need to make sure

that like between again March and July

but probably now a bit delayed

we are ready to answer questions

and there have been reports and issues

that the regulation is not applied

completely but it also has these gaps

as I said that not all boat services

are actually included here.

The accessibility of vessels is

also a problem

that we hear several times

that in some cases, for example,

if you have a car ferry that persons

with disabilities

with impaired mobility were forced

to stay on the car deck

which isn't allowed and it's dangerous

because there was no accessible way

to enter the passenger deck.

These things should belong to the past.

So this should be combined

with some accessibility rules

or a reference to different standards.

We hope the report will be published

next year so we can use this report

which will be strong enough to push

the Commission to come up

with a proposal to solve

some of these problems.

So now this was more the EDF position

and the timeline we'll be following.

So for this year and the next year.

And how to get involved?

I think obviously the easiest way

is to stay in touch with us,

with EDF and those of you who already

are members of our email expert groups,

for example, you are very well aware.

But those of you who are not

please join our expert groups.

It's really useful.

And it's a two-way street let's say.

We provide you with information,

but we also really look forward

to feedback from you,

from your Member States,

from your city.

So I'm really happy that we have

a lot of very active experts

that are really great.

If you're interested, you can join us.

You can drop us an email later.

Our contact details are at the end.

And the only requirement is

that you have to be nominated

by one of our member organizations,

but since there are over 100

I think there hopefully will be

a possibility.

Also the Commission publishes

all their open consultations.

If you are interested in this,

there is a link in this slide.

There you can choose, for example,

policy areas.

If you choose transport, you can find

the consultations open on transport.

You can reply as an individual citizen,

not as part of an organization.

You can give your opinion

as John Smith or Jane Smith

and write what you think about it

or you can also do it

as a part of an organization

as a more official position.

And please subscribe

to our newsletter.

The link is also here in this slide,

the second link on the slide.

And you should also be informed

about major initiatives.

But this is the public newsletter

so you won't get detailed policy input

you'd get as an expert.

And also if you aren't officially part

of the EDF members newsletter

so you can maybe ask somebody

in an organization member of EDF

to either forward you the newsletter

or also put you on the list

because receiving the members mailing

is the best chance to keep in touch,

but we can't put you on it,

you have to receive this

via the official member organization.

And also as I mentioned

just send your informal feedback.

This is very useful. In the Commission,

the Parliament and the Council

there is civil servants,

but also just people.

So if you send your stories

of how you are denied boarding,

how your wheelchair was damaged

when you were flying

and you didn't get compensation

it's crucial to get these stories.

André will agree with me.

He's the communication expert

In situations where your rights

haven't been respected

where Member States aren't applying

the regulation correctly

and any other issue related

to accessibility or the lack of it,

and staff training because all of this

can be addressed in the regulations.

Or if you have tried to complain

to national authorities like the NEBs

and they haven't answered or the answer

wasn't satisfactory, we'd like to hear.

And maybe just to finish,

this is now my last comment,

so just to distinguish what is

the difference between situations

where your rights haven't been respected

and the application of the regulations,

it can be that a Member State is more

in a systematic breach of the regulation.

So that they, for example,

refuse to apply one part.

If they refuse to apply chapter 5

of the web passengers rights regulation

this is a systematic breach

and the Commission can follow-up.

Where if about individual right

in a situation where you had problems

when traveling by a bus or by coach,

this is more an individual complaint

which obviously is also important

but it's dealt with on a different level.

I think this was now

the most important things I mentioned.

And the last thing, yes,

because Mher also said it,

the problem with the compensation

for mobility equipment

it's something we should address

and there is also at the moment

an on-going legislative procedure

which has been blocked for a long time.

I think since 2013, so we're hoping

that we'll be finishing with this

and we'll add a clause.

And this is the deal,

that you'll have to do

this special declaration of value

as Mher called it, but this should be

for free if it's for mobility equipment.

So this is just to add

because I forgot it in the slide

but this is our position on this.

It'll be later in the link section.

Now I'm finished with my part

and I pass back to André.

Thank you.

ANDRÉ: Thank you, Marie and Mher,

We have a few questions.

So I'll get into it

I'll start by asking two questions

related to rail regulations.

So the first one to Mher is regarding

accessibility information.

What is the definition of clear

and accessible information

in the rail regulations?

And this visual information

included in these regulations, notably

information at the station,

at the platform and in the train?

And I just want to add we have

another train related question.

So maybe we can answer both

at the same time.

In the context of the COVID pandemic,

Belgium train companies have abandoned

their service of assistance

for persons with disabilities.

Do you confirm that this is permitted

in these regulations?

I'd say, Mher could start answering

and then Marie can come in.

MHER: You can hear me, right?

MARIE: Yes.

MHER: So the first question,

about the information

and the rail regulation,

the law says persons with disabilities

can request information

about the railway station

and the trains.

And that this information

should be provided in a way

that is accessible for persons

with sensory impairment,

with best information on delays, visual

and audible systems should be used.

It doesn't make very specific details

on how the accessibility should be made.

But in general it states

this information should be accessible

to persons as the law says auditory

and visual impairment.

So then I guess it's given

to the specific service

to decide how they want to make

this accessibility possible.

But in general this information

has to be accessible to persons

with visual

and auditory disabilities...

...If this answers the question.

ANDRÉ: Thank you.

MARIE: If you want I can answer

the part on assistance and COVID-19,

if that's okay, Mher?

MHER: Yes, yes. Sure.

MARIE: No, it isn't allowed.

Officially they cannot go

against this regulation.

There are a lot of things happening

at the moment

which are a very specific happening

in specific circumstances.

And obviously there was no clause

in the regulation foreseeing

in case of a pandemic,

assistance can be stopped, no.

They are technically in breach

of the regulation right now.

Honestly, I doubt this would have

any long-term actions

from the Commission as long as this is

a temporary measure

because everything now with COVID

they phrase it as temporary measures.

But what we've done is

we've written to the Commission

because they're now developing

recommendations

for an exit strategy of COVID.

This is a huge topic.

I won't go into detail.

But on rail transport we recommend

this shouldn’t be allowed anymore.

Assistance has be resumed

if it has been suspended directly

as soon as normal passenger services

are already taking up again.

This is a huge problem,

that we've also already criticized

when this happened and the Commission

should add this in the recommendations

So assistance has to be available.

Yes. That's the short answer.

ANDRÉ: Thank you very much,

Marie and Mher.

The next question is regarding access

to safety and size of vehicles.

When and how assessment is done

when the mode of transport denies

access to safety

and/or size of vehicle?

Maybe Mher could answer that.

MHER: Yeah, sure. And this will be done

by the National Enforcement Body.

And usually you have to contact

the National Enforcement Body

which is located in the country

where the incident took place.

It doesn't matter if the airline is,

I don't know, Belgium,

if you've been denied boarding

in Germany with process airlines

then you have to contact

the German National Enforcement Body.

And they might be in touch

with the Belgium one,

if there is an internal need

for an internal discussion.

But the short answer is

the National Enforcement Body.

MARIE: Just to add.

This is one of the big criticisms

that we also have, it isn't clear

how it is assessed.

Even the National Enforcement Body,

we don't know if the people working there

they have the knowledge to assess it

or they're going to the place

and looking at the bus

or looking at the airplane.

I doubt it honestly. Some of them

do audits, but this is the problem,

there is no guidelines that says

all the door minimum width

or the airplane doors have to be

like this. No.

And the issue is that if in some cases

there is a small aircraft

they just tell you

when you are at the airport

and they don't tell you beforehand.

The problem is

the lack of transparency

of this assessment.

This is a huge problem.

ANDRÉ: Thank you. The next question

is regarding built environment.

The problem with built environment is

that it always able to deny accessibility.

Is there a need to upgrade

infrastructure

in order to allow accessible services

to be provided?

Or is in the domain of the Member States

or service providers?

Maybe Marie, you could take this one.

It's regarding...

MARIE: Sure. Indeed this is

one also of the criticisms

as we said accessibility isn't linked

in these regulations at all.

They give you the right to travel,

the right to using the services

such as assistance but it doesn't say

that the station building

or the bus station has to be accessible

so we see this as a big gap.

This is at the moment national law,

and it was some parts in EU laws.

For rail here is the big exception

we should mention.

There is an additional regulation

which we didn't mention.

It's about the accessibility requirements

of stations and of trains.

So in rail it's the only transport mode

where we on the EU level

we have specifications and requirements

for the built environment.

Just for rail but it doesn't exist

in other transport modes

so it's fully national

if you look at airports,

if you look at bus stations

or at ferry terminals and ports.

So in that case, there is no EU law

prohibiting in accessibility.

MHER: If I can add to that shortly,

the accessibility of built environment

is most of the times

it's by national regulations

and by national standards,

but there is a European standard

being developed

which is basically a guiding document

on how to build accessibly

And also it's considered

transport facilities.

So whenever there is a new station

they can build it accessibly

or if the station or the airport

is being refurbished

how to make it accessible.

So this document will be published

by the end of this year.

And I think we'd encourage everyone

to promote it

and to make sure that we have

kind of a harmonized way

of accessibility throughout the EU

as much as possible.

Because often people know how to deal

with things in their own countries

but when travelling they face barriers

and they couldn't know

these would a problem if they don't have

that in their countries.

ANDRÉ: Thank you.

I'll take a couple more questions

as we're reaching the end

of the webinar.

But I think those questions are

very important to answer.

And if we didn't get to your question

feel free to email Mher and Marie.

The question is: does

the European accessibility Act have

an impact on transport and if yes,

which kind of impact?

Marie, would you like to take

this one?

MARIE: Yes, this is

my favourite question

and actually also one

of our again biggest grievances

that we had

with the Accessibility Act.

For those who have been following

this journey let's call it,

from the start to the end,

so we were really hoping

that this Accessibility Act

which provides requirements

for products and services

would actually also solve

some problems of accessibility

because, as I said, there is a gap

in between the passenger's rights

and the actual say reality.

The problem is that we ended

with a very good law

on accessibility of digital products

and services.

Everything that is more related

in the digital domain actually

it was very good but the problem is

that it excludes everything

in terms of physical infrastructure

and vehicles.

What we've included as for transport

under the Accessibility Act is

it's the websites and web applications

of transport services.

For example, the app of Deutsche Bank

has to be accessible.

All the services on the website

to buy tickets has to be accessible.

This is a huge improvement, I'd say.

And in terms of physical changes

what they'll be

all the check-in machines at airports

and ticketing machines of trains,

wherever ticket machines

they have to become accessible.

They have a very long deadline

for this.

We'll see if this will be

a useful clause in the regulation.

So everything is excluded in terms

of trains or buses

or even anything on local transport.

So to be even more precise,

your metro ticketing machine

doesn't have to be accessible.

Your bus tickets that you can buy

at a local bus station

they also doesn't have to be

accessible,

it's an issue with too many exceptions

but websites, mobile apps,

ticketing and checking machines

and self-service terminals in general.

Everything that is to do

with self-service in that case

also in transport

will have to be accessible.

ANDRÉ: Thank you very much.

This will be last question

as we need to finish in two minutes

I'm sorry that I won't be able

to answer the other questions.

I see there are questions

that we'll be missing.

The next question is about taxis.

Taxis are often used by disabled people

What can you tell

about taxi regulations?

Maybe, Mher, you can take this one.

MHER: Sure. I'm not aware

that there is an EU regulation

that would regulate this.

But I think this is more

on a national level.

If you have an issue like the denial

of the service provided by the taxi

this can go under the national laws

on antidiscrimination.

Because taxi services are services

and if you're denied service

because of your disability

then this is a violation of your right

under national equality

and antidiscrimination laws.

I'd advise you to contact

your national equality body

that provides assistance to persons

who are discriminated against.

If you send us an email

we can send you a link

with your national equality body.

In the EU there is

no regulation of this.

MARIE: There is no EU regulation.

It's national.

What I can add is as EDF we have

a major effort to collaborate

with the international union

of road transport to have guidelines

for taxis that we developed years ago.

It's the soft measure.

But it was in the sense

of what we can do on an EU level

and at the moment that's what

we've done,

but we'd prefer that there was

a harmonized rule.

Also because they have a lot

of new services coming up

as Uber so these informal services,

and these aren't regulated at all,

so this is something maybe to look

at for the future for sure.

So we'd definitely prefer

that would be EU regulations.

ANDRÉ: Thank you so much.

We have to finish now.

I took note of the questions

that we weren't able to answer

and I'll coordinate with the speakers

to provide an answer.

Thank you everybody for attending

and for the interest in this webinar.

Thank you to our interpreters

Lissa and Gerdinand,

to Tina, our live captioner, and Raquel

who is organizing the logistics.

We'll provide the recording

of the webinar in the coming days.

And if you have additional questions

don't hesitate to send them to us.

In a few moments when the webinar ends

you'll see a short survey

that you can answer but it's optional.

Thank you very much to everyone

and have a nice day.

MARIE: Thank you. Bye.

MHER: Thank you. Bye-bye.