 EDF feedback to EC Public consultation on contingency measures for EU transport in times of crisis............................................................................................................................

Consultation Deadline: 26 October 2021

Link to consultation survey: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13056-Contingency-plan-for-transport/public-consultation_en>

Staff responsible for submission: Mher Hakobyan, EDF Accessibility Officer

Fields marked with \* are mandatory.

EDF replies are marked with “EDF reply” and highlighted

\***EDF response addresses only sections V) Passenger transport, travel and/ or cargo customers (questions 39 to 55) and VI) General information and questions by transport modes (questions 56 to 85) of the survey. Some questions within those sections have been skipped due to irrelevance or lack of available data. The survey does not allow attaching a separate document with the submission. Many of the questions are repetitions addressing different transport modes. In majority of cases we have provided the same answer to repeating questions, unless we have available data on an issue relevant for a specific transport mode.**

**Why do we consult you?**

The information gathered through this consultation will help the Commission to assess the need to prepare crisis contingency plan(s) for the transport sector, including health-safety and operational measures and setting out essential transport services. More information can be found on the contingency plan on [EU website.](https://www.consilium.europa.eu/en/press/press-releases/2020/10/23/pandemic-contingency-plan-for-freight-transport-council-adopts-conclusions/)

**General information on the survey**

The survey seeks contributions from a variety of stakeholders and members of the general public. While your input is possible and welcome on every part of the survey, you are free to prioritise the parts you are more interested in or where you feel your views are most useful. In other words, there is no need to go through every question for your input to be taken into account.

The survey is structured as follows:

I) Introduction & about you: please fill in information about yourself before starting answering questions.

II) Public authorities: if you are giving your contribution as a representative of public authorities, feel free to prioritise this part of the survey.

III) Undertaking active in the provision of transports services or in the operation of transport infrastructures and business associations: if you are giving your contribution as a representative of a company/business organisation and/or association, feel free to prioritise this part of the survey.

IV) Transport workers and workers association: if you are giving your contribution as a transport worker or a representative of workers association in the transport sector, feel free to prioritise this part of the survey.

[V) Passenger transport, travel and/ or cargo customers](#_Passenger_transport_/): if you are giving your contribution as a transport services customer, feel free to prioritise this part of the survey. – **this section is relevant for EDF and persons with disabilities**
[VI) General information and questions by transport modes](#_More_information_and): this section of the survey includes general questions by transport modes (road, rail, waterborne and aviation). – **this section is relevant for EDF and persons with disabilities**

# Passenger transport / Travel / cargo customers

## 39. How would you rate the COVID-19 crisis response ? [in the range 1-10 where 1 is “fully unsatisfactory” and 10 is “fully satisfactory”]

* At national level – EDF reply - 4
* At EU level – EDF reply - 6
* At international level – no answer from EDF

## 40. How easily could you find information about COVID-19 related rules in other Member States or countries outside the EU/EEA? [in the range 1-10 where 1 is “not easily at all” and 10 is “really easily”]

* EDF reply - 3

## 41. Have you/your business experienced a loss of (travel) connectivity during the crisis?

* Irrelevant for EDF/passengers

## 42. What kind of measures for safeguarding connectivity through maintaining essential transport services in crisis situations would you support?

1000 character(s) maximum

* EDF reply: measures safeguarding continuity of assistance services for passengers with disabilities as essential services during times of crises.

## 43. Name three measures that were particularly helpful for you during the COVID-19 pandemic, particularly for cross-border work. [If you know, please indicate where they were coming from: EU, national, regional or local level]

*1000 character(s) maximum*

* EDF reply: [COMMUNICATION FROM THE COMMISSION COVID-19: Guidelines on the progressive restoration of transport services and connectivity](https://ec.europa.eu/info/sites/default/files/communication_transportservices.pdf)

## 44. Name three measures that were most problematic, particularly for cross-border work. [If you know, please indicate where they were coming from: EU, national, regional or local level]

*1000 character(s) maximum*

* EDF reply: [infringement of the Regulation on rail passengers’ rights (1371/2007) by Belgian and French rail by suspending assistance services for passengers with disabilities](https://www.edf-feph.org/xx-edf-recommendations-on-exit-measures-for-transport-services-in-light-of-covid-19/).

## 45. Which measures did you miss during the pandemic crisis that would be useful in the event of a new crisis?

*1000 character(s) maximum*

* EDF reply: measures safeguarding assistance to passengers with disabilities and reduced mobility as essential services, as well as ensuring accessibility of information regarding safety rules, changing restrictions, and accessibility of the measures themselves.

## 46. How well were you informed about your rights as a passenger? [in the range 1-10 where 1 is “not well at all” and 10 is “very well”]

* EDF reply: 3

## 47. What were the main sources of information about your rights as a passenger?*1000 character(s) maximum*

* EDF reply: these were different depending on country of residence and country of travel destination. However, the information was not always easy to find, and rarely accessible for person with disabilities (e.g. lack of easy to read formats, sign language interpretation, captioning, accessible websites, apps, etc.).

## 48. Were your passenger rights fully/ partially/ not at all upheld during the pandemic?

* Fully
* EDF reply: Partially
* Not at all

## 49. Were you informed about the recourse in case of a breach of your passenger

## rights? Did you use such recourse?

* I was informed about the recourse and used it
* I was informed about the possibility of recourse but did not use it
* I was not informed such recourse existed
* EDF skipped this question due to lack of relevant data

## 50. Did you receive reimbursement for any cancelled transport services?

* Yes
* No
* EDF skipped this question as it addressed to individual travellers

## 51. Did you get the free choice between refund and vouchers?

* Yes
* No
* EDF skipped this question as it addressed to individual travellers

## 52. How would you rate the EU guidance and the legislative framework on the

## passenger protection / insolvency? [in the range 1-10 where 1 is “fully unsatisfactory” and 10 is “fully satisfactory”]

* EDF reply: 6

## 53. How would you rate your experience with Passenger Locator Forms? [in the range 1-10 where 1 is “fully unsatisfactory” and 10 is “fully satisfactory”]

* EDF reply: 4

## 54. Do you consider the idea of a PLF exchange platform potentially useful for other types of emergency situations?

* EDF reply: Yes
* No

## 55. How would you rate your experience with COVID-19 digital certificates

## (availability, acceptance by Member States and operators, ease of use, impact on

## your ability to travel)? [in the range 1-10 where 1 is “fully unsatisfactory” and 10 is “fully satisfactory”]

* EDF reply: 9

# More information and detailed questions about transport modes and specific measures

## Horizontal measures:

Temporary measures in view of the persistence of the COVID-19 crisis concerning the renewal or extension of certain certificates, licences and authorisations, the postponement of certain periodic checks and periodic training in certain areas

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32020R0698>

## 56. Do you find these measures useful?

Yes

No

* EDF reply: skipped as irrelevant

## Road transport

## 57. What were the biggest issues you encountered during the pandemic - or any other crisis?

1000 character(s) maximum

* EDF reply: apart from general issues that affected all passengers, such as uncertainty, health-related worries during travel, persons with disabilities also faced increased uncertainty with availability of assistance services, lack of accessibility of transport infrastructure, facilities, services, information, health safety measures.

## 58. What was the impact on connectivity?

1000 character(s) maximum

* EDF reply: skipped as irrelevant

## 59. What was the most helpful measure(s)?

1000 character(s) maximum

* EDF reply: skipped due to unavailability of data

## 60. What was missing? What failed?

1000 character(s) maximum

* EDF reply: lack of findability and accessibility of information about public health measures, contact points, including in relation to road transport restrictions for passengers were a barrier for persons with disabilities.

## 61. Do you consider there is a need for further action at an EU-level to establish crisis contingency plan(s) for the transport sector to prepare for events similar to the COVID-19 pandemic? What elements should it include?

1000 character(s) maximum

* EDF reply: Yes. The plan should ensure that crisis measures do not infringe on the rights of passengers with disabilities. Assistance should be provided, as ensured by EU passenger rights legislation. This plan should include legal and financial measures to advance accessibility of transport infrastructure and services, so that persons with disabilities are able to travel spontaneously and independently as other travellers. Not relying on assistance would ensure protection of health of passengers and transport staff in case of a similar health crises, as more passengers would be able to travel without the need of close physical contact with assistance personnel. The plan should ensure development of crisis protocols and procedures which are accessible for everyone. This includes upgrading staff training to ensure disability-inclusive emergency assistance. All relevant policies and measures, and training should be drawn up in cooperation with organisations of persons with disabilities.

## 62. Do you find the Green Lanes useful?

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0324%

2801%29

* Irrelevant for EDF/passengers

## 63. Do you find these measures about relaxation of driving and rest times useful?

https://ec.europa.eu/transport/sites/default/files/temporary-relaxation-drivers-covid.

Pdf

* Irrelevant for EDF/passengers

## Rail transport

## 64. What were the biggest issues you encountered during the pandemic - or any other crisis?

1000 character(s) maximum

* EDF reply: [infringement of the Regulation on rail passengers’ rights (1371/2007) by Belgian and French rail by suspending assistance services for passengers with disabilities](https://www.edf-feph.org/xx-edf-recommendations-on-exit-measures-for-transport-services-in-light-of-covid-19/).

## 65. What was the impact on connectivity?

1000 character(s) maximum

* EDF reply: skipped as irrelevant

## 66. What was the most helpful measure(s)?

1000 character(s) maximum

* EDF reply: [COMMUNICATION FROM THE COMMISSION COVID-19: Guidelines on the progressive restoration of transport services and connectivity](https://ec.europa.eu/info/sites/default/files/communication_transportservices.pdf)

## 67. What was missing? What failed?

1000 character(s) maximum

* EDF reply: lack of findability and accessibility of information about public health measures, contact points, including in relation to rail transport restrictions for passengers were a barrier for persons with disabilities.

## 68. Do you consider there is a need for further action at an EU-level to establish

## crisis contingency plan(s) for the transport sector to prepare for events similar to

## the COVID-19 pandemic? What elements should it include?

1000 character(s) maximum

* EDF reply: Yes, there is need. The contingency plan should ensure that crisis measures, regulatory relief on transport services does not infringe on the rights of passengers with disabilities. Persons requiring assistance for travelling should be able to exercise this right in a safe and dignified manner, as ensured by EU passenger rights legislation. This plan should also include legal and financial measures to advance accessibility of transport infrastructure and services, so that persons with disabilities are able to travel spontaneously and independently as other travellers. Not relying on assistance would also ensure protection of health of passengers and transport staff in case of a similar health crises as COVID-19, as more passengers would be able to travel without the need of close physical contact with assistance personnel. The plan should ensure development of crisis handling protocols and procedures which are accessible for everyone. This includes upgrading staff training to ensure disability-inclusive emergency support and assistance. All relevant policies and measures, including crisis protocols, emergency plans, and training should be drawn up in close cooperation with organisations of persons with disabilities (DPOs).

## 69. Do you find these measures about rail transport useful?

[Proposal to amend Directive (EU) 2016/797 and Directive (EU) 2016/798, as](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588160837364&uri=COM:2020:179:FIN)

[regards the extension of their transposition period to postpone the deadline of](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588160837364&uri=COM:2020:179:FIN)

[the 4th railway package](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588160837364&uri=COM:2020:179:FIN).

Regulation (EU) 2020/1429 of the European Parliament and of the Council of

7 October 2020 establishing measures for a sustainable rail market in view of

the COVID-19 outbreak. The validity of this regulation has been extended until

the 31.12.2021.

Measures to adapt the frequency of periodic medical examination of railway

staff undertaking safety-critical tasks other than train drivers due to the COVID-

19 pandemic

* EDF response – no (this question is a yes or no question; but for your information: only [Proposal to amend Directive (EU) 2016/797 and Directive (EU) 2016/798, as regards the extension of their transposition period to postpone the deadline of the 4th railway package](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1588160837364&uri=COM:2020:179:FIN) is relevant for EDF as it allows delaying transposition of [Directive 2016/797](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0797&from=FR) which includes “essential requirements’ which must be met by the Union rail system, the subsystems, and the interoperability constituents, including interfaces” in which accessibility is one of the requirements. So, delaying transposition will mean delayed improvement of accessibility.)

## Waterborne

## 70. What were the biggest issues you encountered during the pandemic - or any other crisis?

1000 character(s) maximum

* EDF reply: apart from general issues that affected all passengers, such as uncertainty, health-related worries during travel, persons with disabilities also faced increased uncertainty with availability of assistance services, lack of accessibility of transport infrastructure, facilities, services, information, health safety measures, and information contact points.

## 71. What was the impact on connectivity?

1000 character(s) maximum

* EDF reply: skipped as irrelevant

## 72. What was the most helpful measure(s)?

1000 character(s) maximum

* EDF reply: [COMMUNICATION FROM THE COMMISSION COVID-19: Guidelines on the progressive restoration of transport services and connectivity](https://ec.europa.eu/info/sites/default/files/communication_transportservices.pdf)

## 73. What was missing? What failed?

1000 character(s) maximum

* EDF reply: lack of findability and accessibility of information about public health measures, contact points, including in relation to waterborne transport restrictions for passengers were a barrier for persons with disabilities.

## 74. Do you consider there is a need for further action at an EU-level to establish

## crisis contingency plan(s) for the transport sector to prepare for events similar to

## the COVID-19 pandemic? What elements should it include?

1000 character(s) maximum

* EDF reply: Yes, there is need. The contingency plan should ensure that crisis measures, regulatory relief on transport services does not infringe on the rights of passengers with disabilities. Persons requiring assistance for travelling should be able to exercise this right in a safe and dignified manner, as ensured by EU passenger rights legislation. This plan should also include legal and financial measures to advance accessibility of transport infrastructure and services, so that persons with disabilities are able to travel spontaneously and independently as other travellers. Not relying on assistance would also ensure protection of health of passengers and transport staff in case of a similar health crises as COVID-19, as more passengers would be able to travel without the need of close physical contact with assistance personnel. The plan should ensure development of crisis handling protocols and procedures which are accessible for everyone. This includes upgrading staff training to ensure disability-inclusive emergency support and assistance. All relevant policies and measures, including crisis protocols, emergency plans, and training should be drawn up in close cooperation with organisations of persons with disabilities (DPOs).

## 75. Do you find these measures about waterborne transport useful?

[ECDC/EMSA Guidance on the gradual and safe resumption of operations of](https://www.ecdc.europa.eu/sites/default/files/documents/COVID-19-cruise-guidance-27-07-2020.pdf)

[cruise ships in the European Union in relation to the COVID-19 pandemic](https://www.ecdc.europa.eu/sites/default/files/documents/COVID-19-cruise-guidance-27-07-2020.pdf)

[Flexibility in levying port infrastructure charges](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32020R0697&qid=1626456717869&from=EN)

Yes

No

* EDF reply: skipped as irrelevant

## Aviation

## 76. What were the biggest issues you encountered during the pandemic - or any other crisis?

1000 character(s) maximum

* EDF reply: apart from general issues that affected all passengers, such as uncertainty, health-related worries during travel, persons with disabilities also faced increased uncertainty with availability of assistance services, lack of accessibility of transport infrastructure, facilities, services, information, health safety measures, and information contact points. We have also observed lessening prioritisation of investing resources and improving accessibility of transport infrastructure and training for airport personnel in contact with passengers with disabilities.

## 77. What was the impact on connectivity?

1000 character(s) maximum

* EDF reply: skipped as irrelevant

## 78. What was the most helpful measure(s)?

1000 character(s) maximum

* EDF reply: [COMMUNICATION FROM THE COMMISSION COVID-19: Guidelines on the progressive restoration of transport services and connectivity](https://ec.europa.eu/info/sites/default/files/communication_transportservices.pdf)

## 79. What was missing? What failed?

1000 character(s) maximum

* EDF reply: lack of findability and accessibility of information about public health measures, contact points, including in relation to air transport restrictions for passengers were a barrier for persons with disabilities.

## 80. Do you consider there is a need for further action at an EU-level to establish

## crisis contingency plan(s) for the transport sector to prepare for events similar to

## the COVID-19 pandemic? What elements should it include?

1000 character(s) maximum

* EDF reply: Yes, there is need. The contingency plan should ensure that crisis measures, regulatory relief on transport services does not infringe on the rights of passengers with disabilities. Persons requiring assistance for travelling should be able to exercise this right in a safe and dignified manner, as ensured by EU passenger rights legislation. This plan should also include legal and financial measures to advance accessibility of transport infrastructure and services, so that persons with disabilities are able to travel spontaneously and independently as other travellers. Not relying on assistance would also ensure protection of health of passengers and transport staff in case of a similar health crises as COVID-19, as more passengers would be able to travel without the need of close physical contact with assistance personnel. The plan should ensure development of crisis handling protocols and procedures which are accessible for everyone. This includes upgrading staff training to ensure disability-inclusive emergency support and assistance. All relevant policies and measures, including crisis protocols, emergency plans, and training should be drawn up in close cooperation with organisations of persons with disabilities (DPOs).

## 81. Do you find these measures in the aviation sector useful?

[EDCD/EASA COVID-19 Aviation Health Safety Protocol: Operational](https://www.easa.europa.eu/sites/default/files/dfu/Joint%20EASA-ECDC%20Aviation%20Health%20Safety%20Protocol%20issue%203.pdf)

[guidelines for the management of air passengers and aviation personnel in](https://www.easa.europa.eu/sites/default/files/dfu/Joint%20EASA-ECDC%20Aviation%20Health%20Safety%20Protocol%20issue%203.pdf)

[relation to the COVID-19 pandemic](https://www.easa.europa.eu/sites/default/files/dfu/Joint%20EASA-ECDC%20Aviation%20Health%20Safety%20Protocol%20issue%203.pdf)

* EDF reply - no (this is a yes or no question. explanation for information - apart from a point about exemption about mask-wearing there is no consideration of passengers with disabilities – for example on accessibility of safety measures.

## 82. Do you find these measures in the aviation sector useful?

Amendment on common rules for the allocation of slots at Community airport

* Irrelevant for passengers/EDF

## 83. Do you find these measures in the aviation sector useful?

Common rules for the operation of air services in the Community in the view of

the COVID-19 pandemic.

* Irrelevant for passengers/EDF

## 84. Do you find these measures in the aviation sector useful?

Guidelines on facilitating air cargo operations during COVID-19 outbreak

* Irrelevant for passengers/EDF

## 85. Do you find these measures about flexible approach to aviation safety and

## security useful?

Postponement of EU rules in aviation safety, including postponing by six months the applicability of rules concerning alcohol testing, peer support programmes, and psychological assessments of pilots to ensure the resumption of flights after the COVID-19 crisis; also six months postponement of the applicability of rules concerning the operations of unmanned aircraft systems (drones) in order to reduce the administrative burden faced by the MS.

Postponing dates of application of certain measures in the context of the COVID-19 pandemic

Requirements for flight crew competence and training methods and postponing dates of application of certain measures in the context of the COVID-19 pandemic

Measures for the implementation of the common basic standards on aviation security

* Irrelevant for passengers/EDF