

Moving in Europe

POLICY PAPER IN THE FIELD OF THE PROTECTION OF EU CITIZENS' RIGHTS AS PASSENGERS



This document is one of the activities promoted by the European project “Joint Citizen Action for a Stronger, Citizen-Friendly Union” (JoiEU), which focuses on coordinating debate and action in 13 European countries on a set of issues focused on citizen participation and strengthening the citizen base of a deeper European integration. The project is being delivered by a Group of partners led by ProInfo.



For further information:

- <http://www.activecitizenship.net/civic-activism/projects/148-joint-citizen-action-for-a-stronger-citizen-friendly-union-joiEU.html>
- <http://activecitizenship.net/list-all-articles/26-consumers-rights/events/156-protecting-citizens-rights-challenges-and-opportunities-for-eu-passengers.html>
- <http://joiEU.net/>

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Introduction

In the occasion of the “Day of Citizens for Europe in Italy”, the European branch of Cittadinanzattiva, Active Citizenship Network (ACN), organized a EU webinar on 16th September 2014 in Rome titled "Protecting Citizens' Rights: challenges and opportunities for EU passengers". The event was part of the "Joint Citizen Action for a Stronger, Citizen-Friendly Union" (JoiEU) in the field of the protection of EU citizens' rights as passengers.

Thanks to the participation of DG MOVE, participants could better understand the commitment of the EU Institutions in the field of Mobility, Transport and Passenger rights. This aspect was strengthened also by the interventions of “European Consumer Centres Network” of Slovakia and the European Commission portal “Your Europe Advice”. In particular, these experiences brought the attention to the need to strengthen more and better the connection between the EU institutions and civic associations to make these structures well-known and consequently useful for citizens in general.

To date, unfortunately these experiences do not take enough advantage of their potentialities also because it is difficult for them to put together all civic associations, such as consumers ones, present on their territory and this is a missed opportunity. This lack is demonstrated, for example, by the fact that only the 34% of passengers are aware of their rights, as underlined by DG MOVE during the webinar.

Always concerning rights' protection, it was evident how useful is the involvement of private actors: an example of it is represented by “Youstice.com” that promotes alternative dispute resolution.

Case Study and Good Practices

The presence of representatives of different EU countries (Bulgaria, Serbia, Romania, Slovakia, Italy) gave the opportunity to better understand common problems, national dynamics, new challenges and good practices.

To what concern common problems the panelists identified poor quality of local transport service, architectural barriers, insufficient attention to vulnerable groups of population, lack of culture supporting a more sustainable mobility, difficulty for citizens to enjoy their rights settled by EU Directives.

Regarding specificities, from East Europe were identified limitations for Bulgarian, Romanian, Croatian and Cypriot citizens from Schengen zone. The justification for the exclusion of Bulgaria and Romania from Schengen zone is the existence of the “cooperation and verification mechanism”, a tool to fight against organized crime especially in Eastern Europe.

Taking into account the recent implementation of the cross-border healthcare Directive 2011/24/UE that recognizes the right of patients to be treated abroad, it is clear how this could be facilitated by a specific attention to mobility needs of the specific category of travelers that patients represent. To do it, it is necessary to integrate different European policies related to healthcare and mobility.

The event was also the occasion to present some good practices recognized in different EU countries.

Slovakia - Environmental sustainability - Agreement between local institutions, regional companies and citizens to avoid traffic collapse in case of heavy snow.

Serbia – Environmental sustainability - Creating bicycle lanes for better connections in the Hungarian-Serbian border region to improve a good and safe mobility in the municipalities.

Romania - Citizens’ rights - Current discussions with the Government to enforce the laws that protect pedestrians’ rights.

Italy – Citizens’ rights – Establishment of a computerized system for tracking the movement of transport which allows citizens to complain and have tickets refund in case of delays or bus/tram/train cancellation. This is a pilot initiative in the city of Turin.

Italy – Partnership among public institutions, private companies and civic organizations - New voluntary agreements recognize greater protection to users. For example:

- at National level: an agreement between insurance companies and consumer associations for controversies conciliation in case of car accident: the right to receive a compensation in case of accident is strengthened;
- at Regional level: in the region of Liguria, an agreement between the local transport company and different consumer associations for the reimbursement of damages caused by public transport strike;
- at Local level: in the town of Grosseto, the Arbitrary Conciliation House opens a bilingual web service dedicated to travelers www.sostourism.net that is complementary to the tourist info point that consumer associations collaborate with.

For further information, please see: <http://activecitizenship.net/list-all-articles/26-consumers-rights/events/156-protecting-citizens-rights-challenges-and-opportunities-for-eu-passengers.html>

Civic recommendations for improvement at national and European level

Civic participation

- To reduce the differences between EU countries concerning passengers' rights, as established by European Directives, also thanks to civic associations;
- To make EU passengers more aware of their rights is crucial to involve civic associations in initiatives promoted by local, national and European institutions. At the same time it is fundamental that these institutions support the free initiative of citizens' associations with the objective to make passengers more protected and aware of their rights;
- To guarantee a better passengers' protection it is necessary to have more cooperation between consumers associations of different EU countries and information and protection centres at European level such as European Consumer Centres network, Your Europe Advice, etc.

Vulnerable groups

- A plan to reduce architectural barriers and increase facilities for vulnerable segments of the population (e.g. students, senior citizens, the unemployed, people with reduced mobility or handicap, pedestrians, children and patients).

Environmental sustainability

- To promote the use of bikes, we have to increase infrastructures in the cities (e.g. more bike lanes);
- To promote the use of electric vehicles, we should request more dedicated infrastructures (charging stations for electric cars, dedicated parking spaces for LPG cars, etc.).

Public transport

- To introduce/increase travel-cards (e.g. the same ticket for the use of multiple means of local transport) as well as extending its validity time;
- To introduce/increase the accessibility to public transport introducing online tickets booking and payment services;
- To introduce/increase discounts and tax reductions for public transport tickets (e.g. cost deductibility).

Legal and administrative aspects

- To give concrete access to passengers' rights with the required procedures to let citizens enjoy the protection they have right to;
- To increase the online dispute resolution in the field of mobility and transport.

Raising citizens' awareness

- Widespread awareness campaigns not only on-line but also “face-to-face”; not only limited to capitals and main airports but also in small towns and bus stations.

Populist threat to mobility in Europe

- To combine security needs particularly related to immigration and illegal phenomena with the free movement rights in the EU.

Integrate different European policies related to healthcare and mobility

- *European commitment in mobility issue:* enforce the European Consumer Centres Network (ECC-Net) involving patients organizations, for instance with specific training courses or agreements. ECC-Net is a network supported by the European Commission for the management of cross-border disputes. Actually it only manages complaints related to consumer issues, but probably in the future it could also deal with new types of complaints related to the access to healthcare centres, also because mobility issue is one of the main topic for ECC-Net, and the EU Directive 2011/24/UE on cross-border care could increase the travels of a special kind of passenger: the patients.
- *European commitment in the Alternative Dispute Resolution/Online Dispute Resolution and mediation:* why do not introduce this option in the framework of the cross-border relationship among patients and health care providers?

Conclusions

What do these recommendations suggest?

Firstly, that European citizens are well aware:

- that in the world of transport there is no magic wand and that the resources available are few. This is an important starting point because it allows us to address these issues with realism recognizing the responsibilities of and difficulties encountered by all the actors involved;
- that we are all - and not just the commuters - called to contribute to both individual and collective mobility needs;
- of the complexity of mobility since there is a connection between:
 - public services (governed by certain rules and responsibilities) and the market (governed by other rules);
 - collective and individual mobility;
 - public and private actors;

- local/regional/national/supranational dimensions, as well as short-and long-term needs related to the present generations and to the future ones;
- of mobility as a mean to make us feel European citizens.

Secondly, we need to act on what we already have:

- The awareness of the situations citizens experience every day does not correspond to the knowledge of what has been achieved or is being done through the work of the EU institutions;
- Recent Directives have strengthened the legal conditions for a greater protection of passengers' rights, but they still need to strengthen the tools of protection and, in parallel, to support information to citizens by:
 - providing information at international airports, railway stations and main transport interchanges;
 - promoting the APP that the European Commission has launched for air and rail transport, useful also for bus/coach transport and river and sea transport;
 - involving civil society as a vehicle to reach a target of citizens otherwise not accessible since they do not know how to use new technologies or social media;
 - regarding conciliation as a fast and economical way to resolve small disputes in transport;
 - organising counselling and protection centres within the major interchange areas and where there is the most passenger flow.

We wish that this work be regarded as a constructive contribution to what associations and citizens have forwarded to the attention of institutional decision-makers at local, national and European level, as well as to the various stakeholders who are committed to working for a more sustainable mobility and in line with citizens' expectations and protection of their rights.

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This project gave ACN the opportunity to:

1. Give continuity to the previous work done at EU level in the last years concerning citizens' rights in different fields (passengers' rights, patients' rights, promotion of alternative dispute resolution).
2. Play an active role in the European awareness campaign promoted by the European Commission in which Cittadinanzattiva-Active Citizenship Network is officially involved:
 - "European Mobility Week" led by DG Environment and DG Move;
 - "Your passenger rights at hand" led by DG Move.
3. Experience a new way of debate and discussion – webinar – on which with honesty we say we have to improve and better set up technical facilities.
4. Interact and take part in several webinars where important information was interchanged among consortium members and other relevant discussants.
5. Conduct an autonomous research action on Mobility, Healthcare centers and Rights protection presented during the conference and the webinar.
6. Propose to the consortium of the "Joint Citizen Action for a Stronger, Citizen-Friendly Union" (JoiEU) three kinds of project proposal:
 - A civic observatory on the cost related with mobility: from National to EU data collection;
 - Patients as particular kind of passengers: an overview of their needs in the framework of cross border care;
 - Tools to promote the citizen participation: online quiz for self-evaluation, free guide, civic survey.
7. After the webinar in Italy, Cittadinanzattiva supported a civic mobilization in the field of local public transport in 30 cities, with on line consultation, video, a short guide on local public transport "5 tips for getting around town".

