



## **Second Sector Stakeholder Statement on International Passenger Rail Services, May 2022**

The European Rail Sector stakeholders<sup>1</sup> are determined that cross-border rail passenger services should become a more attractive option for longer-distance journeys. They reiterate the opinion expressed in the first report<sup>2</sup> from the Platform International Passenger Rail Transport that the customer experience is not always prioritised sufficiently<sup>3</sup>. They have subscribed to the vision of an enhanced customer experience described in the Platform’s report, acknowledging that this starts when a journey is first planned and ends only when the whole journey is completed, including ones involving multiple operators and member states.

The European Rail Sector stakeholders can therefore only welcome the adoption by the European Commission of an ambitious Action Plan to boost long-distance and cross-border passenger rail<sup>4</sup>. In line with the sector statement adopted last year<sup>5</sup>, they support this initiative aimed at improving general conditions for, and the competitiveness of, rail with other modes of transport, ensuring transparency for passengers and creating a level playing field between Railway Undertakings and third-party vendors for selling tickets (international and national services) on fair, reasonable and non-discriminatory (FRAND) principles. All European Rail Sector stakeholders will cooperate actively in the preparation of the measures to be adopted in the roll-out of this action plan.

This second sector stakeholder statement therefore is intended to highlight the views of European Rail Sector stakeholders regarding certain issues that will be dealt with in the implementation of this Action plan.

Decisive action is needed around ticketing so that train tickets become easier to find and book, and more attractive to potential passengers. European Rail Sector stakeholders consider that this will be facilitated by enabling different distribution channels, including third-party vendors, websites, or apps.

<sup>1</sup> Encompassing representatives of railway undertakings (CER/ALLRAIL/UIC/CIT) and infrastructure managers (EIM/CER/UIC), railway suppliers (UNIFE), passenger and consumers’ organizations (EPF/BEUC), travel companies (EU Travel Tech/ECTAA) and distributors (EU Travel Tech/ALLRAIL).

<sup>2</sup> Platform International Rail Passenger Transport, *Better rail connections for Europe’s passengers. A common agenda: Progress report following the June 4th, 2020; Ministers declaration on international rail passengers transport*

<sup>3</sup> *Ibid*, p41

<sup>4</sup> COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Action plan to boost long distance and cross-border passenger rail. [COM \(2021\) 810](#).

<sup>5</sup> [Sector Stakeholder Statement on International Rail Passenger Services, March 2021](#)

Other railway undertakings and ticket vendors should be able to access the same products and services as the railway undertakings' own retail outlets. The stakeholders commit that the commercial arrangements underpinning those dealings would not be done in a way that restricts competition (including commissions) or are unenforceable in law, or in which a dominant stakeholder seeks otherwise to impose terms that would render the business of the party with whom they are negotiating unsustainable. The stakeholders also commit that these arrangements will offer non-discriminatory services and terms of trade to all potential distributors (including in-house retail outlets) and *vice versa*. The stakeholders commit to work to establish a common understanding of this FRAND framework at the earliest opportunity. The FRAND terms should apply to access to rail contents (fares, schedules, ancillary services, etc.) and real-time information to ensure a high level of customer experience regardless of the distribution channel.

The stakeholders acknowledge the importance of ensuring a high level of customer experience, including keeping passengers informed, regardless of the distribution channel<sup>6</sup>. This should be done, both before and during their journey, by providing real-time information. They commit to the implementation of the new Rail Passenger Rights Regulation. They are therefore committing to support the development of an openly accessible European real-time data service to keep all the stakeholders, including especially passengers, appropriately informed.

Passengers are often deterred from choosing to use rail for a journey combining more than one service for fear that they may be unable to complete it without additional penalty if one of the trains is delayed. The stakeholders acknowledge CER's willingness to extend the *CIT Agreement on Journey Continuation (AJC)* arrangements to cover all cross-border journeys, and to continue to encourage all railway undertakings to participate, and for the AJC's provisions to be communicated to consumers in a clear and transparent manner both at booking time and in case of travel disruption.<sup>7</sup> Passengers should have the assurance of consistent support to reach their destination when their journey is disrupted, whichever the operators involved and whatever the relevant tickets held for the journey and that the passengers are informed about these arrangements when searching and booking their journey.

Tariff rules that vary between operators and member states - e.g., with regard to age groups, acceptance of rail passes, definition of items like luggage, necessary personal identification documents, etc. - sometimes make it more difficult to book international journeys. The stakeholders commit to work towards clustering

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<sup>6</sup> In relation to the distribution channel, it is important to refer to the previous joint position paper (Real time information for high customer services): <https://eimrail.org/wp-content/uploads/2021/06/20210604-CER-EIM-UNIFE-EUTT-Position-Paper-Real-time-information.pdf>) that highlights that IMs provide information to operators and to passengers in the stations.

<sup>7</sup> The AJC is presently a CIT confidential agreement signed between 15 railway undertakings, first set up in 2017. It provides that in the event of delay and missed connection a passenger will be allowed to travel onwards to their destination by a later train at no additional charge even if they hold separate tickets for each train and those trains are run by different operators, as long as those operators are signatories to the AJC.

ticketing conditions to create standardised traveller/tariff types to facilitate through ticketing and to reduce barriers to accessing the best offers.

The stakeholders recognise the importance of regulatory intervention in tackling the above-mentioned issues [and stand ready to support actively the Commission ahead of the “Multimodal Digital Mobility Services” initiative<sup>8</sup>, notably within the dedicated expert group]. They also acknowledge the intentions highlighted in the CER *Ticketing Roadmap*<sup>9</sup> published in the wake of the Platform’s first report. They look forward to its early roll-out by European railway undertakings in its entirety, noting the planned inclusion of first and last mile services and observing that implementation is the ultimate test of good intention. EU Travel Tech and ECTAA members have indicated their willingness to distribute the services generated by implementation of the *Ticketing Roadmap*, while EPF is contributing to the establishment of key performance indicators relevant to independent monitoring from a passenger-focussed perspective. Representatives of the Stakeholder Mirror Group have also welcomed the expressed intention of AllRail, another key stakeholder, to put forward other practical proposals to facilitate further improvements to the overall customer experience of cross-border journey-making.

For the development of more attractive and new concepts of international services, it is important that these are first based on sound market analysis that meet passengers’ needs. In addition, an efficient use of the cross-border network is also needed to promote rail attractiveness among passengers, in line with the EC Action Plan objective to strengthen infrastructure for passenger rail.

To this purpose, rail infrastructure managers reiterate their commitments to work for seamless cross-border journeys by enhancing interoperability, coherent timetabling and capacity management, as well as completing missing links and removing bottlenecks.

Stakeholders also support specific strategic sector initiatives such as Eurolink and Timetabling and Capacity Redesign (TTR) allowing flexible planning of railway infrastructure capacity and increasing its quality, as stated, in the first Sector Statement. The sector wishes to see a sound legal basis for the implementation of TTR.

To achieve a proper functioning cross-border railway system an adequate allocation of funds is needed. Long-term investment planning and coordinated infrastructure maintenance and development are indeed essential to provide high quality international rail passenger services all over Europe. The sector stakeholders support the Proposal for a TEN-T Regulation which is part of the Commission’s Action Plan. It is a crucial Proposal to enable the transition to sustainable modes of transport such as rail and in achieving the objectives of the European Green Deal and Smart and Sustainable Mobility Strategy. A synchronised and harmonised deployment of ERTMS, on track and on board, will be crucial to deliver interoperability and good

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<sup>8</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13133-Multimodal-digital-mobility-services\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13133-Multimodal-digital-mobility-services_en)

<sup>9</sup> [www.cer.be/publicationslatest-publications/cer-ticketing-roadmap](http://www.cer.be/publicationslatest-publications/cer-ticketing-roadmap)

quality services of rail traffic. The sector intends that the TEN-T Proposal will provide the push for the realization of a high speed network connecting all capitals and major cities in order to achieve the doubling of passengers by 2030 and tripling by 2050.

The Sector will continue to provide support to the International Rail Passenger Platform in all its Subgroups work to improve framework conditions for developing international rail passenger services.