

Technical Assistance for development of a Study for Strengthening Regulatory Framework for Passenger Rights in the Western Balkans



Final Report – Study for Strengthening the Regulatory Framework for Passenger Rights in the Western Balkans

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Table of Contents

PREAMBLE	10
INTRODUCTION	11
Objectives and expected outputs of the assignment.....	11
Contents of the Report on Task 5.....	11
PART A: EU LEGAL AND INSTITUTIONAL FRAMEWORK AND BEST PRACTICES	13
1 EU Legal and Institutional Framework and relevant International Conventions	14
1.1 EU Legal and Institutional Framework.....	14
1.2 United Nations Convention on the Rights of Persons with Disabilities.....	16
1.3 Passenger Rights in rail transport.....	17
1.4 Passenger Rights in buses and coaches.....	18
1.5 Passenger Rights in waterborne transport.....	19
1.6 Special provisions for travellers with disabilities or reduced mobility.....	22
1.7 Passenger Rights for multimodal journeys.....	23
1.8 Proposal for a Regulation amending the existing EU regulations on passenger rights – “Passenger Mobility Package”.....	24
2 Assessment of European Union`s legal and institutional framework	26
2.1 Passenger Rights in rail transport.....	26
2.2 Passenger Rights in buses and coaches.....	33
2.3 Passenger Rights in waterborne transport.....	36
3 Best Practices	42
3.1 “Best” practices definition.....	42
3.2 Identified best practices per Core Passenger Right.....	42
3.3 Best practices on carriage of persons with reduced mobility.....	44
3.4 National Enforcement Bodies.....	46
PART B: GAP ANALYSIS AND NEEDS ASSESSMENT	51
1 Benchmarking methodology	52
1.1 Passenger Rights in rail transport.....	53
1.2 Passenger Rights in buses and coaches.....	56
1.3 Passenger Rights in waterborne transport.....	59

2 Gap Analysis and Needs Assessment 62

2.1 Passenger Rights in rail transport	62
2.1.1 Legal transposition.....	62
2.1.2 Institutional setup.....	64
2.2 Passenger Rights in buses and coaches	64
2.2.1 Legal transposition.....	64
2.2.2 Institutional setup.....	65
2.3 Passenger Rights in waterborne transport.....	66
2.3.1 Legal transposition.....	66
2.3.2 Institutional setup.....	67

3 Identification of needed actions at Regional and RP level 68

3.1 Needed actions per RP	68
3.1.1 Albania	68
3.1.2 Bosnia and Herzegovina	70
3.1.3 Kosovo*	71
3.1.4 Montenegro	72
3.1.5 North Macedonia	73
3.1.6 Serbia.....	73
3.2 Needs and potential measures at RP and regional level	74

PART C: COST EFFECTIVENESS ANALYSIS 78

1 Cost Effectiveness Analysis – Initial and Regular costs per RP 79

1.1 Albania.....	80
1.2 Bosnia and Herzegovina.....	81
1.3 Kosovo	82
1.4 Montenegro.....	82
1.5 North Macedonia.....	83
1.6 Serbia	84

2 Cost Effectiveness Analysis Indicators 85

2.1 Annual average cost per passenger.....	85
2.1.1 Railway transport	85
2.1.2 Bus & Coach transport.....	86
2.1.3 Waterborne transport	87
2.1.4 All modes	88

* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

2.2	Costs per cornerstone	89
2.2.1	Railway transport	89
2.2.2	Bus & Coach transport.....	89
2.2.3	Waterborne transport	90
2.2.4	All modes	90
3	Overall evaluation and examination of potential trade-offs between cornerstones and associated costs and benefits	91
3.1	Non-quantifiable benefits.....	91
3.2	Actions, measures and potential trade-offs – Towards a Roadmap for passenger rights implementation in the Western Balkans.....	93
	PART D: ROADMAP AND RECOMMENDATIONS	108
1	Comprehensive Roadmap for the implementation of passenger rights in WB	109
1.1	Legal/ Institutional actions and measures.....	110
1.2	Organisational/ Promotional actions and measures	113
1.3	Technical actions and measures	116
2	Selected pilot projects at regional level and in each RP	127
2.1	Approach for the selection of pilot projects	127
2.2	Selected pilot project in the WB region.....	128
2.3	Selected pilot project in each RP.....	129
3	Roadmaps and recommendations for the implementation of passenger rights in each RP	131
3.1	Albania.....	131
3.2	Bosnia and Herzegovina.....	134
3.3	Kosovo	137
3.4	Montenegro.....	140
3.5	North Macedonia.....	143
3.6	Serbia	146
	FINAL RECOMMENDATIONS	149

List of Figures

Figure 1 – EU legislation applicable to Rail, Waterborne and Bus and Coach transport.....	15
Figure 2 – Regional Roadmap for the improvement of passenger rights in the Western Balkan region.....	126
Figure 3 – Roadmap for the improvement of passenger rights in Albania	133
Figure 4 – Roadmap for the improvement of passenger rights in Bosnia and Herzegovina	136
Figure 5 – Roadmap for the improvement of passenger rights in Kosovo.....	139
Figure 6 – Roadmap for the improvement of passenger rights in Montenegro	142
Figure 7 – Roadmap for the improvement of passenger rights in North Macedonia	145
Figure 8 – Roadmap for the improvement of passenger rights in Serbia.....	148

List of Tables

Table 1 – National Enforcement Bodies in EU Member States in South East Europe	16
Table 2 – Identified Best (good) Practices per Core Passenger Right	43
Table 3 – Best Practices for PRM per mode of transport	45
Table 4 – Potential measures for improvement of passenger rights	75
Table 5 – Necessary actions and potential measures for improvement of passenger rights	76
Table 6 – Data on annual number of passengers per RP and per mode, 10-year average	79
Table 7 – Average annual costs for rail passenger rights implementation during the decade of analysis	85
Table 8 – Average cost per passenger/ ticket for rail passenger rights implementation during the decade of analysis	86
Table 9 – Average annual costs for bus and coach passenger rights implementation during the decade of analysis.....	86
Table 10 – Average cost per passenger/ ticket for bus and coach passenger rights implementation during the decade of analysis	86
Table 11 – Average annual costs for waterborne passenger rights implementation during the decade of analysis.....	87
Table 12 – Average cost per passenger/ ticket for waterborne passenger rights implementation during the decade of analysis.....	87
Table 13 – Average annual costs for passenger rights implementation for all three modes of transport during the decade of analysis	88
Table 14 – Average cost per passenger/ ticket for passenger rights implementation for all three modes of transport during the decade of analysis.....	88

Table 15 – Calculation of costs per passenger rights cornerstone for railway transport per RP during the decade of analysis.....	89
Table 16 – Calculation of costs per passenger rights cornerstone for waterborne transport per RP during the decade of analysis	90
Table 17 – Calculation of costs per passenger rights cornerstone for all modes of transport per RP during the decade of analysis	90
Table 18 – Required and potential actions and measures for improvement of passenger rights	94
Table 19 – Identified Best (good) Practices per Core Passenger Right, assessment of Costs and Benefits	96
Table 20 – Best Practices for PRM per mode of transport, assessment of Costs and Benefits	100
Table 21 – Evaluation matrix for Legal/ Institutional actions and measures and potential trade-offs between cornerstones and associated costs and benefits.....	103
Table 22 – Evaluation matrix for Organisational/ Promotional actions and measures and potential trade-offs between cornerstones and associated costs and benefits	104
Table 23 – Evaluation matrix for Technical actions and measures and potential trade-offs between cornerstones and associated costs and benefits.....	105
Table 24 – List of needed and potential actions and measures based on the gap analysis and needs assessment	106
Table 25 – Comprehensive Roadmap for passenger rights implementation in WB region: Legal/ Institutional actions and measures	121
Table 26 – Comprehensive Roadmap for passenger rights implementation in WB region: Organisational/ Promotional actions and measures.....	123
Table 27 – Comprehensive Roadmap for passenger rights implementation in WB region: Technical actions and measures	124

List of Abbreviations

ADR	Alternative Dispute Resolution body
CA	Contracting Authority (TCT Permanent Secretariat)
CCTV	Closed Circuit Television
CEA	Cost-Effectiveness Analysis
CONNECTA	Technical Assistance to Connectivity in the Western Balkans - 2 NEAR/2022/EA-RP/0081
DG MOVE	Directorate General Mobility and Transport of the European Commission
EC	European Commission
ECCs	European Consumer Centres
EEAS	European External Action Service (EU's diplomatic service) in each RP
EU	European Union
FTE	Full-time employees
GDP	Gross Domestic Product
IMO	International Maritime Organisation
IT	Information Technology
MS	(EU) Member State(s)
MIE	Ministry of Infrastructures and Energy (Albania)
NEB	National Enforcement Body
ODR	Online Dispute Resolution
PPP	Purchasing Power Parity
PRM	Person/ People with Reduced Mobility
RP	Transport Community Treaty Regional Partner/ Regional Party/ Regional Participant (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia)
TA	Technical Assistance
TCT	Transport Community Treaty
ToR	Terms of Reference (Technical Specifications of the project/ assignment)
UN	United Nations
UNCRPD	UN Convention on the Rights of Persons with Disabilities
UNECE	United Nations Economic Commission for Europe
VOT	Value of Time
WB	Western Balkans

PREAMBLE

The Transport Community is an international organisation in the field of mobility and transport. It has 36 parties – the EU Member States represented by the European Commission, the South East European Parties (the Republic of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, the Republic of North Macedonia, and the Republic of Serbia - hereinafter referred at collectively as “Regional Partners - RPs”) and the three observing participants (Georgia, Republic of Moldova and Ukraine).

The Transport Community is working on integrating Western Balkans’ transport markets into the EU by assisting the RPs in adopting and implementing the EU legislation in the transport field and supporting projects connecting the region and with the EU. The organisation was founded by the Treaty establishing the Transport Community signed in October 2017 (Council Decision (EU) 2019/392). The aim of the Treaty therefore is the creation of a Transport Community in the field of road, rail, inland waterway, and maritime transport as well as the development of the transport network between the EU and the Western Balkan RPs.

Under the Treaty establishing the Transport Community, the RPs have committed to establish a Social Forum of the Transport Community. The Social Forum was established in 2020 as a platform for a dialogue between the key transport and social stakeholders of the EU and the WB RPs, by promoting the social dialogue in relation to the monitoring of the implementation of the Treaty and its effects. Key areas of particular attention of the Social Forum are the workers’ fundamental rights, labour laws, health and safety at work and equal opportunities. The conclusions of all Social Forums showed that more work needs to be done to improve passengers’ rights in the WB region in the rail and road sector, to make it accessible and available for everyone.

Passenger Rights are a horizontal topic for all transport modes. Passengers are protected by a full set of rights – whether they travel by rail, ship or bus. Passenger rights are based on three cornerstones: non-discrimination; accurate, timely and accessible information; immediate and proportionate assistance. Passenger rights should be better implemented, clearer for both carriers and passengers, offer adequate assistance, reimbursement, possibly compensation when disruptions arise, and appropriate sanctions if the rules are not properly applied.

Passenger rights have a prominent place in the strategic documents of the Transport Community, like in the Action Plan on Social Issues and Passenger Rights ¹. The entire part four of the Action Plan is devoted to the Passenger Rights for safer and accessible travels. Also, in the Sustainable and Smart Mobility Strategy for the Western Balkans ², which provides a roadmap for decarbonisation and digitalisation of the transport sector, the Flagship 9 of the Strategy is addressing key social issues opportunities and challenges: transport workers’ rights, working conditions, a healthy and safe working environment, passengers’ rights and equal opportunities to make mobility fair and just for all.

¹ https://www.transport-community.org/wp-content/uploads/2023/03/ATT-IIa_Revised-Action-Plan-Social-and-PAX-rights-Acquis.pdf

² <https://www.transport-community.org/strategy-for-sustainable-and-smart-mobility-in-the-western-balkans-2/>

INTRODUCTION

Objectives and expected outputs of the assignment

The Service Contract “Technical Assistance for development of a Study for Strengthening Regulatory Framework for Passenger Rights in the Western Balkans” was assigned to a Joint Venture led by “I.E.C.C. Marios Miltiadou and Associates” (herein after “the Consultant”) in December 2023 and it became effective after the relevant notification of the Contracting Authority (CA) the Transport Community Treaty Permanent Secretariat (herein after “TCT Secretariat”) on 15 January 2024. The duration of the contract was 11 months, and implementation concluded in mid-December 2024.

The general objective of the consultancy was to contribute to the fulfillment of the obligations derived from the Transport Community Treaty signed by the RPs related to passenger rights in rail, road and waterborne transport, which are integral part of the Action Plan for Social Issues and Passenger Rights.

The specific objectives of the assignment have been to contribute to the improvement of the transposition and implementation of the passenger rights in the region and to raise awareness of stakeholders, carriers and passengers regarding what the passenger rights entail.

The expected output of the contract was a complete study for strengthening the regulatory framework for passenger rights in the region, comprising a Roadmap of recommendations and actions tailored to the needs of the region and each participating RP.

Contents of the Report on Task 5

The current report, as foreseen by the Technical Specifications and the Service Contract, corresponds to the output of Task 5, presenting the most important results of the outputs prepared for all activities implemented under the contract.

This Technical Assistance assignment consisted of the following tasks:

- **Task 1:** Assessment of European Union’s institutional and legal framework and best practice examples
- **Task 2:** State of play and Gap assessment of the legislation and the institutional setup that deals with the implementation of passenger rights in the region and identification of the key legal and institutional measures required to fill the gap for each RP
- **Task 3:** Cost-Effectiveness Analysis (CEA) for each RP for the three cornerstones that the passenger rights are based on: non-discrimination, accurate/timely and accessible information and immediate and proportionate assistance
- **Task 4:** Timebound implementation roadmap with concrete actions and measures for each RP on the EU relevant Regulations, with consideration of the three cornerstones that the passenger rights

are based on, in order to achieve full alignment with the EU passenger rights Acquis and a comprehensive set of tailored recommendations for each RP on how to improve the status of passenger rights based on the prioritisation of the identified measures and actions (short to medium term) highlighted in the roadmap

- **Task 5:** Final Report (Study for Strengthening Regulatory Framework for Passenger Rights in the Western Balkans)

The structure of the current report follows the sequence of the four tasks, namely:

Part A provides an overview of the EU framework and identified best practices (Task 1), based on which the benchmarks were defined in order to perform the Gap analysis and needs assessment presented in **Part B** per RP and collectively at regional level (Task 2).

The results of the Cost Effectiveness Analysis (Task 3) are presented in **Part C**.

Then, as the last outcome of the study, **Part D** provides the Comprehensive Roadmap with actions and measures and Recommendations for the implementation of passenger rights in the WB Region (Task 4).

Final recommendations are provided as the epilogue of the study.

The final versions of the following deliverables produced under the assignment are submitted as separate documents:

- Inception Report
- Task 1 - Assessment of European Union's institutional and legal framework and best practice examples
- Task 2 - Needs and gap assessment of the legislation and institutional setup that deal with the implementation of passenger rights in the region
- Task 3 - Cost Effectiveness Analysis for each Regional Partner for the three passenger rights cornerstones
- Task 4 - Comprehensive Roadmap and Recommendations for each Regional Partner

PART A: EU LEGAL AND INSTITUTIONAL FRAMEWORK AND BEST PRACTICES

This part of the Final Report is dedicated to the first Task of this Technical Assistance assignment, which was prepared in the period February – March 2024, and approved in April 2024.

Activities for implementing this Task started already during the inception phase and the draft report was submitted timely on 15 March 2024 and it was approved on 05 April 2024 as final.

The activity included presentation and assessment of the relevant EU and international legal and institutional framework, identification of best practices and breakdown per Core Passenger Right and best practices regarding people with reduced mobility. Furthermore, based on the assessment and the breakdown of the Regulations' provisions per Core Passenger Right, the benchmarks for the performance of the gap analysis and needs assessment were set.

In this part of the Final Report, the main provisions of the EU Regulations on passenger rights, their assessment and identified best practices in the field of passenger rights are presented. The full final Report of Task 1 is presented in a separate document under the title **“Assessment of European Union’s institutional and legal framework and best practice examples”**.

1 EU Legal and Institutional Framework and relevant International Conventions

1.1 EU Legal and Institutional Framework

The EU legislation defining passenger rights is intended to ensure that users of public transport enjoy a high and consistent standard of protection and accessibility when travelling throughout Europe.

Based on the legislation that the EU had introduced in the form of Regulations until 2011 for all the transport modes that are subject of this TA assignment (i.e. road, rail, waterborne transport), in a 2011 Communication³, the European Commission described a set of 10 core passenger rights that cover all transport modes:

Core Passenger Right	
1	Right to non-discrimination in access to transport
2	Right to mobility: accessibility and assistance at no additional cost for passengers with disabilities and passengers with reduced mobility (PRM)
3	Right to information before purchase and at the various stages of travel, notably in case of disruption
4	Right to renounce travelling (reimbursement of the cost of the ticket) when the trip is not carried out as planned
5	Right to the fulfilment of the transport contract in case of disruption (re-routing and rebooking)
6	Right to get assistance in case of long delay at departure or at connecting points
7	Right to compensation under certain circumstances
8	Right to carrier liability towards passengers and their baggage
9	Right to a quick and accessible system of complaint handling
10	Right to full application and effective enforcement of EU law

These 10 core passenger rights are based on **three cornerstones**:

- 1) **Non-discrimination**;
- 2) **Accurate, timely and accessible information**; and
- 3) **Immediate and proportionate assistance**.

To these three cornerstones, even though one may claim that relevant aspects are covered by other cornerstones, a fourth one that requires particular attention could be added:

- 4) **Rights of persons with disability and reduced mobility**.

³ Communication from the Commission to the European Parliament and the Council COM(2011) 898 final: A European vision for Passengers: Communication on Passenger Rights in all transport modes, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2011:0898:FIN>

Passenger rights protections in rail, and bus and coach transport are specified in a single Regulation each (Regulation (EC) 2021/782 ⁴ in force as of 7 June 2023 and Regulation (EU) 181/2011 ⁵, respectively), whereas the protections in waterborne transport emerge from provisions across two texts (Regulation (EU) 1177/2010 ⁶ and Regulation (EU) 392/2009 ⁷):




	Rail	<p>Main legislation:</p> <ul style="list-style-type: none"> Regulation (EC) No 1371/2007 on rail passengers' rights and obligations Regulation (EU) 2021/782 on rail passengers' rights and obligations (recast)
	Waterborne	<p>Main legislation:</p> <ul style="list-style-type: none"> Regulation (EU) No 1177/2010 concerning the rights of passengers travelling by sea and inland waterway <p>Related legislation:</p> <ul style="list-style-type: none"> Regulation (EC) No 392/2009 on the liability of carriers of passengers by sea in the event of accidents: Articles 3 on liability and insurance, 4 on compensation in respect to mobility equipment and 7 on information to passengers
	Bus and coach	<p>Main legislation:</p> <ul style="list-style-type: none"> Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport Regulation (EC) 661/2009 concerning type-approval requirements for the general safety of motor vehicles

Figure 1 – EU legislation applicable to Rail, Waterborne and Bus and Coach transport ⁸

However, there is no exact matching between the 10 Core Passenger Rights and the Regulations, meaning that there are differences in the protections available to passengers when using different modes, and varied degrees of coverage of the passenger rights Regulations (including the rail recast, which applies since mid-2023 – Regulation (EU) 2021/782) with the 10 Core Passenger Rights. In the following sections of this chapter, the main provisions of the passenger rights Regulations per mode are summarised, and an overview of the passenger rights is included, as presented in the EU “Your Europe” portal ⁹. An assessment of the EU legal and institutional framework is provided in the following chapter.

Concerning the institutional framework across EU and other countries ¹⁰, National Enforcement Bodies (NEBs) have been established in various ways. Some countries have the NEB for all modes within one Agency/Institution (e.g., Austria, France, Ireland, Italy, Luxemburg, Lithuania, Netherlands, Sweden) and some others

⁴ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1–52), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0782>

⁵ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ EU L 55, 28.2.2011, p. 1), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011R0181>

⁶ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1–16), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32010R1177>

⁷ Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents (OJ L 131, 28.5.2009, p. 24–46), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32009R0392>

⁸ Source: Study on the EU regulatory framework for passenger rights – Comparative analysis of good practices, available at <https://op.europa.eu/en/publication-detail/-/publication/f1285075-1b4f-11ec-b4fe-01aa75ed71a1>

⁹ https://europa.eu/youreurope/citizens/travel/passenger-rights/index_en.htm

¹⁰ Iceland, Norway and Switzerland for Regulation 181/2011; Norway and United Kingdom for 1371/2007

in different Agency/ Institution, depending on the mode of transport. In South-East Europe region, which includes countries of the last three EU enlargements (2004, 2007, 2013), the NEBs per Member State are summarized in the following table.

Table 1 – National Enforcement Bodies in EU Member States in South East Europe

Country	National Enforcement Body		
	Road transport	Rail transport	Waterborne transport
Bulgaria	Executive Agency Road Transport	Railway Administration – Executive Agency	Executive Agency “Maritime Administration” (EAMA)
Croatia	Ministry of Maritime Affairs, Transport and Infrastructure – Sector for Road Traffic	Croatian Regulatory Authority for Network Industries (HAKOM)	Coastal Liner Services Agency (CLSA)
Romania	State Inspectorate for Road Transport Control	Romanian Railway Authority	National Authority for Consumer Protection
Slovenia	Ministry of Infrastructure	Communications Networks and Services Agency of the Republic of Slovenia	Market Inspectorate – contract carriers-passengers Slovenian Maritime Administration – ability of employees to assist PRM, information on passenger rights

In all cases of these four Member States, NEBs for rail and waterborne transport passenger rights are under authorities and agencies, while for road transport, Ministries act as NEBs as well, particularly in the Member States from ex-Yugoslavia, Croatia and Slovenia.

At EU Member States level, some of the Agencies/ Institutions are only resolving passengers’ rights as a second instance (obligation to submit first the complaint to the carrier – for road transport – or to the company/ carrier/ terminal for waterborne transport, e.g. in Austria, Croatia, Denmark, Italy, etc.), while others are accepting passengers claims even as a first instance (e.g. Bulgaria, France) and depending on the mode of transport (e.g. Spain resolves as a first instance in case of road transport, but as second instance in case of waterborne transport). As presented above, there is no uniformity among EU Member States in the approach.

1.2 United Nations Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities (UNCRPD) is an international human rights convention, which sets out the fundamental human rights of people with disability. Its purpose is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. It is made up of two documents: the Convention on the Rights of Persons with Disabilities, which contains the main human rights provisions expressed as a series of Articles; and the Optional Protocol to the CRPD. The CRPD and its Optional Protocol opened for signature on 30 March 2007. The EU and all its Member States are part of UNCRPD and the Optional Protocol. All WB RPs have ratified and are part of UNCRPD¹¹ and the Optional Protocol¹², except for Albania, who is not a party of the Optional Protocol.

¹¹ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&clang=en

¹² https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15-a&chapter=4&clang=en

1.3 Passenger Rights in rail transport

EU rules on rail passenger rights apply when traveling by rail within the EU, and generally apply to all rail journeys and services provided by one or more railway undertakings licensed in accordance with Directive 2012/34/EU of the European Parliament and of the Council, based on Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast).

EU countries can decide to exempt some rail services. These exceptions may apply to urban, suburban, regional, long-distance domestic trains and trains which are operated strictly for historical or touristic purposes. EU countries can also exempt international trains travelling from their territory to non-EU countries – where most of the journey occurs outside the EU and includes at least one scheduled stop in a non-EU country. EU countries cannot however exempt cross-border international rail journeys between EU countries.

¹³ Existing exemptions as declared by the EU Member States.

Overview of the passenger rights

When a passenger buys a ticket, the railway company or ticket vendor must give him/her clear information on:

- general conditions applicable to his/her journey
- journeys including one or more connections, if the ticket (or tickets) bought is a through-ticket
- time schedules and conditions for all available fares, in particular the lowest fares, as well as time schedules and conditions for the fastest trip
- any disruptions or delays (planned and real time updates)
- accessibility, access conditions and availability on board of facilities for people with disabilities or reduced mobility
- services available on board (including Wi-Fi and toilets)
- available capacity for bicycles, and rules for travelling with a bicycle
- procedures for reclaiming lost luggage
- complaint procedures
- passenger rights under EU rules and what to do if the train is cancelled or delayed

During the trip, the train operator must give information about on-board services (including Wi-Fi), the next station, disruptions and delays, security and safety issues and main connecting services. If the train is delayed or cancelled, the operator must give information on the situation in real time and provide information on rights and obligations of the passengers.

¹³ Regulation 2021/782 on rail passenger rights: Summary Table – Information on national exemptions (situation on 6 July 2023, based on information provided by the Member States), available at https://transport.ec.europa.eu/document/download/e4c5f6a0-9a4b-41ce-bb81-f3bb542ac8a7_en?filename=rail_passengers_summary_table_2023-07-06.pdf

1.4 Passenger Rights in buses and coaches

Regulation (EU) No 181/2011 ('the Regulation') lays down a series of rights for passengers who travel by bus and coach in the European Union. It became applicable on 1 March 2013.

EU rules on bus and coach rights apply if the journey starts or finishes in an EU country, and mainly apply to regular long-distance bus and coach services. These rights apply if a person is travelling with regular services that operate along specified routes where passengers are picked up and set down at predefined stopping points according to a set timetable. Long-distance means that the scheduled distance of the service, not the passengers' individual trip, is 250km or more.

Throughout the journey, the bus or coach operator must provide clear and correct information about the service and the passenger rights. This information should also be made available in a format accessible for people with disabilities.

Scope

The Regulation applies, in general, to 'regular services' (services provided at specified intervals along specified routes, where passengers are picked up and set down at predetermined stopping points) for non-specified categories of passengers, where the boarding or alighting point of the passengers is situated in the territory of a Member State.

Content

Passengers travelling on any type of regular service, irrespective of the scheduled distance of the service, benefit from the following core rights:

- 1 Non-discriminatory transport conditions (notably non-discriminatory tariffs);
- 2 Access to transport for people with disabilities or reduced mobility at no additional cost (carriers can only refuse to transport passengers with disabilities if carrying them is physically impossible given the design of the vehicle, the bus stop or the terminal infrastructure, or if doing so would breach health and safety requirements);
- 3 Minimum rules on the travel information provided to all passengers before and during their journey including information on their rights;
- 4 A complaint handling mechanism that carriers must make available to all passengers; and
- 5 Independent national enforcement bodies in each Member State, which have the mandate to enforce the Regulation and, where appropriate, to impose penalties.

Passengers also benefit from the following additional rights when travelling on regular services where the scheduled distance of the service is 250km or more:

- provision of tickets (electronic or paper) or any other documents giving entitlement to transport;
- compensation and assistance in the case of death, injury or loss or damage to luggage caused by an accident;
- information if the service is cancelled or delayed on departure;
- right to reimbursement of the full ticket price or rerouting in the case of a cancellation or a long delay at departure;
- adequate assistance in the case of a cancellation or a long delay (only applicable when the scheduled duration of the journey is more than 3 hours);

- compensation amounting to 50 % of the ticket price if the carrier fails to offer the passenger the choice between reimbursement of the ticket price and rerouting when there has been a cancellation or long delay; and
- specific assistance at no additional cost for people with disabilities or reduced mobility both at bus terminals and on board.

Other EU legislation applicable to bus and coach passengers

A significant part of coach transport occurs in an intra-community context: passengers are either travelling on cross-border services, or on domestic services outside their own Member State. In order to protect the interests of such passengers, Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004¹⁴, provides an appropriate framework within which national enforcement bodies can cooperate with each other and defend the collective interest of consumers in a cross-border context.

Complaint handling

Passengers may submit complaints about alleged infringements of the Regulation to the carrier (the Regulation obliges them to have in place a complaint handling mechanism) or to the NEB.

Sanctions

Most Member States' national legislation provide for a penalty system based solely on fines, but some NEBs can also withdraw an operator's licence if it deliberately and systematically breaches the Regulation.

Other enforcement and communication activities

Handling complaints and penalising noncompliance are just two of the examples given in the Regulation of the possible measures that can be used to enforce bus and coach passenger rights.

Designation of bus and coach terminals where passengers with disabilities and passengers with reduced mobility can receive assistance

The Regulation requires Member States to designate staffed and equipped bus and coach terminals which will provide appropriate assistance to passengers with disabilities or with reduced mobility. Providing assistance at bus and coach terminals is of paramount importance, as passengers with disabilities or reduced mobility most often need help when boarding or alighting from buses and coaches, and this requirement can, in the majority of cases, be most easily met at terminals with a high volume of passenger traffic.

1.5 Passenger Rights in waterborne transport

Regulation (EU) No 1177/2010, which aims to ensure the basic protection of passengers who travel by sea and inland waterway using passenger services or cruises, became applicable on 18 December 2012.

Scope

With certain exceptions, the Regulation applies to maritime and inland waterway passenger services operated from or to ports in the EU and to cruise services with a port of embarkation in the EU.

¹⁴ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32017R2394>

Content

Waterborne passenger rights are based on the following principles:

a) Non-discrimination on the grounds of nationality - No passenger should suffer direct or indirect discrimination on the basis of nationality when purchasing tickets for waterborne passenger transport services and cruises.

b) Accurate, timely and accessible information - Passengers have the right to adequate information before and during their journey (in particular in the event of transport disruption), including information about their rights and the contact details of national enforcement bodies (NEBs).

c) Immediate and proportionate assistance in the event of transport disruption - In the event of a delay of more than 90 minutes or cancellation of a passenger service or cruise, passengers are entitled to proportionate and suitable assistance free of charge. This could include snacks, meals, refreshments and, in some circumstances, accommodation. They must also be offered the choice between:

- re-routing to the final destination at no additional cost, at the earliest opportunity and under comparable conditions; and
- reimbursement of the ticket price, combined, where relevant, with a free-of-charge return service at the earliest opportunity to the first point of departure as set out in the transport contract.

Also, passengers have the right to objective and standardised compensation in the event of a long delay at arrival. The amount of compensation depends on the extent of the delay and the scheduled duration of the journey, and is calculated in relation to the ticket price. The carrier does not have to pay compensation if it is proved that the delay was caused by weather conditions endangering the safe operation of the ship or from extraordinary circumstances that could not have been reasonably avoided.

Contrary to commercial passenger services, cruises do not have a binding published schedule, therefore cruise passengers have no right under the Regulation to choose between re-routing and reimbursement in the event of cancelled or delayed departure (this issue shall be regulated in the contract that the passenger concludes for the cruise services), neither a right to compensation in the event of delayed arrival.

d) Rights of persons with disability and reduced mobility - The Regulation imposes certain obligations on carriers, port terminal operators, travel agents and tour operators in order to ensure that persons with disability or reduced mobility have equal opportunities for waterborne travel.

Carriers, travel agents and tour operators may not refuse to accept a reservation by passengers, or to transport them, on the grounds of their disability or reduced mobility, unless:

- it is impossible to transport them in compliance with the applicable safety legislation and the health and safety requirements established by the competent authorities; or
- the design of the ship or the transport infrastructure make it impossible to transport them in a safe and operationally feasible manner.

Carriers and terminal managers must put in place non-discriminatory access conditions. Persons with disabilities or reduced mobility must not be asked to pay any additional fee for their tickets, and carriers and port terminal operators must provide them, free of charge, with appropriate assistance in ports and on board ships.

Other EU legislation relevant for waterborne passenger services

Passengers using maritime services within the scope of the Regulation are also protected by Regulation (EC) No 392/2009, which aims to ensure that adequate compensation is paid for any personal injury (including death) or other loss or damage they might suffer as a result of a maritime accident.

Passengers who travel by ship as part of a package trip enjoy additional rights under the Directive (EU) No 2015/2302 on package travel and linked travel arrangements (Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC¹⁵).

The following EU legislation also regulates several aspects of the accessibility of persons with disability or reduced mobility to ships: Directive 2009/45/EC¹⁶ on safety rules and standards for passenger ships, Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC¹⁷ and Directive 98/41/EC¹⁸ on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community.

When a significant part of the waterborne passenger transport occurs in a cross-border context, i.e. for passengers either travelling on cross-border services or travelling on domestic services outside of their own Member State, in order to protect their interest the Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 provides an appropriate framework for National Enforcement Bodies to cooperate with each other and to defend the collective interest of passengers in a cross-border context.

Complaint handling

Passengers may submit complaints about alleged infringements of the Regulation to the carrier, the port terminal operator or directly to the NEB.

Sanctions

Most Member States' national laws provide for a penalty system based solely on fines, but some NEBs can also withdraw an operator's licence if it deliberately and systematically breaches the Regulation.

¹⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015L2302>

¹⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02009L0045-20220731>

¹⁷ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32017L2110>

¹⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01998L0041-20191221>

1.6 Special provisions for travellers with disabilities or reduced mobility

If the passenger has a disability or reduced mobility, he/she has the right to access air, train, bus, coach, or boat travel like anybody else. When the passenger buys a ticket, the vendor must give him/her information about the journey in a format that is accessible to him/her as well as information on the specific facilities available to him/her on board respectively in the aircraft, train, bus, coach or ship.

For all modes of transport, a traveller with disabilities or PRM has the right to free assistance at terminals and on board vehicles. A traveler with disabilities or PRM cannot be refused transport because of his/her disability or reduced mobility except for reasons justified on the grounds of safety or because of the design of the vehicle or infrastructure.

Assistance when travelling by train

When a traveler with disabilities or PRM travels by train, he/she has the right to assistance, free of charge. This assistance covers help:

- getting on and off the train/transferring to a connecting train service (for which PRM has a ticket);
- on board (including accessing on-board services) and at the station before and after the journey.

To ensure that a traveler with disabilities or PRM gets the best assistance, a traveler with disabilities or PRM needs to contact the railway company, station manager, ticket seller or tour operator **at least 24 hours before the trip** and explain which type of assistance is required. In order to provide the help requested, the railway company or station manager can ask the traveler with disabilities or PRM to arrive at a designated point in the station **not more than 1 hour** before the scheduled departure or final check-in time for the train. If a traveler with disabilities or PRM was not told when to arrive at the designated point, he/she should present him-/herself there at least 30 minutes before the scheduled departure time or before the time all passengers are asked to check in.

If the railway company, station manager, ticket seller or tour operator was not informed of the need for assistance at least 24 hours before the trip, they must make all reasonable efforts to assist so a traveler with disabilities or PRM can travel as planned.

Railway operators can require that a traveler with disabilities or PRM travels accompanied, **but only** if this is strictly necessary to comply with non-discriminatory access rules already in place (for example because of the way the train or station infrastructure is designed). The person accompanying a traveler with disabilities or PRM is entitled to travel free of charge and where possible be seated next to the traveler with disabilities or PRM. If a traveler with disabilities or PRM has an assistance dog, it is allowed to accompany the traveler with disabilities or PRM, in line with any local rules in the country where the traveler with disabilities or PRM is travelling.

Some EU countries require that requests for assistance to railway companies, station managers, ticket vendors or tour operators must be made at least 36 hours in advance, instead of 24 hours. Nobody can't be denied boarding because of his/her disability or reduced mobility, unless security concerns, or safety rules prevent the railway company from transporting the person.

Assistance when travelling by bus or coach

A passenger with disability or reduced mobility is entitled to assistance free of charge if he/she is planning a long-distance journey (where the scheduled distance of the service – not the individual trip – is 250km or more). A traveler with disabilities or PRM **has the right to assistance** at designated terminals, and with getting on and off the bus or coach. In addition, the company must let a person of the traveler with disabilities or PRM's choice to travel with the traveler with disabilities or PRM free of charge - if this solves any security or safety concerns that would otherwise prevent the traveler with disabilities or PRM from travelling.

To make sure that the traveler with disabilities or PRM gets the assistance needed, he/she must contact the bus/coach company, ticket seller or tour operator at least **36 hours before the trip** to inform them about the kind of help that is required. The operator or the terminal manager may ask the traveler with disabilities or PRM to come to a designated point not more than one hour before the scheduled departure.

A traveler with disabilities or PRM can't be prevented from buying a ticket, making a reservation or getting on board because of his/her disability or reduced mobility - unless this is strictly necessary to comply with legal health and safety requirements, or where the infrastructure cannot guarantee safe transport.

Assistance when travelling by ship

A traveler with disabilities or PRM is entitled to **assistance**, free of charge, getting on or off a ship, changing ships, on board and at the port. To make sure that a traveler with disabilities or PRM gets the best assistance, he/she must contact the carrier, ticket seller or tour operator at least **48 hours before the trip**, and explain what kind of assistance is required. However, even if a traveler with disabilities or PRM has not done so, the carrier and terminal operator still must make all reasonable efforts to help a traveler with disabilities or PRM.

If a traveler with disabilities or PRM has special needs in terms of accommodation, seating, assistance, or if he/she needs to bring medical equipment, he/she should inform accordingly the ticket seller when making the reservation.

Carriers may request that another person should accompany traveler with disabilities or PRM if this is necessary for safety reasons, or because of the way the ship or the port infrastructure are designed. This companion will travel free of charge.

1.7 Passenger Rights for multimodal journeys ¹⁹

Currently, passengers are not covered by existing passenger rights when switching between different transport modes. EU passenger rights apply only to long-distance trips and only if there is a single contract of carriage (i.e. through ticketing). They do not tackle the issue of disruptions in a multimodal context and do not cover urban and local transport.

For multimodal trips, in most cases each operator is only aware of and responsible for the journey segment that they provide themselves. There is no overall guarantee for arrival at the final destination. A missed

¹⁹ European Passengers' Federation position 22.04.2023, available at <https://www.epf.eu/wp/wp-content/uploads/2023/04/Better-protection-EPF-position-final.pdf>

connection may leave passengers stranded and they may only be able to complete their journey by buying new tickets.

As repeatedly mentioned, the EU passenger rights are based on three cornerstones: non-discrimination; accurate, timely and accessible information; immediate and proportionate assistance. In principle, all ten core passenger rights emerging from these cornerstones should also apply for multimodal travels.

The willingness of potential passengers to use (multimodal) sustainable transport options for complex journeys is compromised by fears that, in the event of disruption, they may not be able to get to their planned final destination at the earliest available opportunity without paying additional charges. This seriously limits the passengers travel and mobility options with undesirable economic, environmental and social consequences.

1.8 Proposal for a Regulation amending the existing EU regulations on passenger rights – “Passenger Mobility Package”

On 29 November 2023, the European Commission adopted a “Passenger Mobility Package” - ²⁰ **Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union**, as a set of proposals ²¹ designed to improve the experience of passengers and travellers by strengthening their rights, focusing on three aspects:

1. Stronger passenger rights

Passengers travelling by air, rail, ship or bus already enjoy world-renowned protection by EU passenger rights. They are entitled to rerouting, reimbursement, compensation and/or assistance (depending on the circumstances) if travel is disrupted. Nevertheless, some gaps in today’s rules still remain while shortcomings in implementation and enforcement are preventing passengers from fully benefiting from these rights. The proposal for a **revision of the Regulations on Passenger Rights** addresses these problem areas by strengthening the enforcement mechanisms. The **proposal on passenger rights in the context of multimodal journeys** also sets out for the first time, new rules to protect passengers using different types of transport, like buses, trains, and planes, all in one trip. Passengers will enjoy better information rights before and during such travels, including on minimum connecting times between different transport services. In addition, where they bought the multimodal journey under one transport contract, they will be entitled to assistance by the carrier in the event of missed connections. **Special attention is paid to the needs of passengers with disabilities or reduced mobility.** Persons with reduced mobility who switch from one transport mode to another during their journey will be assisted at connecting points by carriers and terminal operators when they travel under a single contract of carriage or when they travel through multimodal passenger hubs.

2. Protection of package travellers

With the revision of the 2015 Package Travel Directive, the protection of package travellers will in the future be more effective, in particular, during crisis situations, learning the lessons from the COVID-19 pandemic. The proposed amendments will provide stronger and clearer rights for travellers and clarify the obligations and responsibilities of the service providers. No further details are provided in this report about the proposed new

²⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A753%3AFIN>

²¹ https://transport.ec.europa.eu/news-events/news/passenger-mobility-package-2023-11-29_en

rules, since they are not subject of this TA assignment, but it is noted that the proposed changes are significant and important for this type of travellers.

3. Better multimodal travel information services and the creation of a common European mobility data space

Multimodality, or the combination of transport modes, can reduce overall transport emissions by allowing travellers to choose the most efficient and sustainable mode of transport. The **revision of Delegated Regulation on EU-wide multimodal travel information service (MMTIS)** will make it easier for passengers to find via travel information services real-time information on different transport modes and access real-time updates during their journey, for example on delays and cancellations. New types of information will also be available, such as whether bikes can be taken onto a train, and on accessibility, including for passengers with disabilities or reduced mobility.

In line with the European Strategy for Data and supported by the Connecting Europe Facility and the Digital Europe Programme, the initiative on a common **European Mobility Data Space (EMDS)** was also adopted on 29 November 2023 and it will facilitate access, pooling and sharing of data from existing and future transport and mobility data sources. It will allow access to and sharing of real-time data, enabling the travelling public to stay up to date with the transport situation and traffic conditions, allowing them to plan their journeys better. It will also enable public and private actors for developing innovative transport services and data-driven transport policy-making.

Automation and digitalisation are creating many new challenges as well as opportunities for the transport workforce. A smooth transition is in the interests of transport users and workers alike. **Recommendation on means to address the impact of automation and digitalisation on the transport workforce** invites transport stakeholders, including social partners and national authorities to consider the impact of automation on transport workers, and to promote upskilling and reskilling. It calls for change to be managed in a proactive and participatory manner, and emphasises the importance of social dialogue. The sector should make full use of EU funding opportunities to support the transition and ensure inclusiveness and accessibility for workers, especially those at higher risk of exclusion.

2 Assessment of European Union`s legal and institutional framework

2.1 Passenger Rights in rail transport

EU passenger rights are based on the three cornerstones of non-discrimination; accurate, timely and accessible information; and immediate and proportionate assistance. As previously said, a fourth cornerstone could be added, covering the Rights of persons with disability and reduced mobility.

After assessing the currently regulated passenger rights in railways against all ten core passenger rights, the outcomes of the assessment is presented in the following paragraphs.

(1) Right to non-discrimination in access to transport

Based on residence. Without prejudice to social tariffs, transport service providers, ticket vendors or tour operators shall offer contract conditions and tariffs to the general public without direct or indirect discrimination on the basis of the passenger`s nationality or of the place of establishment within the Union of the transport service provider, ticket vendor or tour operator. A provision on non-discriminatory contract conditions and tariffs has been **included in the Article 5** of the Rail Passenger Rights` Regulation recast (EU) 2021/782.

Based on disability and/or reduced mobility. Provision of the Article 23 of the Rail Passenger Rights` Regulation recast provides that persons with disabilities or persons with reduced mobility shall be assisted as follows: the personal assistant, recognised as such in accordance with national practices, may travel with a special tariff and, if applicable, free of charge and be seated, where practicable, next to the person with disabilities. Also, a PRM is allowed to be accompanied by an assistant dog in accordance with any relevant national law.

(2) Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

In relation to **information on accessibility**, based on the Article 22 of the Rail Passenger Rights` Regulation recast, upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced mobility with information, including in accessible formats in accordance with the provisions of Regulations (EU) No 454/2011²² and (EU) No 1300/2014²³ and Directive (EU) 2019/882²⁴, on the accessibility of the station and associated facilities, and of rail services and on the

²² Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system, available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2011.123.01.0011.01.ENG

²³ Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility, available at <https://eur-lex.europa.eu/eli/reg/2014/1300/oj>

²⁴ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services, available at <https://eur-lex.europa.eu/eli/dir/2019/882/oj>

access conditions of rolling stock in accordance with the access rules referred to in Article 21(1) of the Rail Passenger Rights' Regulation recast (in regard to the entity responsible for providing assistance to persons with disabilities and persons with reduced mobility) and shall inform persons with disabilities and persons with reduced mobility about facilities on board. In unstaffed stations, railway undertakings and station managers shall ensure that information is easily available, including in accessible formats.

Obligation of terminal managers to assist PRM. Based on the Point (31) of the Preamble of the Rail Passenger Rights' Regulation recast, railway undertakings and station managers should take into account the needs of persons with disabilities and persons with reduced mobility, through compliance with Directive (EU) 2019/882 of the European Parliament and of the Council and Commission Regulation (EU) No 1300/2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility.

Right to assistance at designated terminals and on board. In accordance with the Article 23 of the Rail Passenger Rights' Regulation recast, at unstaffed stations, railway undertakings shall provide assistance free of charge on board a train and during boarding and alighting from a train if the train is accompanied by trained staff. Concerning the allocation of responsibilities between station managers and railway undertakings, they should be in line with the Council and Commission Regulation (EU) No 1300/2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility.

Conditions under which assistance is provided. Based on the Article 24 of the Rail Passenger Rights' Regulation recast, assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased, or the Single Point of Contact, where applicable, is notified of the passenger's need for such assistance **at least 24 hours before the assistance is needed**. Where a longer pre-notification period is needed, Member States may agree to a 36-hour notification until 30 June 2026.

Transmission of information to a third party. Based on the Article 24 of the Rail Passenger Rights' Regulation recast, a single notification is needed, which shall be forwarded to all other railway undertakings and station managers involved in the person's journey.

Designation of meeting points. In accordance with Article 24 of the Rail Passenger Rights' Regulation recast, traveller with disability or PRM will be assisted when presented at a designated point, for which there is no reference whether it is inside or outside the terminal.

Quality standards for assistance. Railway undertakings and station managers should define, manage and monitor service quality standards for rail passenger services. Railway undertakings should also make information on their service quality performance publicly available. In accordance with the Article 29 railway undertakings shall establish service quality standards and implement a quality management system to maintain service quality. The service quality standards shall at least cover the items listed in Annex III of the Rail Passenger Rights' Regulation recast (EU) 2021/782.

Training of staff. Based on the Article 26 of the Rail Passenger Rights' Regulation recast, railway undertakings and station managers shall ensure that all staff, including those newly recruited, providing, in their regular duties, direct assistance to persons with disabilities and persons with reduced mobility, receive disability - related training in order to know how to meet the needs of persons with disabilities and of persons with

reduced mobility. They shall also provide all staff, working at the station or on board trains, who deal directly with the travelling public, with training and regular refresher training courses to raise awareness of the needs of persons with disabilities and persons with reduced mobility.

Compensation in respect of wheelchairs and other mobility equipment. Based on the Article 25 of the Rail Passenger Rights' Regulation recast where railway undertakings and station managers cause the loss of, or damage to, mobility equipment, including wheelchairs, and assistive devices, or the loss of, or injury to, assistance dogs used by persons with disabilities and persons with reduced mobility, they shall be liable for that loss, damage or injury, and provide compensation without undue delay. That compensation shall comprise: cost of replacement or repair of mobility devices; cost of replacement or injury treatment of assistant dogs; any reasonable costs for temporary replacement for mobility equipment, assistive devices or assistance dogs, where such replacement is not provided by the railway undertaking or the station manager.

(3) Right to information before purchase and during travel, notably in case of disruption

Passengers must be informed by carriers and ticket vendors/tour operators at the time of purchase on (at least) the time schedules, tariffs and traveller with disability or PRM accessibility. During the journey, carriers and ticket vendors/tour operators must provide real-time information to passengers on the disruption, possible next connections, and security alerts.

As a starting point, the Article 9 and Annexes of the revised Rail Passenger Rights' Regulation recast (EU) 2021/782 contains a list of information elements to be provided pre-journey and during the journey:

Rights to information **before purchase** are regulated by Article 9 of the Rail Passenger Rights' Regulation recast, where it is defined that the railway undertakings, tour operators and ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide the passenger, upon request, with at least the information set out in ²⁵ Annex II, Part I in relation to the journeys for which a transport contract is offered by the railway undertaking concerned.

Rights to information **before travel** are also regulated by Article 9, where it is defined that the railway undertakings, tour operators and ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide the passenger, upon request, with at least the information set out in Annex II, Part I in relation to the journeys for which a transport contract is offered by the railway undertaking concerned.

²⁵ Part I: Pre-journey information

- General conditions applicable to the contract
- Time schedules and conditions for the fastest trip
- Time schedules and conditions for all available fares, highlighting the lowest fares
- Accessibility, access conditions and availability on board of facilities for persons with disabilities and persons with reduced mobility in accordance with Directive (EU) 2019/882 and Regulations (EU) No 454/2011 and (EU) No 1300/2014
- Availability of capacity and access conditions for bicycles
- Availability of seats in first and second class as well as couchette cars and sleeping carriages
- Disruptions and delays (planned and in real time)
- Availability of on-board facilities, including Wi-Fi and toilets, and of on-board services, including the assistance passengers are provided with by staff
- Information prior to purchase on whether the ticket or the tickets constitute a through-ticket
- Procedures for reclaiming lost luggage
- Procedures for the submission of complaints

Rights to information **during travel** are regulated by Article 9 as well, which defines that the railway undertakings and, where possible, ticket vendors and tour operators shall provide the passenger during the journey with at least the information set out in ²⁶ Annex II, Part II. Where a station manager has such information, he/she shall also provide the information to the passenger.

The mentioned information shall be provided in the most appropriate format, where possible based on real-time travel information, including by using appropriate communication technologies. Particular attention shall be paid to ensuring that this information is accessible in accordance with the provisions of Directive (EU) 2019/882 and Regulations (EU) No 454/2011 and (EU) No 1300/2014.

Rights to information **after travel** are defined in the Articles 12(7), 19 and 33 of the Rail Passenger Rights' Regulation recast reimbursement and compensation time limits. Response time for complaints is specified as well.

Right to information **on passengers' rights** under Regulation must be provided when selling tickets as per Article 9 and Annex II, Part I. Ticket vendors and tour operators shall provide information, in either paper or electronic format or by any other means, including in accessible formats.

(4) Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

The Article 18 of the Rail Passenger Rights' Regulation recast is regulating that where it is reasonably to be expected, either at departure or in the event of a missed connection or a cancellation, that **arrival** at the final destination under the transport contract will be subject to a **delay of 60 minutes or more**, the railway undertaking operating the delayed or cancelled service shall immediately offer the passenger the choice between one of the following options, and shall make the necessary arrangements:

- reimbursement of the full cost of the ticket, under the conditions by which it was paid, for the part or parts of his or her journey not made and for the part or parts already made if the journey is no longer serving any purpose in relation to the passenger's original travel plan, together with, when relevant, a return service to the first point of departure at the earliest opportunity;
- continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;
- continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience.

The determination of "arrival" means that the delay would be calculated as of when the doors of the train are opened and disembarkation is allowed. With the agreement of the passenger, reimbursement can be provided in travel vouchers and/or other services.

(5) Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

The Article 18 of the Rail Passenger Rights' Regulation recast is regulating that where it is reasonably to be expected, either at departure or in the event of a missed connection or a cancellation, that **arrival** at the final

²⁶ Part II: Information during the journey

- On-board services and facilities, including Wi-Fi
- Next station
- Disruptions and delays (planned and in real time)
- Main connecting services
- Security and safety issues

destination under the transport contract will be subject to a **delay of 60 minutes or more**, the railway undertaking operating the delayed or cancelled service shall immediately offer the passenger the choice between one of the following options, and shall make the necessary arrangements:

- continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;
- continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience.

Also based on the Article 18, the railway undertaking may allow the passenger, at his/her request, to conclude contracts with other providers of transport services which enable the passenger to reach the final destination under comparable conditions, in which case the railway undertaking shall reimburse the passenger for the costs that he/she incurs (**self-re-routing**).

Where the available re-routing options are not communicated to the passenger within 100 minutes from the scheduled departure time of the delayed or cancelled service or the missed connection, the passenger shall be entitled to conclude such a contract with other providers of public transport services by rail, coach or bus. The railway undertaking shall reimburse the passenger for the necessary, appropriate and reasonable costs that he/she incurs.

(6) Right to get assistance in case of long delay at departure or at connecting points

In the event of long delays or cancellations, passengers must be offered care and assistance. Such care should include assistance on how to continue the journey (rerouting and rebooking), meals and refreshments and, if rerouting is not possible on the same day, accommodation and transfer to and from accommodation.

Right to assistance/care (food and drink). Based on the Article 20(2) of the Rail Passenger Rights' Regulation recast, where the delay amounts to 60 minutes or more, or the service is cancelled, the railway undertaking operating the delayed or cancelled service shall offer the passengers, free of charge meals and refreshments in reasonable relation to the waiting time, if they are available on the train or in the station, or can reasonably be supplied, taking into account criteria such as the distance from the supplier, the time required for delivery and the cost.

Right to accommodation where delay is overnight. Based on the Article 20(2), where the delay reaches 60 minutes or more, or the service is cancelled, the railway undertaking operating the delayed or cancelled service shall offer, free of charge hotel or other accommodation, and transport between the railway station and place of accommodation, in cases where a stay of one or more nights becomes necessary or an additional stay becomes necessary, where and when physically possible. In cases where such a stay becomes necessary due to the circumstances referred to in Article ²⁷ 19(10), the railway undertaking may **limit the duration of**

²⁷ A railway undertaking shall not be obliged to pay compensation if it can prove that the delay, missed connection or cancellation was caused directly by, or was inherently linked with:

- a) extraordinary circumstances not connected with the operation of the railway, such as extreme weather conditions, major natural disasters or major public health crises, which the railway undertaking, in spite of having taken the care required in the particular circumstances of the case, was unable to avoid and the consequences of which it was unable to prevent;
- b) fault on the part of the passenger; or
- c) the behaviour of a third party which the railway undertaking, in spite of having taken the care required in the particular circumstances of the case, was unable to avoid and the consequences of which it was unable to

accommodation to a maximum of three nights. The access requirements of persons with disabilities and persons with reduced mobility and the needs of assistance dogs shall be taken into account, whenever possible.

(7) Right to compensation under certain circumstances

In accordance with Article 19 of the Rail Passenger Rights' Regulation recast it is defined that without losing the right of transport, a passenger is entitled to compensation for delays from the railway undertaking if he/she is facing a delay between the places of departure and final destination stated in the ticket or through-ticket for which the cost has not been reimbursed in accordance with Article 18. The minimum compensation for delays shall be as follows:

- (a) 25 % of the ticket price for a delay of 60 to 119 minutes;
- (b) 50 % of the ticket price for a delay of 120 minutes or more.

For a travel pass or season ticket, the delays may be counted cumulatively and passengers may be compensated in accordance with the railway undertaking's compensation arrangements. This provision does not apply in the case of extraordinary circumstances not connected with the operation of the railway.

In accordance with Articles 18 and 19, EC shall propose an EU-wide common compensation form, which should be in an accessible format.

(8) Right to carrier liability towards passengers and their baggage

Passengers. In accordance with the Regulation, there is no limit set for compensation for death and personal injury.

Baggage. In accordance with the Articles 41, 42, and 43 of the Rail Passenger Rights' Regulation recast **Compensation for loss, Compensation for damage and Compensation for delay in delivery of the luggage** are regulated. The methods of compensation, by kilogram missing or by item of luggage, shall be determined by the General Conditions of Carriage. Replacement or repair value of damaged mobility equipment is also regulated.

(9) Right to a quick and accessible system of complaint handling

Time limitation for submission of complaints. In accordance with Article 3 of the Rail Passenger Rights' Regulation recast, a complaint must be submitted within 3 months. Based on paragraph (44) of the Preamble of the Rail Passenger Rights' Regulation recast, in the interest of efficient handling of complaints, railway undertakings and station managers should have the right to establish joint customer services and complaint-handling mechanisms. Information on the complaint-handling procedures should be publicly available and easily accessible to all passengers.

Operators to establish complaint handling mechanisms regarding violations of these rights. In accordance with Article 28(2) of the Rail Passenger Rights' Regulation recast, within one month of receiving the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger that he/she will receive a reply within a period of less than three months from the date of receipt of the complaint.

prevent, such as persons on the track, cable theft, on-board emergencies, law enforcement activities, sabotage or terrorism.

Each railway undertaking and station manager of a station handling on average more than 10,000 passengers per day over a year shall set up a complaint-handling mechanism for the rights and obligations covered by the Regulation in their respective fields of responsibility. They shall make their contact details and working language, or languages, widely known to passengers.

Data necessary to assess the complaint must be kept for the duration of the process.

Obligation for operators to establish service quality standards, and to publish their performance against them is specified in the Article 28, regulating that the details of the complaint-handling procedure shall be accessible to the public, including to persons with disabilities and to persons with reduced mobility. This information shall be available upon request at least in the official language or languages of the Member State in which the railway undertaking is operating.

The railway undertaking shall publish in the report the number and categories of received complaints and of processed complaints, the response time and the possible improvement actions undertaken.

(10) Right to full application and effective enforcement of EU law

Independence. In accordance with Article 31 of the Rail Passenger Rights' Regulation recast, each Member State shall designate a body or bodies responsible for the enforcement of the Regulation. Each body shall take the measures necessary to ensure that the rights of passengers are respected.

Each body shall be independent in its organisation, funding decisions, legal structure and decision-making of any infrastructure manager, charging body, allocation body or railway undertaking. Each body shall, in its organisation, funding decisions, legal structure and decision making, be independent of carriers, tour operators and terminal managing bodies.

Obligation for NEBs to report. In accordance with the Article 32, every two years, the national enforcement bodies shall publish reports with statistics on their activity, including on penalties applied by 30 June of the following calendar year. Those reports shall be made available on the website of the European Union Agency for Railways.

Railway undertakings shall give their contact details to the national enforcement body or bodies of the Member States in which they operate.

Obligation for NEBs to cooperate. In accordance with the Article 34(3) of the Rail Passenger Rights' Regulation recast, it is envisaged the obligation for NEBs to cooperate in complex cases in order to identify a "lead body" which will be the "single point of contact" for the passenger. The obligation of cooperation includes sharing of information, assistance with translation of documents and provision of information on circumstances of incidents.

Complaint-handling. In accordance with Articles 32 and 33 of the Rail Passenger Rights' Regulation recast, NEBs shall closely monitor compliance. Railway undertakings, station managers, infrastructure managers, as well as ticket vendors and tour operators, shall provide relevant documents and information to NEB within one month as of the request.

Complaint handling may take up to three months or six months for complex cases.

2.2 Passenger Rights in buses and coaches

EU passenger rights are based on three cornerstones: non-discrimination; accurate, timely and accessible information; immediate and proportionate assistance. A fourth cornerstone could be added: **Rights of persons with disability and reduced mobility.**

An assessment of the passenger rights in buses and coaches regarding all ten core passenger rights is presented in the following paragraphs.

(1) Right to non-discrimination in access to transport

Without prejudice to social tariffs, transport service providers, ticket vendors or tour operators shall offer contract conditions and tariffs to the general public without direct or indirect discrimination on the basis of the passenger's nationality or of the place of establishment within the Union of the transport service provider, ticket vendor or tour operator.

A provision on non-discriminatory contract conditions and tariffs **based on residence** has been included in the Article 4(2) of Bus and Coach Passenger Rights' Regulation (EU) 181/2011.

A provision of the Article 9(1)(2) of Bus and Coach Passenger Rights' Regulation provides that Passengers with disabilities and passengers with reduced mobility cannot be discriminated against on reservation, purchase of tickets and embarkation. Exceptions may be made for reasons of transport safety or because of the physical characteristics of the transport system that make transport physically impossible in accordance with the Article 10(1) of Bus and Coach Passenger Rights' Regulation.

(2) Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

In relation to **information on accessibility**, based on the Article 11(2) of Bus and Coach Passenger Rights' Regulation, the access conditions must be made publicly available and in accessible formats on request.

Obligation of terminal managers to assist PRM. Based on the Article 12 of Bus and Coach Passenger Rights' Regulation, Member States shall designate bus and coach terminals where assistance for disabled persons and persons with reduced mobility shall be provided. Member States shall inform the Commission thereof. The Commission shall make available a list of the designated bus and coach terminals on the Internet.

Right to assistance at designated terminals and on board. In accordance with the Article 13 of Bus and Coach Passenger Rights' Regulation, the assistance is provided free of charge at least to the extent specified in the relevant annexes of the Regulation. Allocation of responsibilities between terminals and carriers is not specified.

Conditions under which assistance is provided. Based on the Article 14(1)(a) of Bus and Coach Passenger Rights' Regulation, a 36-hour notification is needed to carriers, terminal managing bodies, travel agents or tour operators in order to get assistance. Based on the Article 14(1)(b) of Bus and Coach Passenger Rights' Regulation (EC), the passenger who needs assistance needs to be present at designated point at least 30 minutes but no more than 60 minutes before departure.

Transmission of information to a third party. Article 15 of Bus and Coach Passenger Rights' Regulation regulates that if travel agents or tour operators receives a notification referred to in point (a) of Article 14(1)

they shall, within their normal office hours, transfer the information to the carrier or terminal managing body **as soon as possible**.

Designation of meeting points. In accordance with Article 14(5) the terminal managing body shall designate a point **inside or outside the terminal** at which disabled persons or persons with reduced mobility can announce their arrival and request assistance.

Quality standards for assistance are not specified by the Bus and Coach Passenger Rights' Regulation.

Training of staff. Based on the Article 16 of Bus and Coach Passenger Rights' Regulation, carriers and, where appropriate, terminal managing bodies shall establish disability-related training procedures, including instructions on awareness and assistance, depending on role of their staff.

Compensation in respect of wheelchairs and other mobility equipment. Based on the Article 17 of Bus and Coach Passenger Rights' Regulation, carriers and terminal managing bodies shall be liable where they have caused loss of or damage to wheelchairs, other mobility equipment or assistive devices. The loss or damage shall be compensated by the carrier or terminal managing body liable for that loss or damage, and the compensation shall be equal to the cost of replacement or repair of the equipment or devices lost or damaged (without limitations).

(3) Right to information before purchase and during travel, notably in case of disruption

Rights to information **before purchase** and **before travel** are not specified by the Bus and Coach Passenger Rights' Regulation.

Rights to information **during travel** are defined in the Article 20 (1) and (2) of Bus and Coach Passenger Rights' Regulation, providing that in the event of cancellation or delay in departure of a regular service, passengers departing from terminals shall be informed by the carrier or, where appropriate, the terminal managing body, of the situation as soon as possible and in any event **no later than 30 minutes after the scheduled departure time**, and of the estimated departure time as soon as this information is available. Also, if passengers miss, according to the timetable, a connecting service due to a cancellation or delay, the carrier or, where appropriate, the terminal managing body, shall make **reasonable efforts to inform the passengers concerned of alternative connections**.

Rights to information **after travel** are defined in the Article 19 (4) of Bus and Coach Passenger Rights' Regulation, providing that where a regular service is cancelled or delayed in departure from a bus stop for more than 120 minutes, passengers shall have the right to the continuation or re- routing or reimbursement of the ticket price from the carrier. In the Article 27 response time for complaints is specified as follows: Within 1 month of receiving the complaint, the carrier shall give notice to the passenger that his complaint has been substantiated, rejected or is still being considered. The time taken to provide the final reply shall not be longer than 3 months from the receipt of the complaint.

Right to information **on passengers' rights** under Bus and Coach Passenger Rights' Regulation is defined by the Article 25 that such information must be provided at the latest on departure, and at terminals and on internet.

(4) Right to renounce travelling (reimbursement of the full cost of the ticket) **when the trip is not carried out as planned**

In case of a cancellation or delay at departure of more than 120 minutes, in accordance with Article 19(5) reimbursement has to be paid within 14 days. Also, in accordance with Article 19(5), if the passenger accepts another form of reimbursement, it can be paid in another form.

(5) Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

The passengers are given the choice between reimbursement and re-routing under comparable conditions at the earliest opportunity and at no additional cost, based on Article 19(1).

(6) Right to get assistance in case of long delay at departure or at connecting points

Right to assistance/care (food and drink). In the event of long delays or cancellations, passengers must be offered care and assistance for journey of over 3 hours, where cancellation or the delay is over 90 minutes, and where available or can reasonably be supplied the carrier shall offer the passenger free of charge: (a) snacks, meals or refreshments in reasonable relation to the waiting time or delay.

Right to accommodation where delay is overnight. For journey of over 3 hours, where cancellation or the delay is over 90 minutes, the carrier shall offer the passenger, free of charge, a hotel room or other accommodation, as well as assistance to arrange transport between the terminal and the place of accommodation in cases where a stay of 1 or more nights becomes necessary. For each passenger, the carrier may limit the total cost of accommodation, not including transport to and from the terminal and place of accommodation, to € 80 per night and for a maximum of 2 nights.

(7) Right to compensation under certain circumstances

Based on the provision of Article 19(2) of Bus and Coach Passenger Rights' Regulation, if the carrier fails to offer the passenger the choice referred to in paragraph 1 (between continuation/rerouting and reimbursement not offered), the passenger shall have the right to compensation amounting to 50% of the ticket price, in addition to the reimbursement referred to in point (b) of paragraph 1 of Article 19 (reimbursement of the ticket price, and, where relevant, a return service by bus or coach free of charge to the first point of departure, as set out in the transport contract, at the earliest opportunity). This sum shall be paid by the carrier within 1 month after the submission of the request for compensation.

(8) Right to carrier liability towards passengers and their baggage

Passengers. In accordance with the Article 7(2)(a) of Bus and Coach Passenger Rights' Regulation, the amount of compensation shall be calculated in accordance with applicable national law. Any maximum limit provided by national law to the compensation for death and personal injury shall on each distinct occasion not be less than € 220,000 per passenger. Right to assistance with regard to the passengers' immediate practical needs following an accident is also regulated in the Article 8.

Baggage. In accordance with the Article 7(2)(b) the amount of compensation shall be calculated in accordance with applicable national law. Any maximum limit provided by national law to the compensation for loss of or damage to luggage shall on each distinct occasion not be less than € 1,200 per piece. Replacement or repair value of damaged mobility equipment is also regulated. In the event of damage to wheelchairs, other mobility equipment or assistive devices the amount of compensation shall always be equal to the cost of replacement or repair of the equipment lost or damaged.

(9) Right to a quick and accessible system of complaint handling

Time limitation for submission of complaints. In accordance with Article 27 of Bus and Coach Passenger Rights' Regulation, complaint must be submitted within 3 months from the date on which the regular service was performed or when a regular service should have been performed.

Operators to establish complaint handling mechanisms regarding violations of these rights. In accordance with Article 27, within 1 month of receiving the complaint, the carrier shall give notice to the passenger that his complaint has been substantiated, rejected or is still being considered. The time taken to provide the final reply shall not be longer than 3 months from the receipt of the complaint.

Obligation for operators to establish service quality standards, and to publish their performance against them is not specified by the Bus and Coach Passenger Rights' Regulation.

(10) Right to full application and effective enforcement of EU law

Independence. In accordance with Article 28 of Bus and Coach Passenger Rights' Regulation, each Member State shall designate a new or existing body or bodies responsible for the enforcement of the Regulation as regards regular services from points situated on its territory and regular services from a third country to such points. Each body shall take the measures necessary to ensure compliance with the Regulation.

Each body shall, in its organisation, funding decisions, legal structure and decision making, be independent of carriers, tour operators and terminal managing bodies.

Obligation for NEBs to report. Every two years, NEB shall publish reports with statistics, including on sanctions.

Obligation for NEBs to cooperate. To any NEB, no obligation to transfer complaint, but can be done based on the general obligation for NEBs to cooperate.

Complaint-handling. NEB to act as appeal body for individual complaints (unless an alternative body is specified).

2.3 Passenger Rights in waterborne transport

EU passenger rights are based on three cornerstones: non-discrimination; accurate, timely and accessible information; immediate and proportionate assistance. A fourth cornerstone could be added also here: **Rights of persons with disability and reduced mobility.**

Having assessed the relevant Regulations (EU) 1177/2010 and (EC) 392/2009 provisions for passenger rights in waterborne transport against all ten core passenger rights, the outcomes of the assessment are summarised in the following paragraphs per core passenger right.

(1) Right to non-discrimination in access to transport

Based on residence. Without prejudice to social tariffs, the contract conditions and tariffs applied by carriers or ticket vendors shall be offered to the general public without any direct or indirect discrimination based on the nationality of the final customer or on the place of establishment of carriers or ticket vendors within the Union. A provision on non-discriminatory contract conditions and tariffs has been included in the Article 4(2) of the Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010.

Based on disability and/or reduced mobility. Provision of the (EU) 1177/2010 Regulation’s Article 7 provides that carriers, travel agents and tour operators shall not refuse to accept a reservation, to issue or otherwise provide a ticket or to embark persons on the grounds of disability or of reduced mobility as such. Reservations and tickets shall be offered to disabled persons and persons with reduced mobility at no additional cost under the same conditions that apply to all other passengers. Exceptions may be made for reasons of transport safety or because of the physical characteristics of the transport system that make transport physically impossible in accordance with the Article 8.

(2) Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

In relation to **information on accessibility**, based on the Article 9(2) of the Regulation (EU) 1177/2010, the access conditions shall be made publicly available by carriers and terminal operators physically or on the Internet, in accessible formats on request, and in the same languages as those in which information is generally made available to all passengers. Particular attention shall be paid to the needs of disabled persons and persons with reduced mobility.

Obligation of terminal managers to assist PRM. Provision is provided in the Article 8(1)(b) of the Regulation (EU) 1177/2010, all ports, except “where the design of the passenger ship or port infrastructure and equipment, including port terminals, makes it impossible to carry out the embarkation, disembarkation or carriage of the PRM in a safe or operationally feasible manner”.

Right to assistance at designated terminals and on board. In accordance with the Article 10 of the Regulation (EU) 1177/2010, subject to the access conditions provided for in Article 9(1), carriers and terminal operators shall, within their respective areas of competence, provide assistance free of charge to disabled persons and persons with reduced mobility, as specified in Annexes II and III, in ports, including embarkation and disembarkation, and on board ships. The assistance shall, if possible, be adapted to the individual needs of the disabled person or person with reduced mobility. Allocation of responsibilities between ports and ship operators is not specified.

Conditions under which assistance is provided. Based on the Article 11 of the Regulation (EU) 1177/2010, carriers and terminal operators shall, within their respective areas of competence, provide assistance to disabled persons and persons with reduced mobility when the carrier or the terminal operator is notified, by any means available, including electronic means or SMS, of the person’s need for such assistance **at the latest 48 hours before the assistance is needed**, unless a shorter period is agreed between the passenger and the carrier or terminal operator; and when the disabled person or person with reduced mobility presents himself at the port or at the designated point as at a time stipulated in writing by the carrier, which **shall not be more than 60 minutes before the published embarkation time**.

Transmission of information to a third party is not regulated by the Regulation (EU) 1177/2010 on Passenger Rights when travelling by sea and inland waterway.

Designation of meeting points. In accordance with Article 12(3) of the Regulation (EU) 1177/2010, PRM will be assisted when presented at designated point, inside or outside the port terminal.

Quality standards for assistance. Article 13(1) of the Regulation (EU) 1177/2010 regulates that terminal operators and carriers operating port terminals or passenger services with a total of more than 100,000 commercial passenger movements during the previous calendar year shall, within their respective areas of

competence, set quality standards for the assistance specified in Annexes II and III and shall, where appropriate through their organisations, determine resource requirements for meeting those standards, in cooperation with organisations representative of disabled persons or persons with reduced mobility.

Training of staff. Based on the Article 14 of the Regulation (EU) 1177/2010, carriers and, where appropriate, terminal operators shall establish disability-related training procedures, including instructions, and ensure that disability awareness or assistance training are organised, depending on role of personnel.

Compensation in respect of wheelchairs and other mobility equipment. Based on the Article 15 of the Regulation (EU) 1177/2010, the compensation for loss suffered as a result of the loss of or damage to mobility equipment or other specific equipment, used by a disabled person or person with reduced mobility, if the incident which caused the loss was due to the fault or neglect of the carrier or the terminal operator shall correspond to the replacement value of the equipment concerned or, where applicable, to the costs relating to repairs.

(3) Right to information before purchase and during travel, notably in case of disruption

Passengers must be informed by carriers and ticket vendors/tour operators at the time of purchase on (at least) the time schedules, tariffs and PRM accessibility. During the journey, carriers and ticket vendors/tour operators must provide real-time information to passengers on the disruption, possible next connections, and security alerts.

Rights to information **before purchase** are not specified by the Regulation on Passenger Rights when travelling by sea and inland waterway. Neither rights to information **before travel** are specified by the same Regulation.

Rights to information **during travel** is regulated by the Article 16 of the Regulation (EU) 1177/2010, where it is defined that in the case of a cancellation or a delay in departure of a passenger service or a cruise, passengers departing from port terminals or, if possible, passengers departing from ports shall be informed by the carrier or, where appropriate, by the terminal operator, of the situation as soon as possible and in any event **no later than 30 minutes** after the scheduled time of departure, and of the estimated departure time and estimated arrival time as soon as that information is available. If passengers miss a connecting transport service due to a cancellation or delay, the carrier and, where appropriate, the terminal operator shall make reasonable efforts to inform the passengers concerned of alternative connections.

The carrier or, where appropriate, the terminal operator, shall ensure that disabled persons or persons with reduced mobility receive the above-mentioned information in accessible formats.

Rights to information **after travel** are defined in the Articles 18 and 19 on reimbursement and compensation time limits. Response time for complaints is specified as well.

Right to information **on passengers' rights** under Regulation must be published on board and in ports.

(4) Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

The Article 18 of the Regulation (EU) 1177/2010 is regulating that in case of cancellation or delay at departure of more than 90 minutes. Reimbursement must be paid within 7 days. With the signed agreement of the passenger, reimbursement can be provided in travel vouchers and/or other services.

(5) Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

The Article 18 of the Regulation (EU) 1177/2010 is regulating that the passenger is offered to choose between reimbursement and re-routing under comparable conditions at the earliest opportunity and at no additional cost.

(6) Right to get assistance in case of long delay at departure or at connecting points

In the event of long delays or cancellations, passengers must be offered care and assistance. Such care should include assistance on how to continue the journey (rerouting and rebooking), meals and refreshments and, if rerouting is not possible on the same day, accommodation and transfer to and from accommodation.

Right to assistance/care (food and drink). Based on the Article 17(1) of the Regulation (EU) 1177/2010 where a carrier reasonably expects the departure of a passenger service or a cruise to be cancelled or delayed for more than 90 minutes beyond its scheduled time of departure, passengers departing from port terminals shall be offered free of charge snacks, meals or refreshments in reasonable relation to the waiting time, provided they are available or can reasonably be supplied.

Right to accommodation where delay is overnight. Based on the Articles 17(2)(3) of the Regulation (EU) 1177/2010, in the case of a cancellation or a delay in departure where a stay of one or more nights or a stay additional to that intended by the passenger becomes necessary, where and when physically possible, the carrier shall offer passengers departing from port terminals, free of charge, adequate accommodation on board, or ashore, and transport to and from the port terminal and place of accommodation in addition to the snacks, meals or refreshments provided. For each passenger, the carrier may limit the total cost of accommodation ashore, not including transport to and from the port terminal and place of accommodation, to € 80 per night, for a maximum of three nights. In providing assistance, the carrier shall pay particular attention to the needs of disabled persons and persons with reduced mobility and any accompanying persons. As exception, no such right emerges when cancellation or delay is caused by severe weather conditions.

(7) Right to compensation under certain circumstances

In accordance with Article 19 of the Regulation (EU) 1177/2010 it is defined that, without losing the right to transport, passengers may request compensation from the carrier if they are facing a delay in arrival at the final destination as set out in the transport contract. The minimum level of compensation shall be 25 % of the ticket price for a delay of at least:

- (a) 1 hour in the case of a scheduled journey of up to 4 hours;
- (b) 2 hours in the case of a scheduled journey of more than 4 hours, but not exceeding 8 hours;
- (c) 3 hours in the case of a scheduled journey of more than 8 hours, but not exceeding 24 hours; or
- (d) 6 hours in the case of a scheduled journey of more than 24 hours.

If the delay exceeds double the time set out in points (a) to (d), the compensation shall be 50 % of the ticket price.

Passengers who hold a travel pass or a season ticket and who encounter recurrent delays in arrival during its period of validity may request adequate compensation in accordance with the carrier's compensation arrangements. These arrangements shall state the criteria for determining delay in arrival and for calculation of compensation.

Compensation shall be calculated in relation to the price which the passenger actually paid for the delayed passenger service.

Where the transport is for a return journey, compensation for delay in arrival on either the outward or the return leg shall be calculated in relation to half of the price paid for the transport by that passenger service.

The compensation shall be **paid within 1 month** after the submission of the request for compensation. The compensation may be paid in vouchers and/or other services, provided that the conditions are flexible, particularly regarding the period of validity and the destination. The compensation shall be paid in money at the request of the passenger.

The compensation of the ticket price shall not be reduced by financial transaction costs such as fees, telephone costs or stamps. Carriers may introduce a minimum threshold under which payments for compensation will not be paid. This threshold shall not exceed € 6. Exemptions from the compensation rules described are defined in the Article 20 of the Regulation (EU) 1177/2010.

(8) Right to carrier liability towards passengers and their baggage

Passengers: In accordance with the article 3 of the **Regulation (EC) 392/2009** it is defined that for the loss suffered as a result of the death of or personal injury to a passenger caused by a shipping incident, the carrier shall be liable to the extent that such loss in respect of that passenger on each distinct occasion **does not exceed 250,000 units of account** ²⁸.

Article 7 regulated that the liability of the carrier for the death of or personal injury to a passenger under Article 3 shall in no case exceed 400,000 units of account per passenger on each distinct occasion. Where, in accordance with the law of the court seized of the case, damages are awarded in the form of periodical income payments, the equivalent capital value of those payments shall not exceed the said limit.

Baggage: In accordance with the Article 8 of the **Regulation (EC) 392/2009** it is regulated that the liability of the carrier for the **loss of or damage to cabin luggage** shall in no case exceed **2,250 units of account per passenger**, per carriage.

The liability of the carrier for the **loss of or damage to vehicles** including all luggage carried in or on the vehicle shall in no case exceed **12,700 units of account per vehicle**, per carriage. The liability of the carrier for the **loss of or damage to other luggage** shall in no case exceed **3,375 units of account per passenger**, per carriage.

The carrier and the passenger may agree that the liability of the carrier shall be subject to a deductible not exceeding 330 units of account in the case of damage to a vehicle and not exceeding 149 units of account per passenger in the case of loss of or damage to other luggage, such sum to be deducted from the loss or damage.

(9) Right to a quick and accessible system of complaint handling

Time limitation for submission of complaints. In accordance with Article 24(2) of the Regulation (EU) 1177/2010, when a passenger wants to make a complaint to the carrier or terminal operator, he/she shall submit it **within 2 months** from the date on which the service was performed or when a service should have been performed.

Operators to establish complaint handling mechanisms regarding violations of these rights. In accordance with Article 24(2) of the Regulation (EU) 1177/2010, within 1 month of receiving the complaint, the carrier or

²⁸ Units of account: term used as per the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PAL), 1974, provisions of which have been incorporated in the Regulation (EC) 392/2009

terminal operator shall give notice to the passenger that his complaint has been substantiated, rejected or is still being considered. The time taken to provide the final reply shall not be longer than 2 months from the receipt of a complaint.

Obligation for operators to establish service quality standards, and to publish their performance against them is specified in the Article 13 of the Regulation (EU) 1177/2010, regulating that the terminal operators and carriers operating port terminals or passenger services with a total of more than 100,000 commercial passenger movements during the previous calendar year shall, within their respective areas of competence, set quality standards for the assistance specified in Annexes II and III of the Regulation (EU) 1177/2010 and shall, where appropriate through their organisations, determine resource requirements for meeting those standards, in cooperation with organisations representative of disabled persons or persons with reduced mobility. In setting quality standards, full account shall be taken of internationally recognised policies and codes of conduct concerning facilitation of the transport of disabled persons or persons with reduced mobility, notably the IMO's Recommendation on the design and operation of passenger ships to respond to elderly and disabled persons' needs²⁹. The quality standards shall be made publicly available by terminal operators and carriers physically or on the Internet in accessible formats and in the same languages as those in which information is generally made available to all passengers.

(10) Right to full application and effective enforcement of EU law

Independence. In accordance with Article 25 of the Regulation (EU) 1177/2010 each Member State shall designate a new or existing body or bodies responsible for the enforcement of the Regulation as regards passenger services and cruises from ports situated on its territory and passenger services from a third country to such ports. Each body shall take the measures necessary to ensure compliance with the Regulation. Each body shall, in its organisation, funding decisions, legal structure and decision-making, be independent of commercial interests.

Obligation for NEBs to report. In accordance with the Article 26 of the Regulation (EU) 1177/2010, every two years, the national enforcement bodies shall publish reports containing in particular a description of actions taken in order to implement the provisions of the Regulation, details of sanctions applied and statistics on complaints and sanctions applied.

Obligation for NEBs to cooperate. In accordance with the Article 27 of the Regulation (EU) 1177/2010 National enforcement bodies shall exchange information on their work and decision-making principles and practice to the extent necessary for the coherent application of the Regulation. The Commission shall support them in that task.

Complaint-handling. In accordance with the Article 24 of the Regulation (EU) 1177/2010, carriers and terminal operators shall set up or have in place an accessible complaint-handling mechanism for rights and obligations covered by the Regulation. NEB should act as appeal body for individual complaints (unless an alternative body is specified). For the liability: there is no established right to complain.

²⁹ IMO MSC.1/Circ. 735 recommendation on the design and operation of passenger ships to respond to elderly and disabled persons' needs - Adopted in 1996

3 Best Practices

3.1 “Best” practices definition

The EU is the only area in the world where citizens are protected by a full set of passenger rights, whether they travel by air, rail, ship or bus and coach. This unique framework provides a minimum level of protection for passengers using transport services, including the most vulnerable passenger groups, and addresses the three stages of the journey (prior, during and after) with a view to ensuring the right of mobility and encouraging mobility and social inclusion.

Across all modes subject of this TA (bus and coach, rail and waterborne transport), implementation and awareness of the legislation is on significant level but nonetheless some issues remain.

Some common issues may be addressed by sharing and disseminating good practices, as there are some recognised benefits in identifying and sharing good practices, including improving competence and efficiency of the industry, filling knowledge gaps (where they exist) or reducing the lack and loss of know-how. For some aspects of passenger rights, operators from diverse parts of the passenger transport industry may be sharing similar requirements and challenges, therefore it makes sense to consider if some good practices exist that may help fulfil some of their requirements.

A good practice is not only a practice that may be good, but a practice that has been proven to work well and produce good results, and it is therefore recommended as a model. A “good practice” is different from a “best practice”. A best practice is a practice recognised to be the most suitable way to fulfil a given task. There might be just a few established best practices on EU passenger rights implementation.

By combining much of the previously-developed thinking and considering the passenger rights framework across all modes, against the backdrop of the 10 core passenger rights, this report identifies some of the practices which can contribute to more effective and efficient protection of passengers’ rights.

Good practices that were identified in some previous studies which will be presented in this report are mostly divided and grouped either by mode, or by core passengers’ rights. The biggest improvements and most of the established good practices in the EU are related to assistance and better accessibility of persons with disabilities or passengers with reduced mobility.

3.2 Identified best practices per Core Passenger Right

The EC Study on the EU Regulatory Framework for Passenger Rights - Comparative analysis of good practices³⁰ had the approach to identify certain good practices and to narrow down the identified list to retained good practices. In the assessment done in the stated study, it is concluded that retained good practices could be implemented within the existing framework to help provide more coherent and complete protection for

³⁰ <https://op.europa.eu/en/publication-detail/-/publication/f1285075-1b4f-11ec-b4fe-01aa75ed71a1>

passengers. These retained good practices show that there is room for cross-fertilization between or within transport modes with the possibility to make a difference for the passenger. The identified best practices per Passenger Core Right are summarised in the following table.

Table 2 – Identified Best (good) Practices per Core Passenger Right

Core Passenger Right	Best (good) practice	Content of the best (good) practice
1. Right to Non-discrimination in access to transport	No good practice identified apart from introducing special tariffs for PRM	
2. Right to mobility	Direct communication channels established between terminals and PRM representatives	It allows for direct and immediate communication of the problems suffered by PRM passengers to be communicated to terminals.
	PRM are provided with discreet means of self-identification	PRM with hidden disabilities should be able to wear agreed recognised sign, such as sunflower lanyards (whenever they choose to), which provide them with a discreet sign that demonstrates to terminal or operator staff that they may need additional support, help or a little more time.
3. Right to information	Better information is provided to passengers on no-show rules	Instead of terms and conditions on no-shows being part of many other terms, carriers have to inform passengers about the no-show rule in the email confirming the booking (explicitly providing adequate information about the consequences of not using the Purchased ticket).
	Carriers inform passengers of their right to compensation as soon as possible	Passengers are proactively informed by the operator of their rights to compensation and rerouting, in the case of disruptions. Operators are usually required to do this via multiple communication channels.
	Member States actively support open data	The availability of open data, including real-time location information, allows different service providers (independent from booking agents, operators, terminals or NEBs) to participate in making information available to passengers.
4. Right to renounce travelling when the trip is not carried out as planned	Operators directly liaise with customer for reimbursement	Where passengers booked tickets through an intermediary, instead of claiming for their rights through the intermediary, this good practice allows them to obtain a refund directly through the carrier for bookings made through an intermediary ticket seller. This practice also allows the intermediary not to have to “chase” the carrier on behalf of the passenger, or to refund the passenger first and then claim back from the carrier.
5. Right to the fulfilment of the transport contract in case of disruption	Operators have emergency on-call team integrating key departments	The practice entails carriers having an emergency on call team able to provide assistance at short request, tailored to the severity of the need, including rebooking on other modes. The team may be assembled from the management representatives, the emergency team, customer service, public relations and potentially locally based representatives.
6. Right to get assistance in case of long delay at departure or at connecting points	(same as above)	
7. Right to compensation under certain circumstances	NEBs require operators to have monitoring and reporting systems	The practice involves carriers (and presumably terminal managers) to have a business monitoring system in place for recording service-related information, including departure and arrival times, passengers and vehicles on board, and reasons for delays and attribution. Delays and related reasons must be well documented to enable their verification by the NEB.

Core Passenger Right	Best (good) practice	Content of the best (good) practice
8. Right to carrier liability towards Passengers and their baggage	Bus and coach operators are able to handle load baggage more securely	In this practice, in coach terminals only drivers are allowed to remove baggage from arriving vehicles, rather than a number of other personnel. This approach ensures that there is a restriction on clear grounds on the number of staff around the coach load doors (limited to the driver(s) only). It can be monitored on CCTV by the terminal operator to increase compliance.
9. Right to a quick and accessible system of complaint handling	Member States set up digital platforms to allow users to submit their complaints	The practice allows consumers and users to submit their complaints in electronic format, on a governmental digital platform. When a complaint is submitted through this platform, the service provider (it is mandatory for all service providers of transport to take part) and the competent authority for the sector (NEBs in the case of transport) are simultaneously notified. A set time period is given to the service provider to respond to complaints. If the deadline is exceeded, an administrative proceeding (with the possible imposition of fines) may be initiated by the competent authority.
10. Right to full application and effective enforcement of EU law	Watchdog monitors the quality of service delivered	This practice involves the watchdog conducting national surveys of passenger satisfaction, maintaining a web-based passenger panel, with the aim of examining the users of public transport according to their habits and satisfaction. The watchdog intends to gain know-how about passengers' habits and preferences on public transportation and push forward so that these can be taken into account with the authorities and transport operators.
	Licensing authorities and NEBs are the same body	This practice requires the Member State to designate the licensing authority of a specific transport mode to become the NEB for the relevant passenger right Regulation. Whilst the body in charge of NEB tasks has the same duties and responsibilities as other NEBs according to European law, by also being in charge of giving and removing the mandatory licences to operate transport services, the NEB is granted far greater persuasive powers than what it normally obtains through the threat of sanctions.
	NEBs or Member States collect and publish data	Member States collect and publish statistics from operators and terminal managers on quality of service and performance related to passenger travel, such as on-time departures performance/delays, mishandled baggage, overbooking, consumer complaints, PRM statistics, etc. This allows authorities to publish regular reports available to passengers and the industry to better understand the situation. This also acts as an incentive for operators and terminal managers.
N/A	Travel guarantee funds are implemented	The practice concerns a fund that passengers will have contributed to and which will cover certain services, such as repatriation or reorganisation of bookings.

3.3 Best practices on carriage of persons with reduced mobility

The EC Best practices guide on the carriage of persons with reduced mobility³¹, acknowledges accessibility as a key element in all transport systems, since it is an expression of mobility in terms of people, freight and information. For each stage of a journey, different players are responsible for applying passenger rights rules: ports, railway stations or bus terminals, air carriers, railway, ship or coach companies, PRM service providers, and national enforcement bodies to monitor and enforce the application of such rules.

The right for everyone to be able to enjoy seamless travel independently and without the need of any assistance is addressed by the EU treaties that guarantee the right to free movement for all citizens, as well as

³¹ <https://op.europa.eu/en/publication-detail/-/publication/bb3b7e92-df40-11e9-9c4e-01aa75ed71a1>

by Article 9 of the United Nations Convention on the Rights of Persons with Disabilities and Articles 21 and 26 of the Charter of Fundamental Rights of the EU.

Best (good) Practices

A list³² of identified “good practices” is presented briefly below, categorised per transport mode. The selection of the practices included in this list, concerning transport accessibility, was mainly based on the following parameters (according to the information found in the relevant literature):

- Compliance with rules, and possibly going beyond minimum compliance.
- Effectiveness, or the degree to which the practice has a tangible positive impact on the accessibility of the relevant transport service for PRM (which is recognized by that user group).
- Transferability, or the ease of implementing the practice in other contexts (in terms of location as well as transport modes).

Table 3 – Best Practices for PRM per mode of transport

Transport mode	Country	Good practice
Rail	Czechia	Accessible rail info tables on the web and in a mobile application: Optimised application of Regulation (EU) 454/2011 for visually impaired travellers.
Rail	France	Infrastructure monitoring, staff training, and info for accessible urban rail: Real time and reliable info on transport hubs accessibility.
Rail	France	Coordinated accessibility measures in Toulouse: Accessible info across the multimodal transport chain
Rail	France	Equipment integrated into train doors to help blind people locate them through equipment on train and remote control: Aid for applying Regulation (EU) No 1300/2014 for blind travellers.
Rail	Portugal	Train accessibility improvements: Timetables available in Braille system at stations. Acquisition of boards and provision of assistance to all frequent and non-frequent customers, to help with boarding and exiting the train.
Rail	The Netherlands	On-demand spontaneous assistance at railway stations: travel assistance to PRM travellers at stations by trained employees of Dutch Railways or taxi drivers on behalf of the Railways.
Road	Finland	Wheelchair access on long-distance buses: purchase of new fleet with wheelchair access - assistant travels free of charge.
Road	France	Training for bus drivers and managers on accessibility in cooperation between transport operators and associations of PRM/ disabilities associations.
Road-Rail	Italy	Rail - bus integrated services with full PRM assistance.
Maritime	Denmark	Industry standards on the accessibility of passenger in ships and ferry terminals, validated with PRM associations.
Maritime	Finland	Special assistance for passengers with reduced mobility, with the assistance notification transferred to the terminal staff upon journey booking or upon show-up at pick-up point.
All modes	Spain	Development of a fully accessible website by the main Public Transport Operator in Barcelona.

³² <https://op.europa.eu/en/publication-detail/-/publication/bb3b7e92-df40-11e9-9c4e-01aa75ed71a1>

3.4 National Enforcement Bodies

As already mentioned, EU rules oblige Member States to nominate or create NEBs, whose role is to verify that transport operators are treating all passengers in accordance with their rights. Passengers who believe that their rights under the regulation have not been respected should contact the respective body in the country where the incident took place. For monitoring and enforcement, the following are applicable per Core Right:

Core Right 1: non-discrimination in access to transport

NEBs including ENAC (Italy), ART (Italy), Eisenbahn-Bundesamt (EBA from Germany) and PLH (Hungary) proactively monitor carriers' terms and conditions with respect to non-discrimination on the basis of residence and/or disability or reduced mobility. The terms and conditions of carriers licensed by the Member State authorities are also subject to official approval by the NEBs ex-ante. The NEBs also check the terms and conditions offered in the Member State by foreign-licensed carriers operating there, although any enforcement may have to rely on competition authorities with competences relating to unfair commercial practices and consumer protection.

Core Right 2: accessibility and assistance at no extra cost for PRM

Monitoring and enforcement in relation to the right to mobility appears to be most effective where established licensing regimes (for terminals and/or carriers) give NEBs the ability to set conditions, minimum standards, and regular reporting requirements that enable them to audit accessibility, information provision and service quality. Audit findings can be published and may lead to enforcement action to encourage better compliance levels. Stakeholders highlighted as examples of good practice the approaches used by ENAC in Italy with respect to the monitoring and enforcement of Regulation (EC) 1107/2006, and by ART in Italy with respect to Regulations (EU) 1177/2010 and (EU) 181/2011:

- ENAC has issued guidelines on PRM transport by airlines. The guidelines are not mandatory, but if accepted must be respected in full. ENAC, like other NEBs that are also national supervisory authorities (NSAs) for airport charges, maintains oversight of the PRM charges and related consultation with airport users (airlines) on price level and service quality.
- Through Italian law, ART ensures that minimum standards are adopted through the obligation of performing parties to provide an Accessibility Operational Plan, plan an accessible service for users (including PRM), and define the assistance service provided by the terminal managing body and/or by the carrier to ensure adequate accessibility for PRM.

Core Right 3: information at various stages of travel and during disruption

As with other rights, monitoring and enforcement in relation to the right to information appears to be most effective where licensing regimes exist that give NEBs the ability to set conditions, minimum standards, and regular reporting requirements, allowing them to audit compliance and take enforcement action, if needed. The approaches used by the ART in Italy (for rail, bus and coach) with respect to Regulations (EC) 1371/2007 and (EU) 181/2011 were identified as good practice in providing minimum information standards covering:

- Disruptions and related causes;
- Passenger rights and how to exercise them;
- Timing for information provision;
- Changes that specifically might affect service provision to PRM, impacting the right to mobility;
- Format and location of information provision (including accessible formats and formats for non-IT literate passengers); and
- Collection of feedback from passengers.

In addition, some NEBs support the development of minimum information standards through engagement with carriers and terminal managing bodies to raise awareness of passenger rights requirements. NEBs monitor performance with respect to information provision by reviewing passenger complaints received while tracking press, social media and consumer scoreboards. The outcomes of reviews may be published, as occurs in Portugal.

With respect to the provision of information on passenger rights and information before travel (particularly in the context of information for PRM), some NEBs also undertake their own campaigns. Regulation (EC) 1107/2006 on air PRM rights obliges NEBs to inform PRM about their rights. Awareness and access to such information also helps passengers to exercise their rights during disruption. For example, ENAC in Italy has developed a dedicated section on its website and a free mobile app available on all main mobile platforms which provides information for PRM. This includes information in multiple languages (Italian, English, French and Spanish) and accessible formats, and describes the process for requesting assistance and the availability of relevant facilities. A dedicated leaflet available at all Italian airports supports passengers who are less familiar with mobile communications technology or do not have access to the internet while travelling (although this is less obviously useful for communicating information before travel).

Core Right 4: renouncing travel and reimbursement of the full cost

Practices for monitoring and enforcing the right to reimbursement tend to concern carriers' complaint handling systems (see Core Right 9, the right to a quick and accessible system of complaint handling) and complaints received by NEBs (see Core Right 10, the right to full application and effective enforcement of EU law).

Core Right 5: fulfilment of the contract in disruption (re-routing)

The parallel evaluation support studies identified that few of the NEBs' activities relate to monitoring and enforcement of this right as few complaints have been received on this subject.

Two NEBs (CAR in Ireland and ART in Italy) indicated that carriers should have established processes set up for ensuring that the right to fulfilment of the transport contract is observed. This suggests that there is a case for ex-ante monitoring of carriers, who could be required to demonstrate that processes or minimum service quality standards for delivering re-routing have been defined. This could be linked to a licence condition or equivalent regulatory mechanism. Such processes should also ensure that PRM are provided with suitable rerouting options and/or accommodation as soon as possible.

Core Right 6: assistance during delay at departure or connecting points

Practices for monitoring and enforcing the right to assistance focused on carriers' complaint handling systems (see Core Right 9, the right to a quick and accessible system of complaint handling) and complaints received by NEBs (see Core Right 10, the right to full application and effective enforcement of EU law).

As in the case of other rights, where a licensing regime for carriers or terminal managing bodies applies, NEBs require that contingency plans are prepared as part of the licence conditions.

Core Right 7: compensation under certain circumstances

Practices for monitoring and enforcing the right to compensation focused on carriers' complaint handling systems (see Core Right 9, the right to a quick and accessible system of complaint handling) and complaints received by NEBs (see Core Right 10, the right to full application and effective enforcement of EU law).

As in the case of other rights, where a licensing regime for carriers applies, some NEBs set requirements on monitoring and reporting of compensation claims as part of the licence conditions. For waterborne transport in Italy, ART requires that carriers have a business monitoring system in place for recording service-related information, including:

- departure and arrival times;
- passengers and vehicles on board; and
- reasons for delays and attribution: delays and related reasons must be well-documented to enable their verification by the NEB.

In addition to enabling ART to monitor carriers' punctuality, such systems also support its oversight of carriers' performance in handling compensation claims. The recast rail Regulation requires railway undertakings to publish information on complaints.

NEBs generally rely on complaints submitted to them by passengers to monitor bus and coach transport. Enforcement is also complicated by the need for a case-by-case assessment of passenger complaints.

Core Right 8: carrier liability towards passengers and their baggage

ECCs - European Consumer Centres suggested that there is a need for consumers to be better informed about the degree to which carriers are liable for loss or damage to baggage and the criteria applied by carriers in valuing lost baggage in particular, given that it is usually difficult for passengers to provide relevant evidence as a result of the loss. There is also a need for common rules about what damage may be compensated, what evidence passengers should produce to support their claims, and what refunds are available to substitute goods to address immediate needs in the case of delayed baggage.

ECCs observed that carriers have adopted a fixed compensation amount per kilogram for lost baggage. This approach provides clarity and is helpful, since passengers may no longer have original receipts covering all the contents of their baggage. However, according to the ECCs, passengers often indicated that the resulting compensation was insufficient to cover the real value of their belongings.

Core Right 9: quick and accessible system of complaint handling

As with other rights, monitoring and enforcement in relation to the right to a quick and accessible system of complaint handling appears to be most effective where licensing regimes give NEBs the ability to set conditions, minimum standards, and regular reporting requirements, allowing them to audit compliance and take enforcement action if needed.

Whilst the COVID-19 crisis has highlighted the need for carriers to have systems in place to allow automation of complaint handling, it is doubtful that all of them would have had such systems in place in time for this mass event. This means that NEBs are likely to receive a stronger number of passenger complaints than previously. It is therefore important too that NEBs as well have systems in place to allow automation, or at least more efficient complaint handling.

Many NEBs also support this Core Right through campaigns to increase passenger awareness about their rights and through providing clear information about how and to whom passengers ought to address complaints, contributing towards a more effective, quick and accessible system overall.

Core Right 10: full application and effective enforcement of EU law

NEBs should naturally be empowered and adequately resourced to fulfil their duties as defined by the Regulations: they clearly need to be appointed at an appropriate level to be able to fulfil their role for systematic enforcement of passenger rights at a national level both ex-ante and ex-post in a transparent and timely manner. Independence of the NEBs is also required so that where an operator is publicly owned or managed, there is no conflict of interest at State level.

As discussed above, NEBs that are involved in the organisation of transport in a given Member State through the licensing of operators have the opportunity to set service quality standards, monitor performance against these and carry out enforcement as necessary – although even in such cases, not all aspects of passenger rights are linked to licence conditions.

NEBs that carry out system-level enforcement through administrative proceedings, such as the EBA in Germany, highlighted that this tends to be more effective for ensuring future compliance of operators and terminals. NEBs that are part of wider consumer protection agencies, such as the Finnish Competition and Consumer Authority in Finland, also supported this view. Enforcement of passenger rights is also further strengthened where national law complements EU-level protection: for example, passenger transport in Portugal is legally recognised as an essential service, and as a result performing parties have to participate in the Portuguese general consumer protection digital complaints book platform and it is mandatory for responses to complaints to be provided within 15 days.

Consultation responses on good practice for effective enforcement highlighted the following four themes, which are discussed further below:

- cooperation between NEBs, between NEBs and other consumer protection bodies, and between NEBs and Member States;
- the involvement of alternative dispute resolution bodies;
- proactive and ongoing oversight through inspections, audits and reporting; and
- engagement with carriers and terminal managing bodies.

On the theme of **cooperation**:

- NEBs welcomed the streamlining of processes for exchanging complaints and valued the meetings coordinated by the European Commission and at ECAC level on PRM matters. Other tools that facilitate cooperation, such as the EU wiki page, were also seen as good practice.
- A number of NEBs maintain regular contact with other consumer protection bodies (such as consumer agencies) or networks (such as ECC Net focussing on Travel) both formally and informally. For example, the DGAC in France stated that it maintains regular contact with the Defender of Rights, an independent administrative authority responsible addressing discrimination and promoting equal rights.
- Some NEBs are also working to support wider changes to consumer rights at a national level, which will complement passenger rights. The Portuguese NEB AMT has submitted proposals to the government for updating the legal framework. The Czech NEB also encouraged harmonisation of national approaches to passenger rights enforcement, including the role of NEBs and ADR which varies considerably between Member States.

On the theme of **alternative dispute resolution**:

- NEBs that are also ADRs highlighted two benefits of the arrangement. They tend to cover all modes, making it easier for passengers to submit complaints and when complaints are not successfully resolved

by the NEB, they are easily transferred to the ADR where a mediated resolution is achieved in the majority of cases. Practices which are consistent, irrespective of the parties involved in a specific case, also help the ADR to conserve its resources and makes the process more predictable.

- ADRs with representation from consumers and operators work well, since their decisions are more readily accepted by all parties, while they also have sector-specific expertise.
- Publication of ADR decisions may also support compliance by operators. If results are not published, there should at least exist good cooperation between NEBs and ADRs to support system-level enforcement by NEBs.
- Participation in ADRs by operators should be compulsory, particularly since ADRs can also address complaints that are not covered by passenger rights if exemptions have been exercised by Member States.
- ADR processes should be transparent. ARN in Sweden stated that documents on cases are uploaded to a dedicate repository online and can be accessed by all relevant parties.
- ECCs observed that ODR (an alternative dispute resolution for online purchases) platforms are not sufficiently well understood by passengers or some consumer associations. Clearer information on the process and potential outcomes should be provided.

On the theme of **inspections, audits and reporting**:

- A number of NEBs proactively monitor the implementation of passenger rights through inspections and audits. NEBs in all modes carry out regular inspections with operators to assess compliance with service quality standards, where these are specified. The EBA in Germany also carries out random audits of complaint handling by railway undertakings.
- Inspections and audits are also carried out in response to complaints received by NEBs, while AMT in Portugal pointed out that it also carries out inspections and/or audits if very few (or no) complaints are received, to ensure that relevant processes are not failing to capture passenger complaints.
- A number of NEBs publish activity reports (at least annually). EDF stated that it would be useful to collect data and publish statistics at EU level to improve transparency.

On the theme of **engagement with carriers and terminal managing bodies**:

- Many NEBs stated that they support the implementation of passenger rights through both formal and informal engagement with carriers and terminal managing bodies to help them in complying with requirements.
- Some NEBs also engage with PRM organisations.

PART B: GAP ANALYSIS AND NEEDS ASSESSMENT

This part of the Final Report is dedicated to the second Task of this Technical Assistance assignment, which was prepared in the period March – May 2024, and approved in June 2024.

Activities for implementing this Task started already during the inception phase with meetings with RPs' representatives, information and documents collection and assessment. The draft report was submitted timely on 15 May 2024, and it was approved on 20 June 2024 as final, following a revision and resubmission on 11 June 2024.

This Task comprised a detailed presentation of the current legal and institutional framework in each RP based on the legal documents and information provided by the RPs, including review of legal documents that are in draft phase. Then, based on the benchmarks identified during the previous stage of the assignment, the gap analysis - per mode of transport per RP and per Core Passenger Right - and the needs assessment were performed.

In this part of the Final Report, the benchmarks used and the results of the gap analysis and needs assessment are presented. The full final Report of Task 2 is presented in a separate document under the title **“Needs and gap assessment of the legislation and institutional setup that deal with the implementation of passenger rights in the region”**.

1 Benchmarking methodology

The below presented benchmarking methodology has been based on the review of the existing EU Legal and Institutional Framework and relevant International Conventions. This chapter presents the benchmarks per mode of transport against which the existing legislation and institutional setups have been examined in order to identify the gaps and needs for the WB RPs.

The gap analysis in the WB for the transposition of the EU passenger rights acquis is made against the 10 Core Passenger Rights - benchmarks and Cornerstones for each mode and for each regulation through Tables of Compliance, namely tables examining the fulfilment of the identified relevant provisions of each one of the respective regulations against cornerstones and core rights.

The 10 Core Passenger Rights correspondence with the Cornerstones and grouping are presented in the following table:

Core Right		Grouping of Core Rights into Cornerstones
1	Right to non-discrimination in access to transport	1, 4
2	Right to mobility: accessibility and assistance at no additional cost for passengers with disabilities and passengers with reduced mobility (PRM)	1, 3, 4
3	Right to information before purchase and at the various stages of travel, notably in case of disruption	2
4	Right to renounce travelling (reimbursement of the cost of the ticket) when the trip is not carried out as planned	3
5	Right to the fulfilment of the transport contract in case of disruption (re-routing and rebooking)	3
6	Right to get assistance in case of long delay at departure or at connecting points	3
7	Right to compensation under certain circumstances	3
8	Right to carrier liability towards passengers and their baggage	3
9	Right to a quick and accessible system of complaint handling	3
10	Right to full application and effective enforcement of EU law	3

This grouping is not only for illustrative purposes, but it's considered necessary and intended for the grouping of the necessary actions and measures and their Cost-Effectiveness Analysis, which is carried out per Cornerstone. The benchmarks, with which the existing situation is compared, are presented in the following subchapters.

1.1 Passenger Rights in rail transport

All benchmarks concerning Passenger Rights in rail transport refer to provisions of the **Regulation (EU) 2021/782 on rail passengers’ rights and obligations (recast)** ³³.

Core Right 1: Right to non-discrimination in access to transport

Based on residence. Transposition of the provision on non-discriminatory contract conditions and tariffs included in Article 5 of the Regulation.

Based on disability and/or reduced mobility. Transposition of the provision of Article 23 that provides that persons with disabilities or persons with reduced mobility shall be assisted.

Brief Description of Provisions Content	Cornerstone(s)
Special tariffs for PRM.	1 and 4
Provisions for personal assistants, assistance dogs.	

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

In relation to **information on accessibility.** Transposition of the provisions of Articles 22 and Article 21(1).

Obligation of terminal managers to assist PRM. Transposition of the provision based on the Point (31) of the Preamble of the Regulation.

Right to assistance at designated terminals and on board. Transposition of the provision of Article 23.

Conditions under which assistance is provided. Transposition of the provision of Article 24.

Designation of meeting points. Transposition of the provision of Article 24.

Quality standards for assistance. Transposition of the provision of Article 29 and service quality standards listed in Annex III of the Regulation.

Training of staff. Transposition of the provision of Article 26.

Compensation in respect of wheelchairs and other mobility equipment. Transposition of the provision of Article 25.

Brief Description of Provisions Content	Cornerstone(s)
Assistance at no additional cost for disabled people or PRM.	1, 3 and 4
Provision of information in accessible formats on accessibility of stations and facilities and of rail services and on access conditions of rolling stock.	
Terminal managers obligation to provide assistance to PRM.	
Railway Undertakings to assist PRM at unstaffed stations and on board.	
Designation of meeting point(s).	
Establish service quality standards (Annex II of recast Regulation) and quality performance reports to be publicly available.	
Disability related training of staff of RUs and station managers.	
Liability of Railway Undertakings and station managers for wheelchairs and other mobility equipment loss or damage.	

³³ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers’ rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1–52), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0782>

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Transposition of the provision related to rights to information **before purchase** regulated in [Article 9](#) and [Annex II, Part I](#) of the Regulation.

Transposition of the provision related to rights to information **before travel** regulated in [Article 9](#) and [Annex II, Part I](#).

Transposition of the provision related to rights to information **during travel** regulated in [Article 9](#) and [Annex II, Part II](#).

Transposition of the provision related to rights to information **after travel** defined in [Articles 12\(7\), 19 and 33](#).

Transposition of the provision related to rights to information **on passengers' rights** defined in [Article 9](#) and [Annex II, Part I](#).

Brief Description of Provisions Content	Cornerstone(s)
Pre-journey information (before purchase and before travel).	2
Information during the journey.	
Information after travel for reimbursement, compensation time limits and response time for complaints.	

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

Transposition of the provision of [Article 18](#).

Brief Description of Provisions Content	Cornerstone(s)
Railway Undertakings to offer choices	3

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

Transposition of the provision of [Article 18](#). The said Article regulates that where it is reasonably to be expected, either at departure or in the event of a missed connection or a cancellation, that **arrival** at the final destination under the transport contract will be subject to a **delay of 60 minutes or more**, the railway undertaking operating the delayed or cancelled service shall immediately offer the passenger the choice between one of the following options, and shall make the necessary arrangements:

- continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;
- continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger's convenience.

Also based on Article 18, the railway undertaking may allow the passenger, at his/her request, to conclude contracts with other providers of transport services which enable the passenger to reach the final destination under comparable conditions, in which case the railway undertaking shall reimburse the passenger for the costs that he/she incurs (**self-re-routing**).

Where the available re-routing options are not communicated to the passenger within 100 minutes from the scheduled departure time of the delayed or cancelled service or the missed connection, the passenger shall be entitled to conclude such a contract with other providers of public transport services by rail, coach or bus. The railway undertaking shall reimburse the passenger for the necessary, appropriate and reasonable costs that he/she incurs.

Brief Description of Provisions Content	Cornerstone(s)
Railway Undertakings to offer choices	3
Passengers to be entitled to self-re-routing and reimbursement by RUs	

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

In relation to the **Right to assistance/care (food and drink)**, transposition of the provision of [Article 20\(2\)](#).

In relation to the **Right to accommodation where delay is overnight**, transposition of the provision of [Article 20\(2\)](#). Transposition of the provision of [Article 19\(10\)](#) as well.

Brief Description of Provisions Content	Cornerstone(s)
Railway Undertakings to provide assistance/ care and accommodation, if applicable	3

Core Right 7: Right to compensation under certain circumstances

Transposition of [Articles 18 and 19](#).

Brief Description of Provisions Content	Cornerstone(s)
Provision of minimum compensation for delays	3

Core Right 8: Right to carrier liability towards passengers and their baggage

In relation to **Baggage**, transposition of provision of [Articles 41, 42, and 43](#).

Brief Description of Provisions Content	Cornerstone(s)
Provision of compensation for loss, damage or delay in delivery of luggage	3

Core Right 9: Right to a quick and accessible system of complaint handling

In relation with **Time limitation for submission of complaints**, transposition of provision of [Article 28\(2\)](#).

Operators to establish complaint handling mechanisms regarding violations of these rights should be regulated in accordance with transposed [Article 28\(2\)](#).

Obligation for operators to establish service quality standards, and to publish their performance against them should be regulated in accordance with transposed [Article 28](#).

Brief Description of Provisions Content	Cornerstone(s)
Complaint submission within 3 months	3
Railway Undertakings and station managers (especially those handling more than 10 000 pax per day over a year) to establish joint customer services and complaint handling mechanisms, with publicly available information on complaint handling procedures.	
Details of the complaint-handling procedure accessible to public, including to persons with disabilities and PRM. Railway Undertakings to publish in the report the number and categories of received complaints and of processed complaints, the response time and the possible improvement actions undertaken.	

Core Right 10: Right to full application and effective enforcement of EU law

Independence should be regulated in accordance with transposed [Article 31](#).

Obligation for NEBs to report should be regulated in accordance with transposed [Article 32](#).

Obligation for NEBs to cooperate should be regulated in accordance with transposed [Article 34\(3\)](#).

Complaint-handling should be regulated in accordance with transposed [Articles 32 and 33](#).

Brief Description of Provisions Content	Cornerstone(s)
Designated body, independent in its organisation, funding decisions, legal structure and decision making of any Infrastructure Manager, Railway Undertaking, carrier, tour operator, etc.	3
NEB to publish report every 2 years	
NEBs to cooperate to provide single point of contact for the passengers	
NEBs to monitor compliance of Railway Undertakings, station managers, Infrastructure Managers, etc. All those to provide documents and information upon request, within 1 month.	

1.2 Passenger Rights in buses and coaches

All benchmarks concerning Passenger Rights in buses and coaches refer to provisions of the **Regulation (EU) 181/2011 concerning the rights of passengers in bus and coach transport** ³⁴.

Core Right 1: Right to non-discrimination in access to transport

Without prejudice to social tariffs, transport service providers, ticket vendors or tour operators shall offer contract conditions and tariffs to the general public without direct or indirect discrimination on the basis of the passenger's nationality or of the place of establishment within the Union of the transport service provider, ticket vendor or tour operator.

RP will have to transpose the provision on non-discriminatory contract conditions and tariffs **based on residence** from Article 4(2) of the Regulation.

RP will have to transpose the provision of Articles 9(1)(2) and 10(1).

Brief Description of Provisions Content	Cornerstone(s)
Exceptions only for safety reasons or limitations of transport system	1 and 4

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

In relation to **information on accessibility**, RP will have to transpose the provision of Article 11(2).

Obligation of terminal managers to assist PRM will have to be defined by the transposed provision of Article 12.

Right to assistance at designated terminals and on board will have to be defined by the transposed provision of Article 13.

Conditions under which assistance is provided will have to be defined by the transposed provision of Article 14(1)(a) and Article 14(1)(b).

Transmission of information to a third party will have to be defined by the transposed provision of Article 15 in relation to point (a) of Article 14(1).

Designation of meeting points will have to be defined by the transposed provision of Article 14(5).

Training of staff will have to be defined by the transposed provision of Article 16.

³⁴ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ EU L 55, 28.2.2011, p. 1), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32011R0181>

Compensation in respect of wheelchairs and other mobility equipment will have to be defined by the transposed provision of [Article 17](#).

Brief Description of Provisions Content	Cornerstone(s)
Access conditions publicly available and in accessible formats.	1, 3 and 4
Terminal Managers obligation to provide assistance to PRM. Designation of bus and coach terminals where assistance for PRM shall be provided.	
Assistance at terminals and on board at no additional cost.	
Designation of meeting point(s).	
Disability-related training of terminal managing bodies.	
Liability of carriers and terminal managing bodies for wheelchairs and other mobility or assistive equipment loss or damage.	

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Rights to information **before purchase** and **before travel** are not specified by the Bus and Coach Passenger Rights' Regulation.

Rights to information **during travel** will be defined by the transposed provision of [Article 20 \(1\) and \(2\)](#).

Rights to information **after travel** will be defined by transposition of [Article 19 \(4\)](#) and [Article 27](#).

Right to information **on passengers' rights** will be defined by transposition of [Article 25](#).

Brief Description of Provisions Content	Cornerstone(s)
Information before travel (actually "during" travel) in case of delay.	2
Information after travel (when regular service is cancelled or delayed in departure) for rerouting or reimbursement.	
Complaint response time limits (1 month after receipt of complaint first response, and not later than 3 months for final reply).	

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

Right to reimbursement will be defined by transposition of [Article 19\(5\)](#).

Brief Description of Provisions Content	Cornerstone(s)
Reimbursement within 14 days for cancellation or delay at departure of more than 2 hours.	3

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

The passengers will be given the choice between reimbursement and re-routing under comparable conditions at the earliest opportunity and at no additional cost, by transposition of the provision of [Article 19\(1\)](#).

Brief Description of Provisions Content	Cornerstone(s)
Carriers to offer choices	3

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

Right to assistance/care (food and drink) will be defined by transposition of the relevant provision of the Regulation of [Article 21\(1\)\(a\)](#).

Right to accommodation where delay is overnight will be defined by transposition of the relevant provision of the Regulation of [Article 21\(1\)\(b\)](#).

Brief Description of Provisions Content	Cornerstone(s)
Carriers to provide assistance/ care and accommodation, if applicable	3

Core Right 7: Right to compensation under certain circumstances

RPs will have to transpose provision of [Article 19\(2\)](#).

Brief Description of Provisions Content	Cornerstone(s)
If no choice offered to passenger (continuation/ rerouting and reimbursement not offered) additional compensation of 50% of ticket price, paid by the carrier within 1 month after the compensation request is submitted	3

Core Right 8: Right to carrier liability towards passengers and their baggage

In relation to **Passengers**, RPs will have to transpose provision of [Article 7\(2\)\(a\)](#) and [Article 8](#).

In relation to **Baggage**, RPs will have to transpose provision of [Article 7\(2\)\(b\)](#).

Brief Description of Provisions Content	Cornerstone(s)
Provision of compensation for death or personal injury not less than € 220 000 per passenger.	3
Provision of assistance for immediate practical needs.	
Provision of compensation for loss and damage of luggage.	
Special provision for damage to PRM equipment, equal to the cost of replacement or repair.	

Core Right 9: Right to a quick and accessible system of complaint handling

In relation to **time limitation for submission of complaints** RPs will have to transpose provision of [Article 27](#).

Operators to establish complaint handling mechanisms regarding violations of these rights should be achieved by transposition of [Article 27](#).

Obligation for operators to establish service quality standards, and to publish their performance against them is not specified by the Bus and Coach Passenger Rights' Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Complaint submission within 3 months.	3
Complaint response time limits (1 month after receipt of complaint first response, and not later than 3 months for final reply).	

Core Right 10: Right to full application and effective enforcement of EU law

In relation to **Independence** RPs will have to transpose provision of [Article 28](#).

Obligation for NEBs to report will have to be defined in accordance with relevant provision of Article 29.

Obligation for NEBs to cooperate will have to be defined in accordance with relevant provision of Article 30.

Complaint-handling will have to be defined in accordance with relevant provisions of Articles 26 and 27.

Brief Description of Provisions Content	Cornerstone(s)
Designated body, independent in its organisation, funding decisions, legal structure and decision making of any carrier, tour operator, etc.	3
NEB to publish report every 2 years.	
NEBs to cooperate.	
NEB to act as appeal body for individual complaints (unless alternative body is specified).	

1.3 Passenger Rights in waterborne transport

Core Right 1: Right to non-discrimination in access to transport

Based on residence. Transposition of the provision on contract conditions and tariffs included in Article 4(2) of the **Regulation (EU) 1177/2010 concerning the rights of passengers travelling by sea and inland waterway**³⁵.

Based on disability and/or reduced mobility. Transposition of the provision of Article 7 of the same Regulation, including exceptions in accordance with Article 8.

Brief Description of Provisions Content	Cornerstone(s)
Exceptions only for safety reasons or limitations of transport system	1 and 4

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility.

In relation to **information on accessibility**, RPs will have to transpose provision of Article 9(2) of the Regulation (EU) 1177/2010.

In relation to **Obligation of terminal managers to assist PRM**, RPs will have to transpose provision of Article 8(1)(b) of the same Regulation.

In relation to **Right to assistance at designated terminals and on board**, RPs will have to transpose provision of Article 10 of the same Regulation, subject to the access conditions provided for in Article 9(1), as specified in Annexes II and III.

In relation to **Conditions under which assistance is provided**, RPs will have to transpose provision of Article 11 of the same Regulation.

Transmission of information to a third party is not regulated by the Regulation (EU) 1177/2010.

Designation of meeting points will be defined by transposition of the provision of Article 12(3) of the same Regulation.

Quality standards for assistance will be defined by transposition of the provision of Article 13(1) of the same Regulation.

Training of staff will be defined by transposition of the provision of Article 14 of the same Regulation.

Compensation in respect of wheelchairs and other mobility equipment will be defined by transposition of the provision of Article 15 of the Regulation (EU) 1177/2010.

Brief Description of Provisions Content	Cornerstone(s)
Access conditions publicly available and in accessible format	1, 3 and 4
Terminal Managers obligation to provide assistance to PRM, except in cases of ship or port infrastructure and equipment makes it impossible for safe embarkation, disembarkation or carriage of PRM.	
Assistance at terminals and on board at no additional cost	
Designation of meeting point(s)	
Establish service quality standards.	
Disability-related training of carriers and where appropriate of terminal operators.	
Liability of carriers and terminal operators for wheelchairs and other mobility or specific equipment loss or damage.	

³⁵ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1–16), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32010R1177>

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Passengers must be informed by carriers and ticket vendors/tour operators at the time of purchase on (at least) the time schedules, tariffs and PRM accessibility. During the journey, carriers and ticket vendors/tour operators must provide real-time information to passengers on the disruption, possible next connections, and security alerts.

Rights to information **before purchase** are not specified by the Regulation on Passenger Rights when travelling by sea and inland waterway. Neither rights to information **before travel** are specified by the same Regulation.

Rights to information **during travel will be** regulated by transposition of Article 16 of the Regulation (EU) 1177/2010.

Rights to information **after travel** will be defined in the RPs by transposition of Articles 18 and 19 of the same Regulation on reimbursement and compensation time limits.

Right to information **on passengers' rights** under Regulation must be published on board and in ports.

Brief Description of Provisions Content	Cornerstone(s)
Information before travel (actually ""during"" travel) in case of cancellation or delay	2
Information after travel for reimbursement and compensation time limits	

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

RPs will have to transpose provision of Article 18 of the Regulation (EU) 1177/2010.

Brief Description of Provisions Content	Cornerstone(s)
Reimbursement within 7 days in case of cancellation or delay of more than 1.5 hours.	3

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

RPs will have to transpose provision of Article 18 of the Regulation (EU) 1177/2010.

Brief Description of Provisions Content	Cornerstone(s)
Carriers to offer choice between reimbursement or rerouting at no additional cost.	3

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

In the event of long delays or cancellations, passengers must be offered care and assistance. Such care should include assistance on how to continue the journey (rerouting and rebooking), meals and refreshments and, if rerouting is not possible on the same day, accommodation and transfer to and from accommodation.

Right to assistance/care (food and drink) will be regulated in RPs by transposition of the provision of Article 17(1) of the Regulation (EU) 1177/2010.

Right to accommodation where delay is overnight will be regulated in RPs by transposition of the provision of Article 17(2)(3) of the same Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Provision of care and assistance on how to continue journey and accommodation, if applicable	3

Core Right 7: Right to compensation under certain circumstances

RPs will have to transpose provision of Article 19 of the Regulation (EU) 1177/2010, including exemptions from the compensation rules defined in Article 20 of the same Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Minimum level of compensation set depending on the delay and trip duration, within 1 month after the compensation request is submitted	3

Core Right 8: Right to carrier liability towards passengers and their baggage

In relation to Passenger rights will be defined by transposition of the provision of Article 3 of the Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents³⁶.

Also, RPs will transpose provision of Article 7 of the same Regulation. **Baggage rights** will be defined by transposition of the provision of Article 8 of the same Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Liability of the carrier for death or personal injury of passenger.	3
Liability of the carrier for loss or damage to luggage.	
Liability of the carrier for loss or damage to vehicles.	

Core Right 9: Right to a quick and accessible system of complaint handling

Time limitation for submission of complaints will be regulated by transposition of Article 24(2) of the Regulation (EU) 1177/2010. **Operators to establish complaint handling mechanisms regarding violations of these rights** will be regulated by transposition of the same Article 24(2).

Obligation for operators to establish service quality standards, and to publish their performance against them will be regulated by transposition of Article 13 of the same Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Complaint submission within 2 months.	3
Complaint handling mechanism, response time limit of 2 months from receipt of complaint.	
Operators to establish service quality standards and publish their performance (terminal operators handling more than 100 000 passenger movements per year).	

Core Right 10: Right to full application and effective enforcement of EU law

Independence will be regulated by transposition of Article 25 of the Regulation (EU) 1177/2010.

Obligation for NEBs to report will be regulated by transposition of Article 26 of the same Regulation.

Obligation for NEBs to cooperate will be regulated by transposition of Article 27 of the same Regulation.

Complaint-handling will be regulated by transposition of Article 24 of the same Regulation.

Brief Description of Provisions Content	Cornerstone(s)
Designated body, independent in its organisation, funding decisions, legal structure and decision making of commercial interests	3
NEB to publish report every 2 years	
NEBs to cooperate	
NEBs to act as appeal body for individual complaints (unless alternative body is specified)	

³⁶ Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents (OJ L 131, 28.5.2009, p. 24–46), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32009R0392>

2 Gap Analysis and Needs Assessment

In this chapter, the gap analysis and needs assessment is presented per mode of transport and per RP. This gap analysis has been elaborated through detailed Tables of Compliance prepared for this purpose. These tables are provided in the Appendix (Appendices I, II and III) of Task 2 Report per mode of transport. The relevant legislation and its provisions are compared against the respective EU Regulations' provisions per Core Passenger Right and summary tables are presented per transport mode. Through this process the gaps are identified, leading to the identification of the aspects that require attention and an assessment of the required actions and measures to be recommended for each RP.

2.1 Passenger Rights in rail transport

2.1.1 Legal transposition

Core Right 1: Right to non-discrimination in access to transport

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 5: Based on residence	NC-D	NC	NC	NC-D	NC	NC
Art. 23: Based on disability and/ or reduced mobility	NC-D	FC	PC	NC-D	NC*	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 22 and 21 (1): In relation to information on accessibility	FC	FC	PC	NC-D	NC*	FC
Point 31 of Preamble: Obligation of terminal managers to assist PRM	NC	FC	PC	NC-D	NC*	PC
Art. 23: Right to assistance at designated terminals and on board	NC-D	FC	PC	NC-D	NC*	PC
Art. 24: Conditions under which assistance is provided	NC-D	FC	NC	NC-D	NC*	NC
Art. 24: Designation of meeting points	NC-D	FC	NC	NC-D	NC*	NC
Art. 29 and Annex III: Quality standards for assistance	FC	FC	PC	NC-D	NC*	NC
Art. 26: Training of staff	NC-D	NC	NC	NC-D	NC	NC
Art. 25: Compensation in respect of wheelchairs and other mobility equipment	NC-D	PC	NC	NC-D	NC*	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 9 and Annex II, Part I: Rights to information before purchase	FC	FC	PC	NC-D	NC*	FC
Art. 9 and Annex II, Part I: Rights to information before travel	FC	FC	PC	NC-D	NC	FC
Art. 9 and Annex II, Part II: Rights to information during travel	FC	FC	PC	NC-D	NC*	FC
Art. 12(7), 19 and 33: Rights to information after travel	NC-D	NC	PC	NC-D	NC	NC
Art. 9, 30 and Annex II, Part I: Rights to information on passengers' rights	FC	FC	PC	NC-D	NC*	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 18	NC-D	FC	PC	NC-D	NC*	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 18	NC-D	PC**	NC	NC-D	NC*	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

** Partial Compliance at State Level – Full compliance in Republika Srpska

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 20(2): Right to assistance/care (food and drink)	NC-D	FC	NC	NC-D	NC*	NC*
Art. 20(2) and 19(10): Right to accommodation where delay is overnight	NC-D	FC	NC	NC-D	NC*	NC*

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 7: Right to compensation under certain circumstances

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 18 and 19	NC-D	FC	NC	NC-D	NC	PC*

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 8: Right to carrier liability towards passengers and their baggage

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 41, 42 and 43	NC-D	FC	NC	NC-D	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 9: Right to a quick and accessible system of complaint handling

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 28 (2): Time limitation for submission of complaints	NC-D	FC	FC	NC-D	NC	FC
Art. 28(2): Operators to establish complaint handling mechanisms regarding violations of these rights	NC-D	FC	FC	NC-D	NC*	PC
Art. 28: Obligation for operators to establish service quality standards, and to publish their performance against them	NC-D	FC	PC	NC-D	NC*	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

Core Right 10: Right to full application and effective enforcement of EU law

Provision of EU Regulation 2021/782	ALB	BIH	KOS	MNE	MKD	SRB
Art. 31: Independence	NC	NC	NC	NC-D	NC	NC
Art. 32: Obligation for NEBs to report	NC	NC	PC	NC-D	NC	NC
Art. 34(3): Obligation for NEBs to cooperate	FC	NC	NC	NC-D	NC	NC
Art. 32 and 33: Complaint-handling	NC-D	FC	FC	NC-D	NC*	PC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* The relevant Article shall be applied after accession to the EU

2.1.2 Institutional setup

Except for Albania, all other RPs do not have NEB designated in line and with the competences regulated in accordance with EU Regulation 2021/782. Montenegro will have a legal ground for designation of NEB in accordance with the acquis, if adopts the New Law on Railways. North Macedonia has the legal ground for establishing NEB in accordance with the said EU Acquis, but it decided to postpone the application of the Law on Amendments of the Law on Contracts for Transportation in Rail Traffic (Official Gazette of the Republic of North Macedonia, No. 148/2011) which transposed provisions of Regulation 1371/2007.

The next step, that will follow the full harmonisation of the National Legislation in the RPs with the EU Regulation 2021/782 will be a designation of NEBs in each RP for the implementation of the legislation containing passenger rights.

2.2 Passenger Rights in buses and coaches

2.2.1 Legal transposition

Core Right 1: Right to non-discrimination in access to transport

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 4(2): Based on residence	NC	PC*	NC	PC*	NC	NC
Art. 9(1)(2) and 10(1): Based on disability and/ or reduced mobility	NC	FC	NC	PC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

* Residence not regulated specifically.

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 11(2): In relation to information on accessibility	FC	FC	NC	NC	NC	NC
Art. 12: Obligation of terminal managers to assist PRM	FC	FC	NC	NC	NC	NC
Art. 13: Right to assistance at designated terminals and on board	FC	FC	NC	NC	NC	NC
Art. 14(1)(a) and (b): Conditions under which assistance is provided	FC	FC	NC	NC	NC	NC
Art. 15: Transmission of information to a third party	FC	FC	NC	NC	NC	NC
Art. 14(5): Designation of meeting points	FC	FC	NC	NC	NC	NC
Art. 16: Training of staff	FC	NC	NC	NC	NC	NC
Art. 17: Compensation in respect of wheelchairs and other mobility equipment	FC	FC	NC	FC	NC	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 20 (1) and (2): Rights to information during travel	FC	FC	NC	NC	NC	NC
Art. 19(4) and 27: Rights to information after travel	NC	FC	NC	NC	NC	NC
Art. 25: Rights to information on passengers' rights	FC	FC	NC	NC	NC	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 19(5)	NC	FC	NC	FC	NC	PC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 19(1)	NC	FC	NC	FC	NC	PC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 21(1)(a): Right to assistance/care (food and drink)	FC	FC	NC	FC	NC	NC
Art. 21(1)(b): Right to accommodation where delay is overnight	FC	FC	NC	FC	NC	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 7: Right to compensation under certain circumstances

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 19(2)	NC	FC	NC	FC	NC	PC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 8: Right to carrier liability towards passengers and their baggage

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 7(2)(a) and 8 for liability towards passengers and towards luggage Art. 7(2)(b)	NC	FC	NC	FC	NC	PC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 9: Right to a quick and accessible system of complaint handling

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 27: Time limitation for submission of complaints	NC	FC	NC	FC	NC	NC
Art. 27: Operators to establish complaint handling mechanisms regarding violations of these rights	NC	FC	NC	PC	NC	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 10: Right to full application and effective enforcement of EU law

Provision of EU Regulation 181/2011	ALB	BIH	KOS	MNE	MKD	SRB
Art. 28: Independence	NC	NC	NC	NC	NC	NC
Art. 29: Obligation for NEBs to report	NC	FC	NC	NC	NC	NC
Art. 30: Obligation for NEBs to cooperate	NC	FC	NC	NC	NC	NC
Art. 24, 26 and 27: Complaint-handling	PC	FC	NC	PC	NC	NC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

2.2.2 Institutional setup

Except for Republika Srpska as an entity inside BIH, all other RPs do not have NEB designated in line and with the competences regulated in accordance with Passenger Rights' Regulation in bus and coach transport (EU) 181/2011. The next step, that will follow the full harmonisation of the National Legislation in the RPs with the Passenger Rights' Regulation in bus and coach transport (EU) 181/2011 will be a designation of NEBs in each RP for the implementation of the legislation containing passenger rights in bus and coach transport.

2.3 Passenger Rights in waterborne transport

2.3.1 Legal transposition

Core Right 1: Right to non-discrimination in access to transport

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 4(2): Based on residence	PC	NC	NC	FC	NC	FC
Art. 7 (incl. exceptions in accordance with Art. 8): Based on disability and/ or reduced mobility	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 2: Right to mobility: accessibility and assistance at no additional cost for disabled passengers and passengers with reduced mobility

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 9(2): In relation to information on accessibility	PC	NC	NC	FC	NC	FC
Art. 8(1)(b): Obligation of terminal managers to assist PRM	PC	NC	NC	FC	NC	FC
Art. 10 (subject to the access conditions provided for in Art. 9(1), as specified in Annexes II and III): Right to assistance at designated terminals and on board	PC	NC	NC	FC	NC	FC
Art. 11: Conditions under which assistance is provided	PC	NC	NC	FC	NC	FC
Art. 12(3): Designation of meeting points	PC	NC	NC	FC	NC	FC
Art. 13(1): Quality standards for assistance	PC	NC	NC	FC	NC	FC
Art. 14: Training of staff	PC	NC	NC	FC	NC	FC
Art. 15: Compensation in respect of wheelchairs and other mobility equipment	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 3: Right to information before purchase and during travel, notably in case of disruption

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 16: Rights to information during travel	PC	NC	NC	FC	NC	FC
Art. 18 and 19: Rights to information after travel	PC	NC	NC	FC	NC	NC
Rights to information on passengers' rights on board and in ports	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 4: Right to renounce travelling (reimbursement of the full cost of the ticket) when the trip is not carried out as planned

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 18	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 5: Right to the fulfilment of the transport contract in case of disruption (rerouting and rebooking)

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 18	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 6: Right to get assistance in case of long delay at departure or at connecting points

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 17(1): Right to assistance/care (food and drink)	PC	NC	NC	FC	NC	FC
Art. 17(2)(3): Right to accommodation where delay is overnight	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 7: Right to compensation under certain circumstances

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 19 (including exemptions from the compensation rules defined in the Art. 20)	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 8: Right to carrier liability towards passengers and their baggage

Provision of EC Regulation 392/2009	ALB	BIH	KOS	MNE	MKD	SRB
Art. 3, 7 and 8	PC	NC	NC	NC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 9: Right to a quick and accessible system of complaint handling

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 24(2): Time limitation for submission of complaints – Operators to establish complaint handling mechanisms regarding violations of these rights	PC	NC	NC	FC	NC	FC
Art. 13: Obligation for operators to establish service quality standards, and to publish their performance against them	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

Core Right 10: Right to full application and effective enforcement of EU law

Provision of EU Regulation 1177/2010	ALB	BIH	KOS	MNE	MKD	SRB
Art. 25: Independence	PC	NC	NC	FC	NC	FC
Art. 26: Obligation for NEBs to report	PC	NC	NC	NC	NC	FC
Art. 27: Obligation for NEBs to cooperate	PC	NC	NC	NC	NC	FC
Art. 24: Complaint-handling	PC	NC	NC	FC	NC	FC

FC: Full Compliance – PC: Partial Compliance – NC: Not compliant – D: Compliance in Draft legislation under preparation

2.3.2 Institutional setup

Except for the Republic of Serbia which based on the Article 414 of the Law on Merchant Shipping has a harmonised legal ground for designation of NEB in waterborne transport, which - based on the mentioned Article - is the Ministry in charge of transport, all other RPs do not have NEB designated in line and with the competences regulated in accordance with Passenger Rights' Regulation in waterborne transport - Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010.

The next step, that will follow the full harmonisation of the National Legislation in the RPs with the Passenger Rights' Regulation in waterborne transport - Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 will be a designation of NEBs in each RP for the implementation of the legislation containing passenger rights in waterborne transport.

3 Identification of needed actions at Regional and RP level

3.1 Needed actions per RP

Each RP has different level of harmonisation of National Legislation with the EU Passengers Rights acquis in particular modes of transport. What is obvious is that RPs are further away from full harmonisation with the Passenger Rights' Regulation in bus and coach transport, then in harmonisation with the Passenger Rights' Regulation in rail transport, bearing in mind the draft legislation that is under preparation (in Albania and Montenegro), which will bring the overall level of compliance of all RPs to the highest level (in rail transport) comparing to other modes.

Also, the formal level of harmonisation may be challenged by the fact that some of the RPs introduced certain provisions of the EU passenger rights acquis in the National Legislation, but have postponed their application till the date of accession of the Country to the European Union.

What remain ever-present are the issues of implementation of the existing laws, lack of institutional capacity and the lack of public funds needed for law implementation.

3.1.1 Albania

The Legislation that was predominantly assessed for all modes of transport in Albania is consisted of the following:

- Railway Code of the Republic of Albania;
- **Draft**-Guideline "On public passenger transport services by rail";
- Guideline no 446 of 10.05.2018;
- Maritime Code;
- Athens Convention with Protocols;
- Maritime Convention on Limitation of liability with Protocol.

3.1.1.1 Legal transposition and institutional setup - rail transport

The "Railway Code of the Republic of Albania" is partially compliant with the Passenger Rights' Regulation in rail transport and needs to be further harmonised in order to be fully compliant with the acquis.

The **Draft**-Guideline "On public passenger transport services by rail", bearing in mind that it is still not adopted, couldn't bring the "full compliance" mark to the level of compliance of its provisions with ten Core Passenger Rights and passenger rights cornerstones at this stage, but when it will be adopted, it will be almost entirely in line with the Passenger Rights' EU Regulation in rail transport.

Institutional setup

At implementation level the institutional setup includes:

- Albanian Regulatory Authority/Albanian Competition Authority.

- Implementation of the Railway Code: The regulatory authority is responsible for controlling the implementation of the provisions of the Railway Code. It takes the necessary measures to ensure that the rights of travelers are respected; Every passenger can complain to the relevant body, or to any other relevant body, designated by the minister, in relation to a suspected violation of the Code.
- Railways in Albania are in charge for guaranteeing the passengers rights, and responsibilities of the Railway Undertaking of Passenger Transport are stipulated in the Legal act on separation of the Railway Operator of the Albanian railway system (Hekurudha Shqiptare or HSH). HSH publishes an annual assessment report on the progress of their service quality, together with their annual report. The reports on the progress of the quality of service are published on the website of the railway undertakings. Moreover, the State Minister of Standards and Services reports on complaints, including information for passengers on their rights.

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the rail transport. Albania should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in rail transport.

3.1.1.2 Legal transposition and institutional setup - Bus and Coach transport

Guideline no 446 of 10.05.2018 has high number of provisions fully compliant with Passenger Rights' Regulation in bus and coach transport and needs to be further harmonised in order to be fully compliant with the acquis, especially in regard to NEBs competences and obligations.

Institutional setup

MIE – Responsibilities & Functions: Prepares harmonization/ transposition of the EU acquis, improvements, updates and amendments to the laws and bylaws, as well monitors the implementation of policies in the field of road policies, mainly related to the of rules for admission to the occupation of Road Transport Operator for Goods and Passengers, and recognition of official documents. Capacity building is considered important to fully cover all matters and responsibilities dealing with these functions.

General Directorate of Road Transport Services (GDRTS) – Responsibilities & Functions: The GDRTS is a public non-state budget institution, which falls under MIE administration and function according to its statute, organized and operating with a central headquarter and 13 Regional Directorates, responsible for:

- a) registration of vehicles, the technical control of road vehicles and the creation of a national electronic registry for vehicles and carriers.
- b) approving applications for equipment with licenses for international road transport of passengers and goods.

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the bus and coach transport. Albania should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in bus and coach transport.

3.1.1.3 Legal transposition and institutional setup - Waterborne transport

Maritime Code, Athens Convention with Protocols and Maritime Convention on Limitation of liability with Protocol are in force in Albania and are only partially harmonised with Passenger Rights' Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents, and needs to be further harmonised in order to be fully compliant with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, port operators and other stakeholders involved in the waterborne transport. Albania should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in waterborne transport.

3.1.2 Bosnia and Herzegovina

3.1.2.1 Legal transposition and institutional setup - Rail transport

Rulebook on the rights and obligations of passengers in the railway traffic of BiH (Official Gazette of BiH, n. 3/18) and the Rulebook on passenger rights and obligation of Republic of Srpska (Official Gazette 57/21) have high number of provisions fully compliant with Passenger Rights' Regulation in rail transport and needs to be further harmonised in order to be fully compliant with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the rail transport. Bosnia and Herzegovina should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in rail transport.

3.1.2.2 Legal transposition and institutional setup - Bus and Coach transport

Law on Road Transport of Republika Srpska, (Official Gazette of RoS, n. 47/17 and 17/23) is fully compliant with Passenger Rights' Regulation in bus and coach transport.

Institutional setup

There is a legal base in Republika Srpska for the establishment of a National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the bus and coach transport.

Bosnia and Herzegovina should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in bus and coach transport, with the precondition of fully harmonised legislation on the state level with Passenger Rights' Regulation in bus and coach transport.

3.1.2.3 Legal transposition and institutional setup - Waterborne transport

The Law on inland waterways and seaways of BiH is pending. For the moment, there exists no legislation at the state level covering the waterways, and river and maritime transport.

There is no compliance with Passenger Rights' Regulation in waterborne transport (Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents) and the BIH legislation needs to be harmonised with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, port operators and other stakeholders involved in the waterborne transport. Bosnia and Herzegovina should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in waterborne transport.

3.1.3 Kosovo

3.1.3.1 Legal transposition and institutional setup - Rail transport

Provisions of the Law no. 04/l-063 on Kosovo railways are partially compliant or not compliant with Passenger Rights' Regulation in rail transport and needs to be further harmonised in order to be fully compliant with the *acquis*.

Institutional setup

Kosovo should designate National Enforcement Body, that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in rail transport, through harmonisation process with the *acquis*.

3.1.3.2 Legal transposition and institutional setup - Bus and Coach transport

The 2013 Law no. 04/l-179 on Road Transport is not compliant with Passenger Rights' Regulation in bus and coach transport and needs to be reformed in order to be fully compliant with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the bus and coach transport. Kosovo should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in bus and coach transport.

3.1.3.3 Legal transposition and institutional setup - Waterborne transport

There is no specific legislation of Kosovo on passenger rights in waterborne transport which is in compliance with Passenger Rights' Regulation in waterborne transport (Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents) and Kosovo needs to enact various laws to be harmonised with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, port operators and other stakeholders involved in the waterborne transport.

Kosovo should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in waterborne transport, based on full compliance of National Legislation with its provisions.

3.1.4 Montenegro

3.1.4.1 Legal transposition and institutional setup - Rail transport

The Law on Railways of Montenegro ("Official Gazette of Montenegro", n. 27/13 and 43/13) **does not contain any provision related to passengers' rights.**

The 2024 Draft Law on Railways contains transposed passengers' right provisions from Article 92a to 105c of the Draft, and - bearing in mind that it is still not adopted - it couldn't bring the "full compliance" mark to the level of compliance of its provisions with the ten Core Passenger Rights and passenger rights cornerstones at this stage, but once adopted it will be almost entirely in line with the Passenger Rights' EU Regulation in rail transport.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the rail transport. Montenegro should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in rail transport **through the adoption of the New Law on Railways.**

3.1.4.2 Legal transposition and institutional setup - Bus and Coach transport

The Law on Road Transport Contracts ("Official Gazette of Montenegro", n. 53/2009 and 36/2013) has overall partial compliance with Passenger Rights' Regulation in bus and coach transport and needs to be reformed in order to be fully compliant with the *acquis*.

Institutional setup

Montenegro should envisage NEB establishment through harmonisation process of the relevant law with Passenger Rights' Regulation in bus and coach transport.

3.1.4.3 Legal transposition and institutional setup - Waterborne transport

The Law on the Rights of Passengers in Maritime and Inland Navigation ("Official Gazette of Montenegro", n. 076/20) is almost entirely in full compliance with Passenger Rights' Regulation in waterborne transport (Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents).

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, port operators and other stakeholders involved in the waterborne transport. Montenegro should designate the NEB that will be able to fulfil the tasks and competences through harmonization with the Passenger Rights' Regulation in waterborne transport.

3.1.5 North Macedonia

3.1.5.1 Legal transposition and institutional setup - Rail transport

Law on Amendments of the Law on Contracts for Transportation in Rail Traffic (Official Gazette of the Republic of North Macedonia, No. 148/2011) contains provisions related to passengers' rights, but it is marked as a not compliant because of the postponed application of these provisions for the moment of EU Accession of North Macedonia.

Institutional setup

Bearing in mind that the Law on Contracts for Transportation in Rail Traffic transposed provisions of Regulation 1371/2007, with postponed application for the moment of EU Accession of North Macedonia, those provisions should apply now, including the designation of NEB in accordance with Rail Passenger Rights' Regulation recast (EU) 2021/782.

3.1.5.2 Legal transposition and institutional setup - Bus and Coach transport

The Law on Contracts for Carriage in Road Transport (Official Gazette of the Republic of North Macedonia, no. 23 of 14.02.2013) is not compliant with Passenger Rights' Regulation in bus and coach transport and needs to be reformed in order to be compliant with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, station managers and other stakeholders involved in the bus and coach transport. North Macedonia should designate the NEB that will be able to fulfil the tasks and competences through transposition of the Passenger Rights' Regulation in bus and coach transport.

3.1.5.3 Legal transposition and institutional setup - Waterborne transport

The Law on inland waterways (Official Gazette 55/2007, 26/2009, 22/10, 23/11, 53/11, 155/12, 15/13, 137/13, 163/13, 42/14, 166/14, 146/15, 193/15, 31/16 and 64/18, 122/21) is not compliant with Passenger Rights' Regulation in waterborne transport (Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents) and needs to be fully reformed in order to be compliant with the *acquis*.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, port operators and other stakeholders involved in the waterborne transport. North Macedonia should designate the NEB that will be able to fulfil the tasks and competences through harmonization with the Passenger Rights' Regulation in waterborne transport.

3.1.6 Serbia

3.1.6.1 Legal transposition and institutional setup - Rail transport

The Law on Contracts of Carriage in Rail Traffic ("Official Gazette of RS", no. 38/2015 and 49/2021) contains high number of provisions fully compliant with Passenger Rights' Regulation in rail transport, but also contains

provisions that shall be applied from the date of accession of the Republic of Serbia to the European Union, therefore those provisions cannot be considered as compliant with the acquis.

Institutional setup

Serbia should designate appropriate National Enforcement Body, that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in rail transport, through harmonisation of National Legislation with the said EU acquis.

3.1.6.2 Legal transposition and institutional setup - Bus and Coach transport

The Law on Road Transportation Contracts ("Official Gazette of the SFRY", No. 26/95 and "Official Gazette of the SCG", No. 1/2003 - Constitutional Charter) is not compliant with Passenger Rights' Regulation in bus and coach transport, with the exemption of couple of provisions that are partially compliant and needs to be reformed in order to be compliant with the acquis.

Institutional setup

There is no proper National Enforcement Body, centrally responsible as a one stop shop for dealing with protection of passenger rights and coordination of the activities and practices of different state and non-state institutions, undertakings, carriers, station managers and other stakeholders involved in the bus and coach transport. Serbia should designate the NEB that will be able to fulfil the tasks and competences from the Passenger Rights' Regulation in bus and coach transport, through EU harmonisation process.

3.1.6.3 Legal transposition and institutional setup - Waterborne transport

The Law on Merchant Shipping ("Official Gazette of RS", no. 96/2015 and 113/2017 – other laws) is fully compliant with Passenger Rights' Regulation in waterborne transport (Regulation on Passenger Rights when travelling by sea and inland waterway (EU) 1177/2010 and Regulation (EC) 392/2009 on the liability of carriers of passengers by sea in the event of accidents).

Institutional setup

Ministry competent for transport has a role of NEB as defined in Passenger Rights' Regulation in waterborne transport. It is needed to work further on capacity building and implementation of the Law.

3.2 Needs and potential measures at RP and regional level

The main precondition for enhancing the protection of passenger rights in the region is the full transposition of the relevant EU acquis. Hence, when referring to the actions necessary for achieving passenger rights protection, the first action is for RPs to align the existing legislation with the relevant EU Regulations, which is the core purpose of this assignment.

Potential measures are presented in **Table 4**, per Core Passenger Right that they serve. Transposition of the Regulations' relevant provisions applies to all ten Core Rights, and therefore is not mentioned in order to avoid repetition and to avoid any misunderstanding that EU acquis transposition is considered optional. It could be the case that implementation of some of the potential measures listed below may not require legal reforms or may be even already applied, and one may claim that it is the final result that matters, i.e. enhancing and serving passenger rights, but this should in no way be construed as recommended practice.

Table 4 – Potential measures for improvement of passenger rights

Core Right		Potential measures
1	Right to non-discrimination in access to transport	- Introduce special tariffs for PRM
2	Right to mobility: accessibility and assistance at no additional cost for passengers with disabilities and passengers with reduced mobility (PRM)	<ul style="list-style-type: none"> - Accessible information tables on the web and App for visually impaired travellers - Equipment on train doors to help blind people to locate them with remote control - Timetables in Braille system at stations - Agreement of Railways with TAXI drivers to provide assistance to PRM passengers at stations - New bus fleet with wheelchair access and assistant travelling free of charge - Training of bus drivers and managers on accessibility in cooperation between transport operators and associations of PRM/ disabilities associations - Rail-bus integrated services with full PRM assistance - Standards for accessibility of ships and terminals validated by PRM associations - PRM assistance request transferred automatically to terminal staff upon booking or show-up at pick-up point - Fully accessible websites of PT operators - Direct communication between PRM associations and terminal managers - Discrete means of self-identification of PRM
3	Right to information before purchase and at the various stages of travel, notably in case of disruption	<ul style="list-style-type: none"> - Transposition of Regulations relevant articles-provisions - Better, real-time and complete information provided to passengers on no-show rules, on rights to compensation
4	Right to renounce travelling (reimbursement of the cost of the ticket) when the trip is not carried out as planned	- Operators directly liaising with customer for reimbursement (not the intermediate ticket seller)
5	Right to the fulfilment of the transport contract in case of disruption (re-routing and rebooking)	- Carriers having emergency on-call team able to provide assistance at short request
6	Right to get assistance in case of long delay at departure or at connecting points	- Carriers having emergency on-call team able to provide assistance at short request (same as above)
7	Right to compensation under certain circumstances	- NEBs to require operators to have monitoring and reporting systems for recording services-related information (departure and arrival time, people and vehicles on board, delays - if any - and reasons) with justification for NEB's verification
8	Right to carrier liability towards passengers and their baggage	- Bus and coach drivers at terminals are the only ones allowed handling luggage, reducing the number of people around load doors and monitored through CCTV by terminal operator
9	Right to a quick and accessible system of complaint handling	- Establishment of online complaints submission system on governmental platform with instant notification of NEBs
10	Right to full application and effective enforcement of EU law	<ul style="list-style-type: none"> - Establishment of NEBs - Conducting national surveys of passengers' satisfaction - Licensing authorities to be NEB at the same time - NEBs and country collect and publish data/ statistics from operators and terminal managers on the quality of service and performance of passenger travel

Table 5 summarises the necessary actions and potential measures to be further considered.

Table 5 – Necessary actions and potential measures for improvement of passenger rights

Category of Action/ Measure	Action/ Measure
Legal/ Institutional	<p>Legal analysis for transposition of the EU legislation provisions and policy formulation</p> <p>Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws:</p> <p>ALBANIA</p> <ul style="list-style-type: none"> - Adoption of the Draft Guideline “On public transport services by rail” - Inclusion of missing provisions of the Regulation recast (EU) 2021/782 in the Draft Guideline “On public transport services by rail” and “Railway Code of the Republic of Albania” to ensure full compliance - Amendment of Guideline no 446 “On categorization, conditions which should accomplish the bus terminal, authorization, and manner of documentation holding, tariffs and other obligations of the bus terminal” to include provisions of the Regulation (EU) 181/2011 - Amendment of the “Maritime Code of the Republic of Albania” to include missing provisions of the Regulation (EU) 1177/2010 and the Regulation (EC) 392/2009 <p>BOSNIA AND HERZEGOVINA</p> <ul style="list-style-type: none"> - Inclusion of missing provisions of the Regulation recast (EU) 2021/782 in the Rulebook on the rights and obligations of passengers in the railway traffic of BiH (Official Gazette of BiH, n 3/18) to ensure full compliance - Inclusion of missing provisions of the Regulation recast (EU) 2021/782 in the Rulebook on passenger rights and obligation of Republika Srpska (Official Gazette 57/21) to ensure full compliance - Adoption of a regulation such as the Ordinance at the state level which takes over the rules from the Regulation, as it was done by adoption of the Law on Amendments of the Law on Road Transport in 2023 in Republika Srpska - Adoption of a legal act to transpose provisions of the Regulation (EU) 1177/2010 and Regulation (EC) 392/2009 <p>KOSOVO</p> <ul style="list-style-type: none"> - Inclusion of missing provisions of the Regulation recast (EU) 2021/782 in the Law no. 04/l-063 on Kosovo railways to ensure full compliance - Adoption of a Sub-legal act prepared on the basis of the EU Regulation 1371/ 2007 and COTIF that will describe the liability of railway undertakings in respect of passengers and their luggage for both domestic and international services, define the list for evaluation of the service quality standards, and regulate reporting of NEB - Amendment the 2013 Law no. 04/l-179 on Road Transport to include provisions of the Regulation (EU) 181/2011 to ensure full compliance - Adoption of a Law/ Regulation transposing the (EU) 1177/2010 and (EC) 392/2009 provision to ensure full compliance <p>MONTENEGRO</p> <ul style="list-style-type: none"> - Adoption of the 2024 Draft Law on Railways and inclusion of missing provisions of the Regulation recast (EU) 2021/782, to ensure full compliance - Amendment of the Law on Road Transport Contracts ("Official Gazette of Montenegro", n. 53/2009 and 36/2013) to include the (EU) 181/2011 provisions and ensure full compliance - Enable full implementation of the Law on the Rights of Passengers in Maritime and Inland Navigation ("Official Gazette of Montenegro", n. 076/20) that included all provisions of the Regulation (EU) 1177/2010 and the Regulation (EC) 392/2009

Legal/ Institutional	NORTH MACEDONIA
	- Amendment of the Law on Amendments of the Law on Contracts for Transportation in Rail Traffic (Official Gazette of the Republic of North Macedonia, No. 148/2011) that transposed provisions of Regulation 1371/2007, to include missing provisions of the Regulation recast (EU) 2021/782 and to give immediate effect to provisions whose application has been postponed till the moment of EU Accession of North Macedonia, to ensure full compliance
	- Amendment of the Law on Contracts for Carriage in Road Transport (Official Gazette of the Republic of North Macedonia, no. 23 of 14.02.2013) to include provision of the Regulation (EU) 181/2011
	- Amendment of the Law on inland waterways (Official Gazette 55/2007, 26/2009, 22/10, 23/11, 53/11, 155/12, 15/13, 137/13, 163/13, 42/14, 166/14, 146/15, 193/15, 31/16 and 64/18, 122/21) to include missing provisions of the Regulation (EU) 1177/2010 and the Regulation (EC) 392/2009
	SERBIA
	- Inclusion of missing provisions of the Regulation recast (EU) 2021/782 in the Law on Contracts of Carriage in Rail Traffic ("Official Gazette of RS", no. 38/2015 and 49/2021) that transposed provisions of the EU Regulation, to include missing provisions of the Regulation recast (EU) 2021/782 and to give immediate effect to provisions whose application has been postponed till the moment of EU Accession of Serbia, to ensure full compliance
	- Amendment of Law on Road Transportation Contracts ("Official Gazette of the SFRY", No. 26/95 and "Official Gazette of the SCG", No. 1/2003 - Constitutional Charter) to include provision of the Regulation (EU) 181/2011
	- Enable full implementation of the Law on Merchant Shipping ("Official Gazette of RS", no. 96/2015 and 113/2017 – other laws) that are in compliance with provisions of the Regulation (EU) 1177/2010 and the Regulation (EC) 392/2009
	Administrative reform for organizational aspects
	Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
Establishment of National Enforcement Body/ies	
Establishment of complaint handling and compensations mechanisms	
Establishment of data collection and reporting process	
Organisational/ Promotional	Public awareness campaign and compliance monitoring
	Capacity building
	PRM related training
Technical	Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision
	Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing
	Collection, processing and publication of data/ statistics
	Passengers' awareness and satisfaction survey
	Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
	Pricing policy evaluation for introducing special tariffs for PRM

PART C: COST EFFECTIVENESS ANALYSIS

This part of the Final Report is dedicated to the third Task of this Technical Assistance assignment, which was prepared in the period March – September 2024, and approved in October 2024.

Activities for implementing this Task started already during the inception phase with meetings with RPs' representatives, information, data and documents collection, desktop research, review of data and documents and analysis. The draft report was submitted timely on 13 September 2024 and it was approved on 15 October 2024 as final, following two revisions and resubmissions, on 11 and 15 October 2024.

The activity included a detailed presentation of the methodology and assumptions applied, namely the assessed actions and measures, the evaluation criteria, costs and benefits aspects and the presentation of the results per mode and per cornerstone, per RP and collectively at regional level through presentation of initial and regular costs and indicators. Non-quantifiable benefits were thoroughly discussed, in the framework of the overall evaluation and examination of trade-off potentials between the different cornerstones and associated costs and benefits.

The activity also included the organisation of a Workshop, which was held in Podgorica on 10 September 2024. During the workshop the results of all activities performed until then were presented and discussed with representatives of the RPs. Moreover, the RPs were involved in a ranking exercise, assessing and discussing the proposed measures and actions for identification of potential pilot projects to be implemented at RP and at regional level. A separate report dedicated to the workshop was submitted to the Contracting Authority on 13 September, containing the results of the workshop, the material used, and other relevant material.

In this part of the Final Report, the main results of the Cost Effectiveness Analysis are presented. The full final Report of Task 3 is presented in a separate document under the title **“Cost Effectiveness Analysis for each Regional Partner for the three passenger rights cornerstones”**.

1 Cost Effectiveness Analysis – Initial and regular costs per RP

The Cost Effectiveness Analysis (CEA) was performed on the basis of data on passengers in RPs and assumptions from ex-post EU bus & coach study³⁷ and EU maritime study³⁸, both performed in 2021. Since there was no ex-post study for rail, the same assumptions as for bus & coach were taken into account, since they are both land modes of transport.

First, individual costs for each mode and each RP were calculated for the first year after implementation, namely 2026. Then costs per RP and mode were summed and total costs per RP and mode calculated. The calculated costs were then multiplied by annual GDP forecast for each RP for each year and the costs for the period of analysis until 2035 calculated.

For each RP, the initial costs of transposition and implementation of legislation as well as establishment of NEBs were calculated as one-time costs. The initial costs amount to € 247,500 for all 6 RPs.

The main input for performing the cost-effectiveness analysis is the number of passengers. The RPs were asked to provide relevant data on passengers in road, rail and waterborne transport, and, where not available, the data on number of passengers were taken from RPs' offices of statistics, EUROSTAT publications or relevant studies.

In addition, for the purpose of calculation of the CEA indicators, the average annual number of passengers over the first 10 years has been calculated. First, the annual number of passengers per mode and per RP was calculated using the annual GDP growth, and then the 10-year average was calculated (see **Table 6**). In the period 2026–2030, only half of the forecasted costs have been calculated, since less awareness regarding the passenger rights is assumed, while it is considered that during the period 2031–2035 awareness will rise, and therefore full forecasted costs are calculated.

Table 6 – Data on annual number of passengers per RP and per mode, 10-year average

RP	Number of passengers		
	Road	Rail	Waterborne
Albania	138,896	8,769	1,911,914
Bosnia and Herzegovina	10,506,811	499,560	0
Kosovo	8,776,011	91,642	n.a.
Montenegro	7,606,487	1,027,839	13,721
North Macedonia	4,107,805	481,429	n.a.
Serbia	13,923,028	6,687,143	0

n.a.: not applicable

³⁷ Study on the EU Framework for Passenger Rights, Part B - Evaluation of Regulation (EU) No 181/2011 on the rights of passengers travelling by bus and coach, Final Report, European Commission, June 2021

³⁸ Study on the EU Framework for Passenger Rights, Part C - Evaluation of Regulation (EU) No 1177/2010 on the rights of passengers travelling by sea and inland waterways, Final Report, European Commission, June 2021

Concerning the estimate of the annual costs from passengers exercising their rights, only a small percentage of bus & coach, rail and waterborne passengers will benefit from the Regulations' transposition and implementation. Passenger rights will of course apply to all passengers, but from the ex-post evaluations it emerges that only a percentage of all the passengers will actually benefit in terms of exercising their rights, e.g. getting assistance or compensation. In annual cost calculation per mode and per RP, the administrative costs (NEBs operational costs), costs of compensation and assistance in the event of accidents, costs for implementation of rights of persons with disability and persons with reduced mobility, costs of passenger rights in the event of cancellation or delay, and costs of claims and sanctions were calculated.

The percentages of passengers expected to benefit from Regulation are derived from the relevant EU ex-post evaluation studies, as follows:

- For rail passengers 6% (international travel)
- For road passengers 10% (over 250 km)

Based on all the above, the estimates of the average annual costs per mode for the next decade are presented in the following subchapters per RP.

1.1 Albania

Initial costs

Albania registers passengers in road, rail and waterborne sector. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs for all three transport modes, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for Albania amount to € 34,695.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach, 2 FTEs for Railway and 1 FTE for Waterborne transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry.

The total cost from implementation of the Regulations on passenger rights in Albania will range from approx. € 120,000 in 2026 to € 201,000 in 2035, be on average € 160,000 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 33,000 in 2026 to € 43,000 in 2035, approx. € 38,000 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 34,000 in 2026 to € 45,000 in 2035, approx. € 39,500 per annum during the decade of analysis
- Waterborne – the total costs will range from approx. € 52,600 in 2026 to € 113,600 in 2035, approx. € 82,000 per annum during the decade of analysis

The total costs for implementation of the passenger rights in all transport modes in Albania over the 10-year period reach € 1.6 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 381,500
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 394,700
- Waterborne – the total costs for implementation of the passenger rights in waterborne transport over the 10-year period will reach € 820,800.

1.2 Bosnia and Herzegovina

Initial costs

Bosnia and Herzegovina registers passengers in road and rail sector. There are two inland waterway ports (Šamac and Brčko) but there are no passenger transport regular lines. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs for all three transport modes, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for Bosnia and Herzegovina amount to € 55,537.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach, 2 FTEs for Railway and 1 FTE for Waterborne transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry(ies).

The total cost from implementation of the Regulations on passenger rights in Bosnia and Herzegovina will range from approx. € 233,000 in 2026 to € 404,000 in 2035, be on average € 317,000 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 56,000 in 2026 to € 71,500 in 2035, approx. € 64,000 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 150,400 in 2026 to € 300,500 in 2035, approx. € 223,500 per annum during the decade of analysis
- Waterborne – since there is no present passengers' traffic in IWW ports, no forecast for passengers was prepared, only forecast for costs of NEB. It is estimated that the total costs will range from approx. € 26,600 in 2026 to € 32,400 in 2035, approx. € 29,600 per annum during the decade of analysis.

The total costs for implementation of the passenger rights in all transport modes in Bosnia and Herzegovina over the 10-year period reach € 3.17 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 638,500
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 2.24 million
- Waterborne – the total costs for implementation of the passenger rights in waterborne transport over the 10-year period will reach € 295,800.

1.3 Kosovo

Initial costs

Kosovo registers passengers in rail and road sector. There is no maritime or inland waterway port in Kosovo. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for Kosovo amount to € 35,015.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach and 2 FTEs for Railway transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry.

The total cost from implementation of the Regulations on passenger rights in Kosovo will range from approx. € 113,000 in 2026 to € 230,000 in 2035 be on average € 169,000 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 34,000 in 2026 to € 49,500 in 2035, approx. € 41,600 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 79,000 in 2026 to € 180,000 in 2035, approx. € 127,000 per annum during the decade of analysis

The total costs for implementation of the passenger rights in all transport modes in Kosovo over the 10-year period reach € 1.7 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 416,300
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 1.27 million

1.4 Montenegro

Initial costs

Montenegro registers passengers in road, rail and maritime sector. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs for all three transport modes, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for Montenegro amount to € 40,061.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach, 2 FTEs for Railway and

1 FTE for Waterborne transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry(ies).

The total cost from implementation of the Regulations on passenger rights in Montenegro will range from approx. € 156,000 in 2026 to € 280,000 in 2035, approx. € 216,000 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 42,400 in 2026 to € 60,400 in 2035, approx. € 51,400 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 87,600 in 2026 to € 177,900 in 2035, approx. € 131,200 per annum during the decade of analysis
- Waterborne – the total costs will range from approx. € 25,600 in 2026 to € 41,600 in 2035, approx. € 33,400 per annum during the decade of analysis

The total costs for implementation of the passenger rights in all transport modes in Montenegro over the 10-year period reach € 2.16 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 513,600
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 1.3 million
- Waterborne – the total costs for implementation of the passenger rights in waterborne transport over the 10-year period will reach € 334,000.

1.5 North Macedonia

Initial costs

North Macedonia registers passengers in road and rail sector. There is no maritime or inland waterway port in North Macedonia. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs for all three transport modes, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for North Macedonia amount to € 35,926.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach and 2 FTEs for Railway transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry.

The total cost from implementation of the Regulations on passenger rights in North Macedonia will range from approx. € 95,000 in 2026 to € 159,000 in 2035, approx. € 125,000 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 36,200 in 2026 to € 49,900 in 2035, approx. € 42,700 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 58,500 in 2026 to € 108,700 in 2035, approx. € 82,300 per annum during the decade of analysis

The total costs for implementation of the passenger rights in all transport modes in North Macedonia over the 10-year period reach € 1.25 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 427,000
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 823,000

1.6 Serbia

Initial costs

Serbia registers passengers in road and rail sector. There are two core inland waterway ports (Novi sad and Beograd), but there are no passenger transport regular lines. It was assumed that 5 FTEs would be engaged for transposition and implementation of legislation as well as establishment of NEBs for all three transport modes, and each FTE would spend five months, which collectively amounts to a 25 man-months effort. The number of man-days was then multiplied by the monthly VOT for business purposes. The initial costs for Serbia amount to € 46,220.

Annual costs

Concerning annual costs for NEBs operation, despite of the anticipated - relatively low - volume of work, especially during the first years of NEBs operation due to low awareness and low number of passengers (hence low number of complaints), a conservative approach has been followed in order not to underestimate the NEBs costs, by assuming as least number of FTEs the following: 2 FTEs for Bus & Coach, 2 FTEs for Railway and 1 FTE for Waterborne transport. If the volume of work evolves differently, then NEBs could be supported with ad-hoc assistance from competent Ministry.

The total cost from implementation of the Regulations on passenger rights in Serbia will range from approx. € 247,000 in 2026 to € 496,000 in 2035, approx. € 365,400 per annum over the first 10 years, namely:

- Rail – the total costs will range from approx. € 74,800 in 2026 to € 136,300 in 2035, approx. € 104,000 per annum during the decade of analysis
- Bus and coach – the total costs will range from approx. € 150,000 in 2026 to € 331,100 in 2035, approx. € 236,000 per annum during the decade of analysis
- Waterborne – since there is no present passengers' traffic in IWW ports, no forecast for passengers was prepared, only forecast for costs of NEB. It is estimated that the total costs will range from approx. € 22,100 in 2026 to € 28,700 in 2035, approx. € 25,300 per annum during the decade of analysis.

The total costs for implementation of the passenger rights in all transport modes in Serbia over the 10-year period reach € 3.65 million, namely:

- Rail – the total costs for implementation of the passenger rights in railway transport over the 10-year period will reach € 1.04 million
- Bus and coach – the total costs for implementation of the passenger rights in bus and coach transport over the 10-year period will reach € 2.36 million
- Waterborne – the total costs for implementation of the passenger rights in waterborne transport over the 10-year period will reach € 250,300.

2 Cost Effectiveness Analysis Indicators

All indicators presented in this chapter have been calculated with the average values for 10-year period. The average annual costs for passenger rights implementation during the decade of analysis per mode and RP was calculated based on costs and the average number of passengers per mode and RP.

2.1 Annual average cost per passenger

2.1.1 Railway transport

For rail passenger rights the Evaluation of Regulation 1371/2007 was prepared in 2012, which is an ex-ante evaluation without any robust figures useful for this analysis. Therefore, the assumptions from EU bus & coach study are applied and modified with and adjusted to findings from 2012 rail Evaluation. As stated in the Evaluation, of the largest Member States, France and the UK have exempted all domestic services. Many Member States either have national laws which provide for rights similar to those defined in the Regulation, or they impose similar rights and policies through other means – either through the conditions attached to public service contracts, or policy decisions of the government, which is often the sole shareholder of the national railway undertaking. Therefore, even where services are exempt from the Regulation, rights similar to those defined in the Regulation may still apply.

On the EU level, a relatively small proportion of rail travel is international (6% across the EU)³⁹. Therefore a 6% of total passengers are considered that benefit from the Regulation. The following costs are calculated for this 6% of total passengers.

Table 7 – Average annual costs for rail passenger rights implementation during the decade of analysis

RP	NEBs costs (€)	Average costs PRM (€)	Average costs assistance (€)	Average costs consumer VOT (€)	Average costs operator VOT (€)	Total costs (€)
Albania	38,081	10	3	15	24	38,134
Bosnia and Herzegovina	59,161	906	173	1,413	2,199	63,851
Kosovo	41,092	103	26	161	251	41,632
Montenegro	44,314	1,337	372	2,094	3,246	51,362
North Macedonia	39,716	570	148	893	1,383	42,710
Serbia	50,662	10,185	2,564	15,934	24,723	104,068
TOTAL	273,026	13,110	3,286	20,509	31,826	341,756

³⁹ Evaluation of Regulation 1371/2007, Final Report, Steer Davies Gleave, London, July 2012, p. 63

Table 8 – Average cost per passenger/ ticket for rail passenger rights implementation during the decade of analysis

RP	Annual no. of passengers	Total costs (€)	Cost per passenger (€)
Albania	8,769	38,134	4.35
Bosnia and Herzegovina	499,560	63,851	0.13
Kosovo	91,642	41,632	0.45
Montenegro	1,027,839	51,362	0.05
North Macedonia	481,429	42,710	0.09
Serbia	6,687,143	104,068	0.02

The average cost per passenger/ ticket for rail passenger rights implementation in all RPs during the decade of analysis amounts to € 0.04. The higher cost per rail passenger for Albania and Kosovo doesn't influence the cost per passenger in all RPs due to low number of rail passengers.

2.1.2 Bus & Coach transport

The following costs are calculated for bus and coach passengers over 250 km, which is assumed, according to EU study, 10% of total passengers.

Table 9 – Average annual costs for bus and coach passenger rights implementation during the decade of analysis

RP	NEBs costs (€)	Average costs PRM (€)	Average costs assistance (€)	Average costs consumer VOT (€)	Average costs operator VOT (€)	Total costs (€)
Albania	38,081	261	84	407	634	39,467
Bosnia and Herzegovina	59,161	31,749	6,068	49,514	77,072	223,564
Kosovo	41,092	16,486	4,102	25,636	40,021	127,338
Montenegro	44,314	16,491	4,587	25,822	40,032	131,245
North Macedonia	39,716	8,102	2,110	12,698	19,668	82,294
Serbia	50,662	35,341	8,896	55,292	85,793	235,984
TOTAL	273,026	108,431	25,847	169,369	263,219	839,892

Table 10 – Average cost per passenger/ ticket for bus and coach passenger rights implementation during the decade of analysis

RP	Annual no. of passengers	Total costs (€)	Cost per passenger (€)
Albania	138,896	39,467	0.30
Bosnia and Herzegovina	10,506,811	223,564	0.03
Kosovo	8,776,011	127,338	0.02
Montenegro	7,606,487	131,245	0.02
North Macedonia	4,107,805	82,294	0.02
Serbia	13,923,028	235,984	0.02

The average cost per passenger/ ticket for road passenger rights Regulation implementation in all RPs during the decade of analysis amounts to € 0.02. The higher cost per bus and coach passenger for Albania doesn't influence the cost per passenger in all RPs due to low number of bus and coach passengers.

2.1.3 Waterborne transport

In WB RPs, there is no regular, public passenger transport on inland waterways. Maritime transport is performed in two RPs, namely Albania and Montenegro, but since NEBs shall be established in Bosnia and Herzegovina and Serbia as well, the annual costs for NEBs are presented for Bosnia and Herzegovina and Serbia too.

Table 11 – Average annual costs for waterborne passenger rights implementation during the decade of analysis

RP	NEBs costs (€)	Average costs PRM (€)	Average costs assistance (€)	Annual maintenance costs of facilities for PRM (€)	Average costs consumer VOT (€)	Average costs operator VOT (€)	Total costs (€)
Albania	19,040	36,460	13,221	10,770	1,013	1,576	82,080
Bosnia and Herzegovina	29,581	0	0	0	0	0	29,581
Kosovo	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Montenegro	22,157	302	94	10,832	8	13	33,406
North Macedonia	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Serbia	25,331	0	0	0	0	0	25,331
TOTAL	96,109	36,762	13,316	21,602	1,021	1,589	170,398

n.a.: not applicable

Table 12 – Average cost per passenger/ ticket for waterborne passenger rights implementation during the decade of analysis

RP	Annual no. of passengers	Total costs (€)	Cost per passenger (€)
Albania	1,911,914	82,080	0.04
Bosnia and Herzegovina	0	29,581	/
Kosovo	n.a.	n.a.	n.a.
Montenegro	13,721	33,406	2.43
North Macedonia	n.a.	n.a.	n.a.
Serbia	0	25,331	/

n.a.: not applicable

The average cost per passenger/ ticket for waterborne passenger rights implementation in Albania and Montenegro during the decade of analysis amounts to € 0.09. Cost per waterborne passenger in Montenegro is high due to very low number of waterborne passengers.

2.1.4 All modes

For presentation of impact of transposition and implementation of passenger rights in WB RPs, also total annual costs for all three modes of transport were calculated, together with calculation of cost per passenger per RP for all three modes in total.

Table 13 – Average annual costs for passenger rights implementation for all three modes of transport during the decade of analysis

RP	NEBs costs (€)	Average costs PRM (€)	Average costs assistance (€)	Annual maintenance costs of facilities for PRM (€)	Average costs consumer VOT (€)	Average costs operator VOT (€)	Total costs (€)
Albania	95,202	36,731	13,309	10,770	1,436	2,233	159,680
Bosnia and Herzegovina	147,903	32,655	6,241	0	50,926	79,271	316,996
Kosovo	82,184	16,589	4,128	n.a.	25,797	40,271	168,970
Montenegro	110,784	18,130	5,053	10,832	27,924	43,291	216,013
North Macedonia	79,432	8,672	2,259	n.a.	13,590	21,051	125,003
Serbia	126,656	45,526	11,459	0	71,225	110,516	365,382
TOTAL	642,161	158,302	42,449	21,602	190,899	296,633	1,352,046

n.a.: not applicable

The total annual costs at regional level amount to € 1.35 million, where 47% of total costs for all three modes of transport (€ 642,000) represent annual costs of the NEBs operation.

Table 14 – Average cost per passenger/ ticket for passenger rights implementation for all three modes of transport during the decade of analysis

RP	Annual no. of passengers	Total costs (€)	Cost per passenger (€)
Albania	2,059,579	159,680	0.08
Bosnia and Herzegovina	11,006,371	316,996	0.03
Kosovo	8,867,653	168,970	0.02
Montenegro	8,648,047	216,013	0.02
North Macedonia	4,589,233	125,003	0.03
Serbia	20,610,170	365,382	0.02
TOTAL	55,781,054	1,352,046	0.02

The average costs per passenger/ ticket for passenger rights implementation for all three modes of transport during the decade of analysis is € 0.024. The biggest cost factor is NEBs operation, amounting to almost half of additional costs per passenger/ ticket. To compare costs per passenger in WB with results from EU studies, it has to be PPP adjusted. The PPP adjusted (from WB to EU level) costs per passenger in WB amounts to € 0.04, which is in the range of EU values amounting to € 0.05.

2.2 Costs per cornerstone

In the following tables, costs per cornerstone per RP and per mode are presented, as well as in total per RP. For Cornerstone 2 (Right to information before purchase and at the various stages of travel, notably in case of disruption) no costs were quantified nor calculated, considering that the EU Regulations evaluations performed in the framework of previous studies elaborated for the EC concluded that no substantial costs are incurred through the provision of this information.

2.2.1 Railway transport

For implementation of passenger rights in rail transport, 4% of costs are associated with Cornerstone 1 and 96% with Cornerstone 3.

Table 15 – Calculation of costs per passenger rights cornerstone for railway transport per RP during the decade of analysis

RP	Cornerstones	Cornerstone 1 (€)	Cornerstone 3 (€)	Total (€)
Albania		10	38,124	38,134
Bosnia and Herzegovina		906	62,945	63,851
Kosovo		103	41,529	41,632
Montenegro		1,337	50,025	51,362
North Macedonia		570	42,140	42,710
Serbia		10,185	93,883	104,068
TOTAL		13,110	328,646	341,756

2.2.2 Bus & Coach transport

For implementation of passenger rights in bus & coach transport, 13% of costs are associated with Cornerstone 1 and 87% with Cornerstone 3.

Table 16 – Calculation of costs per passenger rights cornerstone for bus and coach transport per RP during the decade of analysis

RP	Cornerstones	Cornerstone 1 (€)	Cornerstone 3 (€)	Total (€)
Albania		261	39,206	39,467
Bosnia and Herzegovina		31,749	191,815	223,564
Kosovo		16,486	110,852	127,338
Montenegro		16,491	114,754	131,245
North Macedonia		8,102	74,192	82,294
Serbia		35,341	200,642	235,984
TOTAL		108,431	731,461	839,892

2.2.3 Waterborne transport

For implementation of passenger rights in waterborne transport, 34% of costs are associated with Cornerstone 1 and 66% with Cornerstone 3.

Table 16 – Calculation of costs per passenger rights cornerstone for waterborne transport per RP during the decade of analysis

RP	Cornerstones	Cornerstone 1 (€)	Cornerstone 3 (€)	Total (€)
Albania		47,229	34,850	82,080
Bosnia and Herzegovina		0	29,581	29,581
Kosovo		0	0	0
Montenegro		11,134	22,273	33,406
North Macedonia		0	0	0
Serbia		0	25,331	25,331
TOTAL		58,363	112,034	170,398

2.2.4 All modes

For implementation of the passenger rights in bus & coach, rail and waterborne transport, 13% of costs at regional level are associated with Cornerstone 1 and 87% with Cornerstone 3.

Table 17 – Calculation of costs per passenger rights cornerstone for all modes of transport per RP during the decade of analysis

RP	Cornerstones	Cornerstone 1 (€)	Cornerstone 3 (€)	Total (€)
Albania		47,500	112,180	159,680
Bosnia and Herzegovina		32,655	284,341	316,996
Kosovo		16,589	152,381	168,970
Montenegro		28,962	187,052	216,013
North Macedonia		8,672	116,332	125,003
Serbia		45,526	319,856	365,382
TOTAL		179,904	1,172,142	1,352,046

3 Overall evaluation and examination of potential trade-offs between cornerstones and associated costs and benefits

In this chapter, an overall evaluation of the results of the Cost Effectiveness Analysis is presented, in order to examine the potential for potential trade-offs between cornerstones and associated costs and benefits. As it has been already explained, the quantified costs for implementing the passenger rights are dominant over the quantified benefits, and that's exactly why a Cost-Benefit Analysis is considered inappropriate for the assessment of the impact of the passenger rights implementation. The Cost Effectiveness Analysis results provide the basis for an assessment of the magnitude, particularly of the costs, while the quantified benefits seem marginal. However, any examination of potential trade-offs between measures and actions and any decision about strategic and policy planning should be taken and justified based on all aspects of the subject under consideration. For this reason, the non-quantifiable benefits from transposing and implementing the passenger rights should be also taken into account, presented – for this purpose – in the following paragraphs and before any further elaboration towards the definition of the necessary actions, measures, roadmaps and pilot projects in the framework of the next task of this assignment.

3.1 Non-quantifiable benefits

First of all, the passenger rights regulations provide essential protection for consumers, ensuring that they are treated fairly and have certain rights when traveling. This protection helps maintain and further increase the consumers' confidence and satisfaction in using transportation services that are covered by the regulations. Therefore, it could increase usage of different passenger transport modes and vehicles (buses and coaches instead of personal cars, rail and waterborne instead of road passenger transport) and furtherly contribute to EU Green Deal goals, as well as lowering carbon footprint in passenger transport.

For **non-discrimination**, the following benefits can be identified:

- **Equality:** Non-discrimination ensures that all passengers, regardless of their background, are treated equally. This promotes a more inclusive and fair travel experience for everyone. This means the obvious and fundamental, that non-EU citizens as the EU citizens should have equal access to services and be treated fairly when using road, rail and waterborne transport services within the EU and in the WB region. Operators must provide equal access to road, rail and waterborne transport services for all passengers. This fosters a sense of inclusivity and fairness in the transportation sector.
- **Customer Satisfaction:** When passengers feel they are treated fairly and without bias or discrimination, they are more likely to have a positive perception of the transportation provider or service, leading to increased customer satisfaction and loyalty. It could also trigger an increase in usage of public passenger transport modes (road, rail, waterborne), leading to behavioural change and modal shift, i.e. an increase of usage of more energy efficient modes of passenger transport, while also positively influencing the operators' revenues and - consequently - business development, which would mean higher geographical coverage with more passenger lines, higher frequency, better vehicles, better services in general.

Regarding **accurate, timely, and accessible information**, at least three benefits can be identified:

- **Informed Decision-Making:** Providing passengers with accurate and timely information about their travel options, schedules, delays, and any relevant regulations protecting their rights empowers them to make informed decisions. This information should be readily available and easily accessible to passengers.
- **Reduced Stress:** Accessible information can reduce the anxiety associated with travel, allowing passengers to plan and adjust their journeys more effectively.
- **Safety:** Accurate and timely information can also enhance passenger safety by informing them about any safety-related updates or instructions.

As for **immediate and proportionate assistance**, the following benefits can be mentioned:

- **Safety Net:** Immediate assistance ensures that passengers have support in case of emergencies, disruptions, or unforeseen circumstances during their journey, which can range from medical emergencies to mechanical failures. In the event of disruptions, such as cancellations, long delays, or accidents, passengers in road transport have the right to receive immediate assistance. This may include offering alternative transportation, reimbursement, support, or compensation, depending on the circumstances. Passengers can expect assistance, such as medical aid, alternative transport, or compensation, as appropriate, to help them deal with unforeseen circumstances.
- **Customer Satisfaction:** Offering assistance in a prompt and proportionate manner can enhance passenger satisfaction, even in challenging situations, and can help restore confidence in the transportation service. Passenger rights regulations often include provisions for compensation and reimbursement when rights are violated. Passengers have a clear path to seek recourse if they experience issues during their journey, thus providing a safety net against unfair treatment.
- **Compliance:** Upholding this principle ensures that transportation providers adhere to regulations and obligations related to passenger safety and well-being.

The benefits of having passenger rights regulations in place for road, rail and waterborne transport are numerous and include:

- **Socio-economic Benefits:** By protecting the interests of passengers and ensuring a consistent and reliable transportation experience, these regulations can contribute to economic growth. Satisfied passengers are more likely to establish a habit of using public transportation, leading to increased ridership and revenue for transportation providers. Improved transportation services can stimulate local economies through increased tourism, spending, and business development. An increase in tourism due to reliable and convenient transportation services can contribute to local economies in the form of increased business and tax revenue. Reduction of usage of personal cars on roads (shift from personal cars to buses and coaches or to other mode) has a positive effect on other road users, decreasing their costs (costs of time due to lower travel times and less congestions, vehicle operating costs due to more even ride, number of accidents etc.). Less passenger kilometres in personal cars and more passenger kilometres on other modes of transport consequently increases also availability of funds for infrastructure and operators' development. Implementation of passenger rights (non-discrimination, PRMs etc.) offer possibility for assignment of employees in uncertainty about losing their jobs due to other evolutions (e.g. digitalisation) to assist PRM passengers. Finally, better mobility due to implementation of passenger rights could lead to better living conditions, prosperity and even contribute to softening of other contemporary social problems, such as emigration.
- **Environmental Benefits:** Encouraging the use of public transportation through passenger rights regulations can help reduce individual car usage, leading to lower carbon emissions and a positive impact on the environment. As it is well-known, vehicles in public transport (buses and coaches, trains

and vessels) emit several times lower emissions of pollutants (NO_x, PM₂, PM₁₀), as well as GHGs per passenger kilometre than personal cars. Environmental benefits from passenger rights implementation could have a highly positive influence on Green Deal and Smart and Sustainable Mobility goals, as well as low-carbon society.

- **Legal Clarity:** These regulations create legal clarity for both passengers and transportation providers. Passengers know their rights, while providers understand their obligations, which reduces confusion and disputes. Clear and fair passenger rights regulations can reduce the risk of legal disputes and associated legal costs. A reduction in legal disputes and settlements can save transportation providers substantial amounts in legal expenses annually. Also, by addressing passenger concerns proactively, promptly and fairly, transportation providers can reduce the amount they need to pay out in compensation. Swift and effective assistance for delayed or cancelled services can decrease compensation claims, saving providers annual compensation costs.
- **Competitive Environment:** Ensuring fair treatment and passenger rights creates a competitive environment in which transportation providers are encouraged to offer high-quality services. Providers that consistently deliver on passenger rights tend to have a competitive advantage. Enhanced communication and efficient processes, as mandated by regulations, can lead to cost savings through streamlined operations. On the other hand, for every additional passenger using public transportation due to improved services, there is a direct increase in ticket sales and revenue for transportation providers. Increase in ridership, resulting from improved passenger rights and travel experience, could generate additional ticket sales revenue.
- **Social Inclusion:** Non-discrimination and accessibility provisions promote social inclusion by ensuring that passengers with disabilities or specific needs have equal access to transportation services. This contributes to a more inclusive and diverse society. Since implementation of passenger right offers the same rights and opportunities for all, it enables society to grow mature. There could be also decrease in social transfers due to better mobility of PRMs expected.

Overall, passenger rights regulations in road and rail transport provide a safety net for travellers, enhance their experience, and contribute to a fair and efficient transportation system. These regulations help balance the power dynamics between passengers and transportation providers, ensuring that passengers have a voice and recourse when issues arise during their journeys.

3.2 Actions, measures and potential trade-offs – Towards a Roadmap for passenger rights implementation in the Western Balkans

The required and potential actions and measures for improvement of passenger rights, based on the identification of best practice examples elaborated within Task 1 of the assignment, are presented per Core Right in the following table.

Table 18 – Required and potential actions and measures for improvement of passenger rights

Core Right		Required (R) and Potential (P) Actions and Measures
1	Right to non-discrimination in access to transport	- Introduce special tariffs for PRM (P)
2	Right to mobility: accessibility and assistance at no additional cost for passengers with disabilities and passengers with reduced mobility (PRM)	<ul style="list-style-type: none"> - Accessible information tables on the web and App for visually impaired travelers (P) - Equipment on train doors to help blind people to locate them with remote control (P) - Timetables in Braille system at stations (P) - Agreement of Railways with TAXI drivers to provide assistance to PRM passengers at stations (P) - New bus fleet with wheelchair access and assistant travelling free of charge (P) - Training of bus drivers and managers on accessibility in cooperation between transport operators and associations of PRM/ disabilities associations (P) - Rail-bus integrated services with full PRM assistance (P) - Standards for accessibility of ships and terminals validated by PRM associations (P) - PRM assistance request transferred automatically to terminal staff upon booking or show-up at pick-up point (P) - Fully accessible websites of PT operators (P) - Direct communication between PRM associations and terminal managers (P) - Discrete means of self-identification of PRM (P)
3	Right to information before purchase and at the various stages of travel, notably in case of disruption	- Better, real-time and complete information provided to passengers on no-show rules, on rights to compensation (R)
4	Right to renounce travelling (reimbursement of the cost of the ticket) when the trip is not carried out as planned	- Operators directly liaising with customer for reimbursement (not the intermediate ticket seller) (P)
5	Right to the fulfilment of the transport contract in case of disruption (re-routing and rebooking)	- Carriers having emergency on-call team able to provide assistance at short request (P)
6	Right to get assistance in case of long delay at departure or at connecting points	- Carriers having emergency on-call team able to provide assistance at short request (same as above) (P)
7	Right to compensation under certain circumstances	- NEBs to require operators to have monitoring and reporting systems for recording services-related information (departure and arrival time, people and vehicles on board, delays - if any - and reasons) with justification for NEB's verification (P)
8	Right to carrier liability towards passengers and their baggage	- Bus and coach drivers at terminals are the only ones allowed handling luggage, reducing the number of people around load doors and monitored through CCTV by terminal operator (P)
9	Right to a quick and accessible system of complaint handling	- Establishment of online complaints submission system on governmental platform with instant notification of NEBs (P)
10	Right to full application and effective enforcement of EU law	<ul style="list-style-type: none"> - Establishment of NEBs (R) - Conducting national surveys of passengers' satisfaction (P) - Licensing authorities to be NEB at the same time (P) - NEBs and country collect and publish data/ statistics from operators and terminal managers on the quality of service and performance of passenger travel (R)

What's needed, beyond doubts and according to the Transport Community Treaty Annex I, is above all to take the necessary steps towards full harmonization of the RPs legislative framework with the relevant EU Acquis, and this should happen within 2025 as per the Action Plan for Social Issues and Passenger Rights (TCT, 2023).

Therefore, the actions and measures related to transposition of the relevant EU regulations are considered as mandatory and hence, the associated costs are considered unavoidable and unnegotiable for a possible trade-off with any other costs.

Furthermore, transposition without implementation, exemptions or postponement until accession of RPs in the EU would constitute a missed opportunity for RPs and their markets to reap the benefits that have been previously described and would be derived from the improvement of the framework of regulated passenger rights with the consequent improvement of offered services, increase of mobility beyond the use of private cars with use of mass transport systems, which will gradually bring the RP's and regional transport systems to integration with the EU.

For this reason, all costs associated with the implementation of the passenger rights EU Regulations – mainly classified under Cornerstone 3 – are not considered appropriate for possible trade-offs with any other costs emerging from the provisions for other cornerstones that the passenger rights are based on.

These Cornerstone 3 -related costs during the decade of analysis represent 87% of the total costs for the implementation of all passenger rights EU Regulations in the WB region. In North Macedonia this percentage reaches 93% and in Bosnia and Herzegovina and Kosovo 90%. Only in Albania, where the costs related to Cornerstone 1 are higher, the percentage of costs associated with Cornerstone 3 is 70%, while the respective percentage in Montenegro is 87% and in Serbia 88%.

Given that:

- a) No implementation is meant without establishment of National Enforcement Bodies, adequate mechanisms for complaint handling and compensation, data collection and reporting etc. and
- b) No costs have been quantified for Cornerstone 2 (Right to information before purchase and at the various stages of travel, notably in case of disruption), which have been considered negligible based on the EU Regulations evaluations performed in the framework of previous studies elaborated for the EC, because no substantial costs are incurred through the provision of this information,

the possibility of trade-offs between Cornerstones and their associated costs and benefits proves almost impossible, and in essence without any practical meaning, especially because passenger rights based on Cornerstone 3 should be implemented at any cost, while passenger rights based on Cornerstone 1 are fundamental human rights ensuring no discrimination in access to transport and accessibility and assistance for passengers with disabilities or people with reduced mobility, and certainly no discounts are allowed on this.

Nevertheless, some trade-offs potentials were explored, for specific actions and measures that postponement of their implementation would not jeopardize the proper implementation of the EU Acquis in the field of passenger rights in the region. To this end, the list of needed and potential actions and measures identified in the previous stages of this assignment was used to formulate matrices – checklists for evaluating the potential for prioritization of actions and measures based also on the results of the Cost-Effectiveness Analysis (Quantified/ monetized Costs and Benefits, Indicators calculated, Non-quantified Benefits).

Firstly, the identified best practices per Cornerstone/ Core Passenger Rights are evaluated in the following tables. Concerning the attributed costs, three categories are defined:

- “Low” or “Not costly”, marginal, not considerable cost, below a thousand euro.
- “Medium”: not negligible cost, up to ten thousand euro.
- “High” or “Costly”: few tens of thousands of euro or (in few cases) more.

In all cases, all costs related to the actions and measures considered still fall under the “soft measures” type of interventions.

Table 19 – Identified Best (good) Practices per Core Passenger Right, assessment of Costs and Benefits

Core Right	Cornerstone(s)	Best (good) practice	Content of the best (good) practice	Cost aspects and Benefits
1. Right to Non-discrimination in access to transport	1, 4	No good practice identified apart from introducing special tariffs for PRM	-	Contributes to Equality – Social inclusion, Customer satisfaction.
2. Right to mobility	1, 3, 4	Direct communication channels established between terminals and PRM representatives	It allows for direct and immediate communication of the problems suffered by PRM passengers to be communicated to terminals.	Low cost (below €1,000). Contributes to Equality – Social inclusion, Customer satisfaction.
	1, 3, 4	PRM are provided with discreet means of self-identification	PRM with hidden disabilities should be able to wear agreed recognised sign, such as sunflower lanyards (whenever they choose to), which provide them with a discreet sign that demonstrates to terminal or operator staff that they may need additional support, help or a little more time.	Low cost (below €1,000). Contributes to Equality – Social inclusion, Customer satisfaction.
3. Right to information	2	Better information is provided to passengers on no-show rules	Instead of terms and conditions on no-shows being part of many other terms, carriers have to inform passengers about the no-show rule in the email confirming the booking (explicitly providing adequate information about the consequences of not using the Purchased ticket).	Low cost (below €1,000). Contributes to Informed decision making, reduced stress, improved safety.
	2	Carriers inform passengers of their right to compensation as soon as possible	Passengers are proactively informed by the operator of their rights to compensation and rerouting, in the case of disruptions. Operators are usually required to do this via multiple communication channels.	Low cost (below €1,000). Contributes to Informed decision making, reduced stress, improved safety.
	2	Member States actively support open data	The availability of open data, including real-time location information, allows different service providers (independent from booking agents, operators, terminals or NEBs) to participate in making information available to passengers.	High cost (a few €10,000). Contributes to Informed decision making, reduced stress, improved safety.

Core Right	Cornerstone(s)	Best (good) practice	Content of the best (good) practice	Cost aspects and Benefits
4. Right to renounce travelling when the trip is not carried out as planned	3	Operators directly liaise with customer for reimbursement	Where passengers booked tickets through an intermediary, instead of claiming for their rights through the intermediary, this good practice allows them to obtain a refund directly through the carrier for bookings made through an intermediary ticket seller. This practice also allows the intermediary not to have to “chase” the carrier on behalf of the passenger, or to refund the passenger first and then claim back from the carrier.	Low cost (below €1,000). Contributes to Reduced stress, Customer satisfaction.
5. Right to the fulfilment of the transport contract in case of disruption	3	Operators have emergency on-call team integrating key departments	The practice entails carriers having an emergency on call team able to provide assistance at short request, tailored to the severity of the need, including rebooking on other modes. The team may be assembled from the management representatives, the emergency team, customer service, public relations and potentially locally based representatives.	Low cost (below €1,000). Contributes to Safety Net, Customer satisfaction.
6. Right to get assistance in case of long delay at departure or at connecting points	3	(same as above)	-	Safety Net, Customer satisfaction.
7. Right to compensation under certain circumstances	3	NEBs require operators to have monitoring and reporting systems	The practice involves carriers (and presumably terminal managers) to have a business monitoring system in place for recording service-related information, including departure and arrival times, passengers and vehicles on board, and reasons for delays and attribution. Delays and related reasons must be well documented to enable their verification by the NEB.	Low cost (below €1,000). Contributes to Safety Net, Customer satisfaction.
8. Right to carrier liability towards Passengers and their baggage	3	Bus and coach operators are able to handle load baggage more securely	In this practice, in coach terminals only drivers are allowed to remove baggage from arriving vehicles, rather than a number of other personnel. This approach ensures that there is a restriction on clear grounds on the number of staff around the coach load doors (limited to the driver(s) only). It can be monitored on CCTV by the terminal operator to increase compliance.	Low cost (below €1,000). Contributes to Safety Net, Customer satisfaction.

Core Right	Cornerstone(s)	Best (good) practice	Content of the best (good) practice	Cost aspects and Benefits
9. Right to a quick and accessible system of complaint handling	3	Member States set up digital platforms to allow users to submit their complaints	The practice allows consumers and users to submit their complaints in electronic format, on a governmental digital platform. When a complaint is submitted through this platform, the service provider (it is mandatory for all service providers of transport to take part) and the competent authority for the sector (NEBs in the case of transport) are simultaneously notified. A set time period is given to the service provider to respond to complaints. If the deadline is exceeded, an administrative proceeding (with the possible imposition of fines) may be initiated by the competent authority.	Low cost (below €1,000). Contributes to Customer satisfaction.
10. Right to full application and effective enforcement of EU law	3	Watchdog monitors the quality of service delivered	This practice involves the watchdog conducting national surveys of passenger satisfaction, maintaining a web-based passenger panel, with the aim of examining the users of public transport according to their habits and satisfaction. The watchdog intends to gain know-how about passengers' habits and preferences on public transportation and push forward so that these can be taken into account with the authorities and transport operators.	High cost (a few €10,000), due to the surveys necessary. Contributes to Customer satisfaction.
	3	Licensing authorities and NEBs are the same body	This practice requires the Member State to designate the licensing authority of a specific transport mode to become the NEB for the relevant passenger right Regulation. Whilst the body in charge of NEB tasks has the same duties and responsibilities as other NEBs according to European law, by also being in charge of giving and removing the mandatory licences to operate transport services, the NEB is granted far greater persuasive powers than what it normally obtains through the threat of sanctions.	Low cost (below €1,000). Contributes to Compliance.
	3	NEBs or Member States collect and publish data	Member States collect and publish statistics from operators and terminal managers on quality of service and performance related to passenger travel, such as on-time departures performance/ delays, mishandled baggage, overbooking, consumer complaints, PRM statistics, etc. This allows authorities to publish regular reports available to passengers and the industry to better understand the situation. This also acts as an incentive for operators and terminal managers.	Medium cost (up to €10,000), due to establishment of mechanisms to collect and process data from various sources. Contributes to Customer satisfaction, Legal clarity.

Core Right	Cornerstone(s)	Best (good) practice	Content of the best (good) practice	Cost aspects and Benefits
N/A	N/A	Travel guarantee funds are implemented	The practice concerns a fund that passengers will have contributed to, which will cover certain services, such as repatriation or reorganisation of bookings.	Not considered, as it is most likely not acceptable by passengers contributing to the fund. Contributes to Customer satisfaction, Safety Net, Reduced stress

Table 20 – Best Practices for PRM per mode of transport, assessment of Costs and Benefits

Transport mode	Country	Good practice	Replicability potential in WB region and conditionalities	Cost aspects and Benefits
Rail	Czechia	Accessible rail info tables on the web and in a mobile application: Optimised application of Regulation (EU) 454/2011 for visually impaired travellers.	Yes, technical - IT - measure.	Not costly. Function to be incorporated in already existing IT solution. Improves access to information.
Rail	France	Infrastructure monitoring, staff training, and info for accessible urban rail: Real time and reliable info on transport hubs accessibility.	Yes, mainly technical - IT - measure. Requires inventory on infrastructure. Requires also staff training.	Not costly. Function to be incorporated in already existing IT solution. Improves access to information.
Rail	France	Coordinated accessibility measures in Toulouse: Accessible info across the multimodal transport chain	Yes, technical - IT - measure. Requires enhanced cooperation among different means of transport.	Not costly. Function to be incorporated in already existing IT solution. Improves access to information.
Rail	France	Equipment integrated into train doors to help blind people locate them through equipment on train and remote control: Aid for applying Regulation (EU) No 1300/2014 for blind travellers.	Yes, through tailored-made devices.	Not costly (1 remote tag €20 per PRM, device on train €50 for 8 doors). Improves PRM access to trains.
Rail	Portugal	Train accessibility improvements: Timetables available in Braille system at stations. Acquisition of boards and provision of assistance to all frequent and non-frequent customers, to help with boarding and exiting the train.	Yes, requires procurement of equipment.	Not costly (€500 per timetable on aluminium plate). Improves information on and access to trains, including for PRM.
Rail	The Netherlands	On-demand spontaneous assistance at railway stations: travel assistance to PRM travellers at stations by trained employees of Dutch Railways or taxi drivers on behalf of the Railways.	Yes, requires staff training, and also cooperation agreement among TAXI drivers and railway operators.	Not costly (contract between railway operators and TAXI drivers, €400 per employee training). Improves PRM access to trains.

Transport mode	Country	Good practice	Replicability potential in WB region and conditionalities	Cost aspects and Benefits
Road	Finland	Wheelchair access on long-distance buses: purchase of new fleet with wheelchair access - assistant travels free of charge.	Yes, requires procurement of fleet meeting this requirement.	Costly (€100,000-180,000 for procurement of compliant buses for long-distance travel). Improves PRM access to buses and coaches' transport.
Road	France	Training for bus drivers and managers on accessibility in cooperation between transport operators and associations of PRM/ disabilities associations.	Yes, requires cooperation between transport operators, managers and PRM associations	Not costly (€400 per employee training). Improves assistance provided to PRM.
Road-Rail	Italy	Rail - bus integrated services with full PRM assistance.	Yes, requires cooperation between transport operators.	Not costly (€400 per employee training). Improves assistance provided to PRM.
Maritime	Denmark	Industry standards on the accessibility of passenger in ships and ferry terminals, validated with PRM associations.	Yes, technical - design/ standardisation - measure. Requires technical work and cooperation with PRM associations.	Not costly. Improves access of PRM to ships and ferry terminals. Entails costs after setting the standards. One-time costs of €100,000 per port with more than 250,000 passengers.
Maritime	Finland	Special assistance for passengers with reduced mobility, with the assistance notification transferred to the terminal staff upon journey booking or upon show-up at pick-up point.	Yes, matter of organisation. Requires training.	Not costly (€400 per employee training). Improves assistance provided to PRM.
All modes	Spain	Development of a fully accessible website by the main Public Transport Operator in Barcelona.	Yes, technical - IT - measure.	Not costly. Function to be incorporated in already existing IT solution. Improves access to information.

Secondly, all these actions and measures and the assessment of their costs and expected positive impact (benefits) on enhancing passenger rights have been used in order to narrow down the list of necessary actions and potential measures for:

- a) transposing and implementing the passenger rights regulatory framework (considered as mandatory list of actions),
- b) improving the organizational and institutional setups for establishing the appropriate environment for proper implementation of the passenger rights, and
- c) exploring promotional and technical actions that could be considered as most relevant for implementation at RP and regional level, as a proposal for further discussion with RPs during the CEA Workshop and towards the Roadmaps per RP definition.

Table 21 – Evaluation matrix for Legal/ Institutional actions and measures and potential trade-offs between cornerstones and associated costs and benefits

Category of Action/ Measure	Action/ Measure	Results of CEA	Cornerstone	Importance-Urgency (High-Medium-Low) and indicative time horizon	Potential trade-offs and Remarks
Legal/ Institutional	Legal analysis for transposition of the EU legislation provisions and policy formulation	Part of transposition process. Assessed in CEA, but only as part of the transposition – implementation process (initial costs). Initial costs per RP range between €35,000 – €55,500. ~€250,000 total cost for all RPs.	All	High (2025)	No, mandatory.
	Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws		All	High (2025)	No, mandatory.
	Administrative reform for organizational aspects	Not separately assessed in CEA – Part of transposition – implementation process. Costs are considered negligible.	All	High (2025)	No, mandatory.
	Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility	Not separately assessed in CEA – Institutional measure. Costs are considered negligible.	All	High (2025-2026)	No, it is a measure which will help to establish a better functioning institutional setup for passenger rights, involving all stakeholders, including the associations of passengers and PRM.
	Establishment of National Enforcement Body/ies	Establishment and operation of NEBs assessed in CEA, as part of implementation process. Cost during the next decade per RP ranging between €112,000 – €320,000. Total €1,172,000 for all RPs, representing 87% of all costs. Estimated annual cost per passenger for all modes is €2.4 ct., while benefit per passenger for waterborne mode is half (€1.4 ct.), and for road and rail only €0.1 ct.	3	High (2025)	No, mandatory.
	Establishment of complaint handling and compensations mechanisms		3	High (2026)	No, mandatory.
	Establishment of data collection and reporting process	Not separately assessed in CEA – part of NEBs establishment. Costs are considered low to medium (a few thousand € per RP). Function to be incorporated in already existing IT solutions.	3	High (2026)	No, it is a measure that will help to have a standardized way of reporting by NEBs.

Table 22 – Evaluation matrix for Organisational/ Promotional actions and measures and potential trade-offs between cornerstones and associated costs and benefits

Category of Action/ Measure	Action/ Measure	Results of CEA	Cornerstone	Importance-Urgency (High-Medium-Low) and indicative time horizon	Potential trade-offs and Remarks
Organisational/ Promotional	Public awareness campaign and compliance monitoring	Not assessed in CEA – Promotional measure. Costs are considered medium (~ €10,000 per RP, depending on the selected activities to be implemented).	All	High (2025-2026)	No. Must be performed just before (awareness campaign) and immediately after (compliance monitoring) transposition and establishment of mechanisms, i.e. when regulatory framework and mechanisms for passenger rights are in place and activated.
	Capacity building	Not assessed in CEA – Organisational measure. Costs are considered medium (~ €10,000 per RP, depending on the selected activities to be implemented).	All	High (2025-2026)	No. Associated with administrative organisation and reform.
	PRM related training	Not assessed in CEA – Organisational measure. Costs are considered medium (~ €10,000 per RP).	1, 4	High (2025-2026)	No. Should take place after transposition and implementation enters into force (for training operators, terminals managers, staff regarding PRM aspects).

Table 23 – Evaluation matrix for Technical actions and measures and potential trade-offs between cornerstones and associated costs and benefits

Category of Action/ Measure	Action/ Measure	Results of CEA	Cornerstone	Importance-Urgency (High-Medium-Low) and indicative time horizon	Potential trade-offs and Remarks
Technical	Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision	Not assessed in CEA – Technical measure. Costs are considered high (~ €150,000 at regional level, ~ €25,000 per RP).	All	High (2026-2027)	Could be established in parallel with transposition of regulations. Requires inventory.
	Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing	Not assessed in CEA – Technical measure. Costs are considered low to medium (a few thousand € per RP). Function to be incorporated in already existing IT solutions.	3	Medium to High (2026)	To be established after regulations enter into force.
	Collection, processing and publication of data/ statistics	Not assessed in CEA – Technical measure. Costs are considered low to medium (a few thousand € per RP).	All	High (2026-2027)	To be established after regulations enter into force.
	Passengers' awareness and satisfaction survey	Not assessed in CEA – Technical measure. Costs are considered high (~ €150,000 at regional level, ~ €25,000 per RP).	All	Medium (2027-2028)	To ensure that with transposition the conditions are in place for proper implementation of passenger rights (to create the baseline to perform ex ante and ex post evaluation).
	Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations	Not assessed in CEA – Technical measure. Costs are considered high (~ €150,000 at regional level, ~ €25,000 per RP).	1, 4	High (2025-2026)	To ensure that with transposition the conditions are in place for proper implementation of pax rights. Requires inventory.
	Pricing policy evaluation for introducing special tariffs for PRM	Not assessed in CEA – Technical (and also promotional) measure. Costs are considered low to medium (a few thousand € per RP).	1, 4	Low (2028-2029)	For post-transposition period and after public awareness raising actions. Could be combined with passenger rights policy evaluation (Legal/ Institutional measure).

All these actions and measures were then assessed, based on the following evaluation criteria, using three-level scaling:

- Anticipated Cost (Non-quantified or quantified): Low (L) – Medium (M) – High (H)
- Anticipated benefit and Cost Effectiveness (Non-quantified or quantified): Low (L) – Medium (M) – High (H)
- Complexity (interdependencies with other measures and actions and stakeholders involved): Low (L) – Medium (M) – High (H)
- Time frame (interdependencies with other measures and actions and maturity): Short (S) – Medium (M) – Long (L)

A shortlist of measures has been identified, incorporating both best practices or PRM-oriented practices and combining them in actions and measures that are considered as necessary for transposing and effectively establishing and gradually enhancing passenger rights in the WB RPs. The shortlist consists of three groups of actions and measures, presented in **Table 24** below:

1. Legal/ Institutional group of actions and measures required as part of the transposition/ implementation process, tailored to the standing point of harmonization of the legal framework with the EU relevant Acquis.
2. Organisational/ Promotional group of actions and measures, common for all RPs, for enhancement of the legal framework and institutional setup.
3. Technical group of actions and measures (projects), common for all RPs, for further enhancement of passenger rights.

All three groups comprise actions and measures for PRM passengers.

Table 24 – List of needed and potential actions and measures based on the gap analysis and needs assessment

Category of Action/ Measure	Action/ Measure
Legal/ Institutional (LI)	LI1. Legal analysis for transposition of the EU legislation provisions and policy formulation
	LI2. Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
	LI3. Administrative reform for organizational aspects
	LI4. Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
	LI5. Establishment of National Enforcement Body/ies
	LI6. Establishment of complaint handling and compensations mechanisms
	LI7. Establishment of data collection and reporting process
Organisational/ Promotional (OP)	OP1. Public awareness campaign and compliance monitoring
	OP2. Capacity building
	OP3. PRM related training (of operators' and terminals' personnel)
Technical (T)	T1. Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision
	T2. Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing
	T3. Collection, processing and publication of data/ statistics
	T4. Passengers' awareness and satisfaction survey
	T5. Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
	T6. Pricing policy evaluation for introducing special tariffs for PRM

The results of the assessment and ranking were presented to the RPs representatives during the CEA Workshop held in Podgorica on September 10, 2024, along with the proposed prioritization of actions and measures as resulted from the relevant activities undertaken in the framework of Task 4 of the assignment.

The workshop included a presentation of the results of the previous tasks performed under the assignment, namely the review of the EU regulatory framework and best practices, and the gap analysis and needs assessment, with focus on the identified necessary and potential actions and measures. Serving its scope, the biggest part of the workshop was dedicated to the presentation of the Cost Effectiveness Analysis and its results. Based on the results, a list of potential pilot projects was presented to the participants, explained and discussed, in terms of their costs, benefits and logical sequence.

Beyond the discussions, the participants took part in a prioritization exercise, where they were invited to rank the list of identified actions and measures according to their knowledge of RPs specifics. The results of this discussion and exercise were analysed and used in the preparation of the draft Comprehensive Roadmap and the identification of potential pilot projects, which was presented and further discussed during the 2nd Workshop on October 21, 2024, in Belgrade.

PART D: ROADMAP AND RECOMMENDATIONS

This part of the Final Report is dedicated to the fourth Task of this Technical Assistance assignment, which was prepared in the period June – November 2024, and approved in November 2024.

Activities for implementing this Task started already during the preparation of the previous task (Cost Effectiveness Analysis). The draft report was submitted timely on 04 November 2024 and it was approved as final after minor revision and resubmission on 25 November 2024.

The activity included a detailed presentation of the recommended actions and measures and the ranking exercise, which concluded to the formulation of the Comprehensive Roadmap and recommendations, presented at the regional level and then specialised per RP, and comprising a regional pilot project and various pilot projects to be implemented by the RPs.

The activity also included the organisation of a Workshop, which was held in Belgrade on 21 October 2024, combined with a study visit/ guided tour at the Belgrade Central Railway Station. During the workshop the draft Comprehensive Roadmap at regional and RP level were presented and discussed with the RPs representatives. The workshop included also the presentation of the results of all other activities performed under the assignment, a presentation of the European Commission on the ongoing enhancement of the EU legal framework regarding passenger rights particularly for better and more efficient enforcement and passenger rights in the multimodal context. Also, the example of structures (National Enforcement Bodies) and implementation of passenger rights in Greece was presented, as well as the experience of a big NEB and public transport operator in Greece. A separate report dedicated to the workshop was submitted to the Contracting Authority on 04 November, containing the results of the workshop, the material used, and other relevant material.

In this part of the Final Report, the Comprehensive Roadmap of actions and measures and recommendations for their implementation are presented. The full final Report of Task 4 is presented in a separate document under the title **“Comprehensive Roadmap and Recommendations for each Regional Partner”**.

1 Comprehensive Roadmap for the implementation of passenger rights in WB

Based on the work performed in the previous tasks of the assignment, and particularly on the Cost Effectiveness Analysis that examined the costs and benefits that emerge from the implementation of the required and potential actions and measures defined through the best practices review and the gap analysis and needs assessment, a Comprehensive Roadmap has been defined and presented in this chapter.

The Roadmap consists of three groups of proposed activities, as previously presented, and unfolds in the short and medium-term horizons. These horizons can be divided into **three timespans**:

- **Year 2025:** Transposition period for establishment of passenger rights framework through legal/institutional actions and start of complementary activities for organization and promotion, as well as pilot projects
- **Years 2026 – 2027:** Short-term period of first 2 years of implementation with passenger rights framework established, additional actions and measures undertaken for organisation and promotion and more projects implemented in the field
- **Years 2028 – 2030:** Mid-term period of implementation with enhanced passenger rights framework and increased public awareness

While the year 2025 is considered as deadline for transposition of the relevant EU regulatory framework in the respective RPs according to the relevant TCT Action Plan for the implementation of the EU acquis in the area of Social Issues and Passenger Rights in Transport, the duration of the proposed actions, measures and projects included in the Roadmap depends on RPs and may vary depending on their specificities and level of already transposed acquis. These specificities are considered in the Roadmaps that have been specialized per RP and presented in Chapter 3 of this Part D of the report and in Chapter 6 of the Task 4 Report, which have been fine-tuned after consultations with RPs, and include a pilot regional project and pilot projects selected/preferred by each of the RPs for implementation.

The transposition of the *Acquis Communautaire* is an equal opportunity process, meaning that all RPs may achieve it rather fast if there is a relevant political will to accelerate EU integration and if the institutional capacity exists.

Notwithstanding, it should be noted that the RP that will among first most likely achieve the transposition target in 2025 is Montenegro, as it has been recently acknowledged by the European Commission. However, at the same time, transposition of the relevant passengers' rights acquis by all other RPs should be the target and remains feasible within 2025, especially because it brings significant benefit to the people with reasonably low cost for the stakeholders in rail, bus and coach and waterborne transport. The set target is of course subject to the willingness of the RPs' governments and their legislators to put the passengers' rights on the very top of their reform agendas. There is a high probability for that to happen, bearing in mind the announced more tangible EU perspective for the RPs.

1.1 Legal/ Institutional actions and measures

This group of Legal/ Institutional (LI) actions and measures, as repeatedly mentioned, comprises the required ones for the transposition and implementation of the EU passenger rights in all RPs in the WB region. Therefore, no prioritization is applicable nor appropriate. Thus, the list of recommendations for this group of actions and measures follows the logical sequence of their implementation.

LI1. Legal analysis for transposition of the EU legislation provisions and policy formulation

Description and Rationale: This action is the first step in the list of Legal/ Institutional actions, which has been partially undertaken by some RPs to a certain extent that varies among RPs. Also, part of it has been performed by the current assignment through the benchmarking exercise (gap analysis), the cost effectiveness analysis and the roadmap and recommendations definition. Therefore, it is recommended to RPs to build on their previous relevant actions and the results – recommendations of this assignment, complete the legal analysis and formulate their policy and procedures for transposition and implementation of the passenger rights in the field of the relevant modes of transport including assessment of applicability and harmonisation during the overall harmonisation process with the “Passenger Mobility Package” - Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EC) No 261/2004, (EC) No 1107/2006, (EU) No 1177/2010, (EU) No 181/2011 and (EU) 2021/782 as regards enforcement of passenger rights in the Union.

Timeframe: Q1-Q2 2025

Cost: Within LI2 costs (Legislation preparation), within RP budget or external assistance

Importance/ Urgency/ Impact – Priority: High, as prerequisite for transposition and implementation of EU passenger rights

Type: Mandatory

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: Ministries competent for Consumer Protection, Economic & Finance, EU Integration, Citizens/ Consumers/ Passengers Associations/ PRM Associations.

Monitoring and evaluation: EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise

LI2. Legislation preparation for full transposition of the relevant Regulations and adoption of relevant laws

Description and Rationale: This action is the second step in the list of Legal/ Institutional actions, which also has been partially undertaken by some RPs to a certain extent that varies among RPs. Also, part of it has been performed by the current assignment through the benchmarking exercise (gap analysis). Therefore, it is recommended that RPs build on their previous relevant actions and relevant outputs of this assignment and prepare the relevant legislative acts for harmonization of their legislation by incorporating the missing articles of the EU Regulations in existing or new laws or in laws already drafted for transposition and implementation of the passenger rights in the field of the relevant modes of transport.

Timeframe: Q2-Q3 2025

Cost: Initial costs per RP range between €35-€55k. ~€250k total cost for all RPs, within RP budget or external assistance

Importance/ Urgency/ Impact – Priority: High, as prerequisite for transposition and implementation of EU passenger rights

Type: Mandatory

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: Ministries competent for Transport, Consumer Protection, Economic & Finance, EU Integration, Carriers – Operators, Citizens/ Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise

LI3. Administrative reform for organizational aspects

Description and Rationale: This action is required for ensuring the establishment/ existence of a well-functioning administrative section at governmental level, presumably within the Ministry competent for Transport, as a prerequisite for having a structure in place with clear responsibilities for dealing with passenger rights. The type of requested administrative reform is to be defined by the policy formulation (previous step – LI1). It is recommended that RPs decide on the most effective option for this administrative reform, based on the policy formulated and the provisions of the relevant (harmonised with EU Regulations) laws.

Timeframe: Q2-Q3 2025

Cost: Considered negligible

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective transposition and implementation of EU passenger rights

Type: Mandatory

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: Ministries competent for Consumer Protection, Economic & Finance, Citizens/ Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: EEAS, TCT Secretariat – through RP reporting

LI4. Public and industry affairs

Description and Rationale: This action goes together with the administrative reform (LI3), and it is required for ensuring the coordination and interaction of the administrative section dealing with passenger rights at governmental level, presumably within the Ministry competent for Transport, with other authorities and stakeholders. It comprises establishment of Committees for cooperation with Consumer Protection authorities and with association of passengers and of people with disabilities or PRM. The definition of the public and industry affairs required is also a subject to be dealt with in the policy formulation (previous – initial step – LI1). It is recommended that RPs decide on the most effective option for this action, based on the policy formulated and the provisions of the relevant (harmonised with EU Regulations) laws (LI2).

Timeframe: Q2-Q3 2025

Cost: Considered negligible

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective transposition and implementation of EU passenger rights

Type: Mandatory (for a better functioning institutional setup for passenger rights, involving all stakeholders, including passengers and PRM)

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: Ministry competent for Consumer Protection, Carriers – Operators, Citizens/ Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise

L15. Establishment of National Enforcement Bodies

Description and Rationale: This action is required as part of the implementation of the passenger rights relevant laws, to be drafted and entered into force within a previous step of this list of legal and institutional actions and measures. The definition of the number and type of NEB(s) is also a subject to be dealt with in the policy formulation (previous – initial step – L11). RPs shall evaluate the options of establishing one NEB for all modes of transport or separate NEBs per mode of transport, within the competent Ministry for Transport (or Maritime Affairs, where applicable) or as independent bodies. It is recommended that RPs decide on the most effective option for this action, based on the policy formulated and the provisions of the relevant (harmonised with EU Regulations) laws, in order to ensure - above all - proper functioning, and then economy of scale.

Timeframe: Q2-Q3 2025

Cost: High (€112k-€320k, depending on the RP – total ~€1.2 million at WB level, annually), within RP budget

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Mandatory

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: -

Monitoring and evaluation: EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise

L16. Establishment of complaint handling and compensations mechanisms

Description and Rationale: This action is required as part of the implementation of the passenger rights relevant laws, to be drafted and entered into force within a previous step of this list of legal and institutional actions and measures. It is recommended that the establishment of complaint handling and compensation mechanisms by carriers/ operators shall follow a set of common rules defined by the RPs' relevant legislative acts. RPs, their competent Ministry for Transport (or similar) shall ensure that all carriers – operators will establish such mechanisms, i.e. that they will comply with the provisions of the relevant laws.

Timeframe: Q4 2025 - Q1 2026

Cost: Low (part of costs for NEBs establishment and operation), within RP budget and by industry

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Mandatory

Responsible body: Carriers – Operators, NEBs

Stakeholders: -

Monitoring and evaluation: Ministry competent for Transport (and Maritime Affairs, where applicable) for carriers – operators and NEBs, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise

L17. Establishment of data collection and reporting process

Description and Rationale: This action is required as part of the implementation of the passenger rights relevant laws, to be drafted and entered into force within a previous step of this list of legal and institutional actions and measures. The establishment of data collection and reporting process concerns the NEBs and carriers – operators, which must collect data on complaints handling. It is recommended that the data to be collected and forms/ means to be used should be standardized and in line with the policy formulated and the provisions of the relevant (harmonised with EU Regulations) laws.

Timeframe: Q4 2025 - Q1 2026

Cost: Low to Medium (few thousand euro per RP - function to be incorporated in already existing IT solutions), within RP budget and by industry

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Mandatory

Responsible body: Carriers – Operators, NEBs

Stakeholders: -

Monitoring and evaluation: Ministry competent for Transport (and Maritime Affairs, where applicable), TCT Secretariat – through RP reporting

1.2 Organisational/ Promotional actions and measures

This group of Organisational/ Promotional (**OP**) actions and measures is dedicated to raising the public awareness on the introduction and implementation of passenger rights and to further enhancing the capacities of the personnel shouldered with passenger rights implementation and provision of relevant services, such as assistance to PRM. These are actions and measures highly associated with the previous group (Legal/ Institutional) and are considered of high importance and value. However, their implementation presupposes that the legal framework is in place or is nearing its entry into force. Therefore, their prioritization and timeframe are applicable only in terms of adjusting their implementation to the progress of the actions and measures of the previous group.

OP1. Public awareness campaign and compliance monitoring

Description and Rationale: Without citizens - the end-beneficiaries of the establishment of the passenger rights regulatory framework - being aware about their rights, the harmonization of the legislation with the EU acquis would be simply the requirement's tick mark in the checklist. This action is required as a follow-up to the passenger rights relevant laws before or just after they enter into force. The public awareness campaign could take several forms, taking advantage of all means practically available, such as TV/radio channels, social media, organisation of ad-hoc thematic public events or public events in the margin of others (for example, during European Mobility Week, during inauguration of new or renovated terminals, railway lines or passenger services, during presentation of transport related strategies or plans and generally during events organized by the Ministry competent for transport, during events organized by Associations of passengers or people with disabilities and PRMs, etc.). The timing of such activities should be defined during the formulation of the policy and some related activities may start while the relevant (harmonised with EU Regulations) laws are in process of approval (e.g. public hearing), and then intensified after their approval.

Concerning compliance, it should be checked and monitored, and results of these actions should be part of the communicated information to public. Firstly, and above all, compliance with the EU Regulations and their main provisions should be communicated and explained in a simple and understandable manner for the wider audience. As part of this communication, the compliance checks process and timeframe should be made available and after its completion the relevant results should be published, as well as the results of compliance monitoring at pre-decided intervals. The communication should also include information about any actions and projects planned for improving compliance, for enhancing the passenger rights and improving the passengers' level of satisfaction, such as provision of assistance, establishment of platforms or Apps with all relevant information (passenger rights, itineraries, facilities, etc.), establishment of platforms for complaints submission, improvements of infrastructure at terminals, etc.

Timeframe: Q4 2025 – Q4 2026 (on various occasions)

Cost: Medium (~10k per RP, depending on selected activities), within RP budget – possible support from external sources (e.g. TCT)

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Recommended

Responsible body: Ministry responsible for Transport (and Maritime Affairs, where applicable), Carriers – Operators

Stakeholders: Citizens/ Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

OP2. Capacity building

Phase I – Before transposition

Description and Rationale: This action has been identified during the consultation with RPs to be required as part of the preparation for implementation of the passenger rights regulatory framework. Capacity building in this first phase will comprise provision of support in legal analysis, legal drafting and training. Capacity building should concern the personnel involved in the preparation of implementation of passenger rights, and in this first phase primarily the staff assigned in the governmental body responsible for passenger rights, and

extended to NEB(s) staff, in order to clarify the allocation of roles and responsibilities and generally the functioning of the structures and bodies established for effective implementation of the new passenger rights regulatory framework.

Timeframe: Q1 2025 – Q1 2026

Cost: Medium (~10k per RP), within RP budget – possible support from external sources (e.g. TCT)

Importance/ Urgency/ Impact – Priority: High, as prerequisite for implementation of EU passenger rights

Type: Recommended (and highly prioritized by RPs)

Responsible body: Ministry responsible for Transport (and Maritime Affairs, where applicable)

Stakeholders: NEBs, Terminals – infrastructure managers

Monitoring and evaluation: TCT Secretariat

Phase II – Post transposition

Description and Rationale: Capacity building in this second phase should concern all personnel involved in the implementation of passenger rights, primarily the staff assigned in the governmental body responsible for passenger rights, the NEB(s) staff, and extended to carriers and operators, in order to clarify the allocation of roles and responsibilities and generally the functioning of the structures and bodies established for effective implementation of the new passenger rights regulatory framework. Also, this action is envisaged to provide the RPs with updates and guidelines on any changes that will emerge in the meantime in the EU regulatory framework and the additional provisions to be transposed.

Timeframe: Q1 2026 – Q4 2026

Cost: Medium (~10k per RP), within RP budget – possible support from external sources (e.g. TCT, TAIEX)

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Recommended (if still needed by some RPs, after the implementation of Phase I), but also to provide support in harmonizing with the new relevant EU Regulations that are anticipated to enter into force by the end of 2025 – early 2026

Responsible body: Ministry responsible for Transport (and Maritime Affairs, where applicable)

Stakeholders: NEBs, Carriers – Operators, Terminals – infrastructure managers

Monitoring and evaluation: TCT Secretariat – through RP reporting

OP3. PRM related training

Description and Rationale: This action is required also as part of the implementation of the passenger rights relevant laws, to be drafted and entered into force, particularly regarding the special provisions dedicated to people with disabilities and PRMs. This can be performed in parallel or together with capacity building activities and organized back-to-back with public awareness events organized targeted to PRMs. The PRM related provisions of the regulations should be clearly explained and the training shall incorporate the practices that should be applied in specific contexts/ modes and circumstances, taking also into account replicable best practice examples that can be adopted in line with the new regulatory framework for passenger rights.

Timeframe: Q4 2025 – Q1 2026

Cost: Medium (~10k per RP), within RP budget – possible support from external sources (e.g. TCT)

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights, particularly for PRM

Type: Recommended (and prioritized by RPs)

Responsible body: Ministry responsible for Transport (and Maritime Affairs, where applicable) & NEBs

Stakeholders: Carriers – Operators, Terminals – infrastructure managers, PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

1.3 Technical actions and measures

This group of actions and measures of a more technical (**T**) nature, thus considered as “projects”, which are considered as the more appropriate among a list of actions and measures examined in previous stages of the assignment, particularly the review of best practices and the needs assessment. By the phrase “more appropriate” it is meant that they are considered as not too much advanced in terms of maturity for implementation in the WB region and also as having the maximum positive impact in terms of further enhancing or boosting the passenger rights, including PRM, and promoting the conditions for greener mobility through improvement of the conditions of the mass transportation systems. Provided that these projects are not considered as part of the passenger rights implementation process and thus cannot be mandatory, prioritization can be applied based on the anticipated cost, impact and specificities of the RPs.

To this end, these actions and measures have been evaluated within the Cost Effectiveness Analysis, even though associated costs and benefits are not part of the passenger rights implementation process, and presented to the RPs during the CEA workshop as potential projects to be implemented at regional or at RP level. More specifically, the RPs’ representatives were invited to rank the described projects and then the project highly ranked collectively by all responses was selected as potential regional pilot project and the second ranked project (in case that the first ranked project was the one selected as regional pilot) by each RP was selected as potential project to be implemented at RP level (see the following chapter).

T1. Establishment of an online platform for real-time information provision

Description and Rationale: This project is considered as an effective mean of reaching out to the wider population in each RP about passenger rights, providing an open platform which would comprise information about passenger rights for all modes of transport (at least the ones covered by the current assignment), terminals details on accessibility, requests for assistance provision, as well as real-time information about itineraries of the same modes of transport in WB region. This project can be separated in 3 phases:

Phase I – simplified version

In its simplified version it could be a platform or App that contains/ describes the passenger rights provisions per mode of transport, provides answers to Frequently Asked Questions and guidance on how to proceed with

claims. It also contains information about the rights of travellers with disabilities or reduced mobility per mode of transport ⁴⁰.

Basic precondition for establishing this platform, at least as far as passenger rights are concerned, is the transposition and implementation of the relevant regulatory framework according to EU Regulations. Assuming transposition and implementation enters into force in all RPs, a regional platform can be established based on the respective EU App on passenger rights, providing the relevant information adjusted accordingly to any specificities and clarifications. The potential of using the existing architecture of the current EU App “Your Passenger Rights” ⁴¹ should be explored with EC DG MOVE.

Phase II – version with additional information on accessibility and indicators

Independently from that, if RPs wish to establish a platform providing more than the simplified version of the platform or App, the platform may be enriched with information about details on accessibility of fleet and terminals and on requests for provision of assistance. This requires an inventory of such aspects at RP level, concerning all operators – carriers and provision of detailed and updated information from them and from terminals – infrastructure managers.

It can also be seen as a means of awareness raising, by including promotional videos from interviews from PRM associations about improvement of accessibility, or other passengers on exercising their passenger rights.

The platform, if decided to be developed at regional level, may be hosted by the TCT, like in the case of the Western Balkans Road Safety Observatory (WBRSO) and may also evolve to an Observatory on Passenger Rights in WB (WBPRO) to monitor specific indicators relevant to compliance and implementation of passenger rights, if deemed necessary and TCT and RPs decided so.

In this case, regular costs for maintenance and periodic updates will occur for the TCT, which otherwise would be borne by each of the RPs. However, these costs are considered manageable, provided the platform’s high added value for the region and the increase of effectiveness in monitoring passenger rights implementation by the TCT.

Phase III – version with real-time information on itineraries

The most advanced version of this platform would be a more dynamic one, providing real-time information on itineraries, delays, cancellations and incidents. The incorporation of such live information in the platform requires firm commitment among all parties involved (carriers, operators, etc.) in sharing real-time information. This could be also seen as a multimodal journey planner facilitating engine which could rely on information provided directly by the service providers than derived through other platforms. High-level binding agreements among all actors – stakeholders should be established for that purpose, which entails certain complexity, especially if the project is implemented at regional level.

Timeframe: 2026-2029 (in phases: Phase I Q3 2026 – Q3 2027, Phase II Q2 2027 – Q2 2028, Phase III Q3 2028 – Q3 2029)

Cost: High (~150k at regional level or 25k per RP), potential for Technical Assistance provision (e.g. TCT, CONNECTA)

⁴⁰ Note: the EU App includes air passenger rights section as well

⁴¹ Available at https://transport.ec.europa.eu/transport-themes/passenger-rights/passenger-rights-campaign/download-app_en

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Recommended (and prioritized by RPs)

Responsible body: Ministries competent for Transport - and Maritime Affairs, where applicable (if applied at RP level) or TCT Secretariat (if applied at regional level)

Stakeholders: Ministries, Carriers – Operators, Terminals – Infrastructure Managers, ITS National Access Points, Passengers and PRM Associations

Monitoring and evaluation: TCT Secretariat (through RP report in case of implementation at RP level)

T2. Establishment of platform for online complaint submission

Description and Rationale: This action is associated with the provision of an online complaints submission system (platform) on governmental level with instant notification of NEBs. When a complaint is submitted through this platform, the service provider (it is mandatory for all service providers of transport to take part) and the competent authority for the sector (NEBs in the case of transport) are simultaneously notified. A set time period is given to the service provider to respond to complaints. If the deadline is exceeded, an administrative proceeding (with the possible imposition of fines) may be initiated by the competent authority.

To increase the impact and maximise the utility of the specific action, and since this action involves the use of the platform by the users, the wider public should be informed about the existence of the platform through public awareness campaigns (OP1). Examples of use of the platform in practice can be demonstrated also on the same online platform and/ or the platform on passenger rights (T1) described above.

Timeframe: Q2-Q4 2026

Cost: Low to medium (a few thousand € per RP - Function to be incorporated in already existing IT solutions), within RP budget

Importance/ Urgency/ Impact – Priority: Medium to High

Type: Recommended

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: NEBs, Carriers – Operators, Citizens/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

T3. Collection, processing and publication of data/ statistics

Description and Rationale: This action requires from RPs to collect and publish statistics from operators and terminal managers on quality of service and performance related to passenger travel, such as on-time departures performance/ delays, mishandled baggage, overbooking, consumer complaints, PRM statistics, etc. This allows authorities to publish regular reports available to passengers and the industry to better understand the situation. This also acts as an incentive for operators and terminal managers.

The action is relevant to the online platform and WBPRO (T1-Phase II), which can be fed with raw or already processed data and allow the monitoring the effective passenger rights implementation.

Timeframe: Q3 2026 – Q3 2027

Cost: Low to medium (a few thousand € per RP), within RP budget (Administration and NEBs) and by industry (collecting and providing data)

Importance/ Urgency/ Impact – Priority: Low, requires Regulations to enter into force

Type: Recommended

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: NEBs, Carriers – Operators, Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

T4. Passengers' awareness and satisfaction surveys

Description and Rationale: This action foresees conducting national surveys of passengers' awareness on passenger rights and satisfaction, with the aim of examining the habits and satisfaction of users of public transport. This would allow to gain know-how about passengers' habits and preferences on public transportation and push forward so that these can be taken into account by the authorities and transport operators. The surveys are targeted firstly to assess the awareness of passengers about their rights, their experience (if any) and satisfaction with the existence of the passenger rights (e.g. information before purchase and travel, information during and after travel, ticketing, assistance provision, complaints potential, etc.), and then, given the opportunity of the survey, to assess their overall satisfaction with the provided transport services and travel experience through a set of questions relevant to the services (e.g. pricing/ value for money, frequency, reliability, cleanness, comfort, etc.).

Timeframe: Q2 2027 – Q2 2028

Cost: High (~€150k at regional level or ~€25k per RP), within RP budget, potential for Technical Assistance provision (e.g. TCT, CONNECTA)

Importance/ Urgency/ Impact – Priority: Medium, for post-transposition period and after public awareness actions

Type: Recommended

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable), Carriers - Operators

Stakeholders: Consumers/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

T5. Compliance checks and validation of results by passengers and PRM associations

Description and Rationale: This action comprises compliance check of terminals, fleet and equipment availability and validation of results by passengers and PRM associations. It is aimed at assessing the current level of compliance with the regulatory requirements, ensuring that the conditions are in place for proper implementation of passenger rights. It requires an inventory of terminals, fleet and equipment and the findings should be then validated by the users and particularly PRM associations.

It is associated with and contributes to the action related to the establishment of a platform on passenger rights (T1 – Phase II).

Timeframe: Q3 2026 – Q3 2027

Cost: High (~€150k at regional level or ~€25k per RP), within RP budget, potential for Technical Assistance provision (e.g. TCT, CONNECTA)

Importance/ Urgency/ Impact – Priority: High, as prerequisite for effective implementation of EU passenger rights

Type: Recommended

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Stakeholders: Carriers – Operators, Terminals – Infrastructure Managers, Citizens/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

T6. Pricing policy evaluation for introducing special tariffs for PRM

Description and Rationale: This project concerns the preparation of a pricing policy study to examine the potential for introducing special tariffs for people with disabilities or with reduced mobility, in case such special pricing is not applied by some RP. This can be done based on the data that will be collected and statistics that will be produced from the surveys mentioned regarding public awareness and satisfaction (T4). Also, it can be part of a passenger rights policy evaluation (Legal/ Institutional measure), to assess the policy implementation and introduce corrective measures as of 2030.

Timeframe: Q3 2028 – Q4 2029

Cost: Low to Medium (a few thousand € per RP, higher if combined with T4), within RP budget

Importance/ Urgency/ Impact – Priority: Low

Responsible body: Ministry competent for Transport (and Maritime Affairs, where applicable)

Type: Recommended

Stakeholders: Carriers – Operators, Terminals – Infrastructure Managers, Citizens/ Passengers/ PRM Associations

Monitoring and evaluation: TCT Secretariat – through RP reporting

The presented Comprehensive Roadmap at regional level is summarized in the following series of tables per group of actions and measures, and it is schematically presented in **Figure 2**.

Table 25 – Comprehensive Roadmap for passenger rights implementation in WB region: Legal/ Institutional actions and measures

Action/ Measure	Timeframe	Responsible body	Cost and potential funding	Stakeholders involved	Monitoring and Evaluation body	Remarks
LI1. Legal analysis for transposition of the EU legislation provisions and policy formulation	Q1-Q2 2025	Ministry competent for Transport (and Maritime Affairs, where applicable)	Initial costs per RP range between €35-€55k. ~€250k total cost for all RPs. Within RP budget or external assistance	Ministries competent for Consumer Protection, Economic & Finance, EU Integration, Citizens/ Consumers/ Passengers/ PRM Associations	EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise	Prerequisite for transposition and implementation of EU passenger rights
LI2. Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws	Q2-Q3 2025	Ministry competent for Transport (and Maritime Affairs, where applicable)		Ministries competent for Consumer Protection, Economic & Finance, EU Integration, Carriers – Operators, Citizens/ Consumers/ Passengers/ PRM Associations		Prerequisite for transposition and implementation of EU passenger rights
LI3. Administrative reform for organizational aspects	Q2-Q3 2025	Ministry competent for Transport (and Maritime Affairs, where applicable)	Considered negligible. Within RP budget	Ministries competent for Consumer Protection, Economic & Finance, Citizens/ Consumers/ Passengers/ PRM Associations	EEAS, TCT Secretariat – through RP reporting	Prerequisite for transposition and implementation of EU passenger rights
LI4. Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility	Q2-Q3 2025	Ministry competent for Transport (and Maritime Affairs, where applicable)	Considered negligible. Within RP budget	Ministry competent for Consumer Protection, Carriers – Operators, Citizens/ Consumers/ Passengers/ PRM Associations	EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise	Prerequisite for transposition and implementation of EU passenger rights

Action/ Measure	Timeframe	Responsible body	Cost and potential funding	Stakeholders involved	Monitoring and Evaluation body	Remarks
LI5. Establishment of National Enforcement Body/ies	Q2-Q3 2025	Ministry competent for Transport (and Maritime Affairs, where applicable)	High (€112k-€320k, depending on the RP – total ~€1.2 million at WB level, annually), within RP budgets	-	EEAS, TCT Secretariat – through RP reporting (self-evaluation) or through direct evaluation exercise	Prerequisite for transposition and implementation of EU passenger rights
LI6. Establishment of complaint handling and compensations mechanisms	Q4 2025 – Q1 2026	Carriers – Operators, NEBs	Low (part of costs for NEBs establishment and operation), within RP budget and by industry	-	Ministry competent for Transport (and Maritime Affairs, where applicable), TCT Secretariat – through RP reporting or through direct evaluation exercise	Prerequisite for transposition and implementation of EU passenger rights
LI7. Establishment of data collection and reporting process	Q4 2025 – Q1 2026	Carriers – Operators, NEBs	Low to Medium (few thousand € per RP - function to be incorporated in already existing IT solutions), within RP budget and by industry	-	Ministry competent for Transport (and Maritime Affairs, where applicable), TCT Secretariat – through RP reporting	Prerequisite for transposition and implementation of EU passenger rights

Table 26 – Comprehensive Roadmap for passenger rights implementation in WB region: Organisational/ Promotional actions and measures

Action/ Measure	Timeframe	Responsible body	Cost and potential funding	Stakeholders involved	Monitoring and Evaluation body	Remarks
OP1. Public awareness campaign and compliance monitoring	Q4 2025 – Q4 2026 (on various occasions)	Ministry responsible for Transport (and Maritime Affairs, where applicable), Carriers – Operators	Costs are considered medium (~€10k per RP, depending on selected activities), within RP budget – possible support from external sources (e.g. TCT)	Citizens/ Consumers/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	Prerequisite for effective implementation of EU passenger rights
OP2. Capacity building (Phase I to be implemented as pilot project at regional level)	Q1 2025 – Q4 2026 (in two phases: Phase I in 2025 – Phase II in 2026)	Ministry responsible for Transport (and Maritime Affairs, where applicable)	Medium (~€10k per RP), within RP budget – possible support from external sources (e.g. TCT, TAIEX)	NEBs, Carriers – Operators, Terminals – infrastructure managers	TCT Secretariat	Prerequisite for effective implementation of EU passenger rights
OP3. PRM related training	Q4 2025 – Q1 2026	Ministry responsible for Transport (and Maritime Affairs, where applicable) & NEBs	Costs are considered medium (~€10k per RP), within RP budget – possible support from external sources (e.g. TCT)	Carriers – Operators, Terminals – infrastructure managers, PRM Associations	TCT Secretariat – through RP reporting	Prerequisite for effective implementation of EU passenger rights

Table 27 – Comprehensive Roadmap for passenger rights implementation in WB region: Technical actions and measures

Action/ Measure	Timeframe	Responsible body	Cost and potential funding	Stakeholders involved	Monitoring and Evaluation body	Remarks
T1. Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision	2026-2029 (in phases)	Ministries competent for Transport and Maritime Affairs, where applicable (if applied at RP level) or TCT Secretariat (if applied at regional level)	High (~€150k at regional level or ~€25k per RP), potential for Technical Assistance provision (e.g. TCT, CONNECTA)	Ministries, Carriers – Operators, Terminals – Infrastructure Managers, ITS National Access Points, Passengers and PRM Associations	TCT Secretariat (through RP report in case of implementation at RP level)	Could be established in parallel with transposition of regulations. Requires inventory.
T2. Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing	Q2-Q4 2026	Ministry competent for Transport (and Maritime Affairs, where applicable)	Low to Medium (a few thousand € per RP - Function to be incorporated in already existing IT solutions), within RP budget	NEBs, Carriers – Operators, Citizens/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	To be established after regulations enter into force. Relevant with public awareness activities (OP1) and online information platform (T1).
T3. Collection, processing and publication of data/ statistics	Q3 2026 – Q3 2027	Ministry competent for Transport (and Maritime Affairs, where applicable)	Low to Medium (a few thousand € per RP), within RP budget (Administration and NEBs) and by industry (collecting and providing data)	NEBs, Carriers – Operators, Consumers/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	To be established after regulations enter into force.

Action/ Measure	Timeframe	Responsible body	Cost and potential funding	Stakeholders involved	Monitoring and Evaluation body	Remarks
T4. Passengers' awareness and satisfaction surveys	Q2 2027 – Q2 2028	Ministry competent for Transport (and Maritime Affairs, where applicable), Carriers - Operators	High (~€150k at regional level or ~€25k per RP), within RP budget - potential for Technical Assistance provision (e.g. TCT, CONNECTA)	Consumers/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	Could be initiated earlier, after public awareness campaigns, to ensure that with transposition the conditions are in place for proper implementation of passenger rights (to create the baseline to perform ex ante and ex post evaluation).
T5. Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations	Q3 2026 – Q3 2027	Ministry competent for Transport (and Maritime Affairs, where applicable)	High (~€150k at regional level or ~€25k per RP), within RP budget, potential for Technical Assistance provision (e.g. TCT, CONNECTA)	Carriers – Operators, Terminals – Infrastructure Managers, Citizens/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	To ensure that with transposition the conditions are in place for proper implementation of passenger rights. Requires inventory.
T6. Pricing policy evaluation for introducing special tariffs for PRM	Q3 2028 – Q4 2029	Ministry competent for Transport (and Maritime Affairs, where applicable)	Low to Medium (a few thousand € per RP, higher if combined with T4), within RP budget	Carriers – Operators, Terminals – Infrastructure Managers, Citizens/ Passengers/ PRM Associations	TCT Secretariat – through RP reporting	For post-transposition period and after public awareness raising actions. Could be combined with passenger rights policy evaluation (Legal/ Institutional measure) and introduction of corrective measures as of 2030.

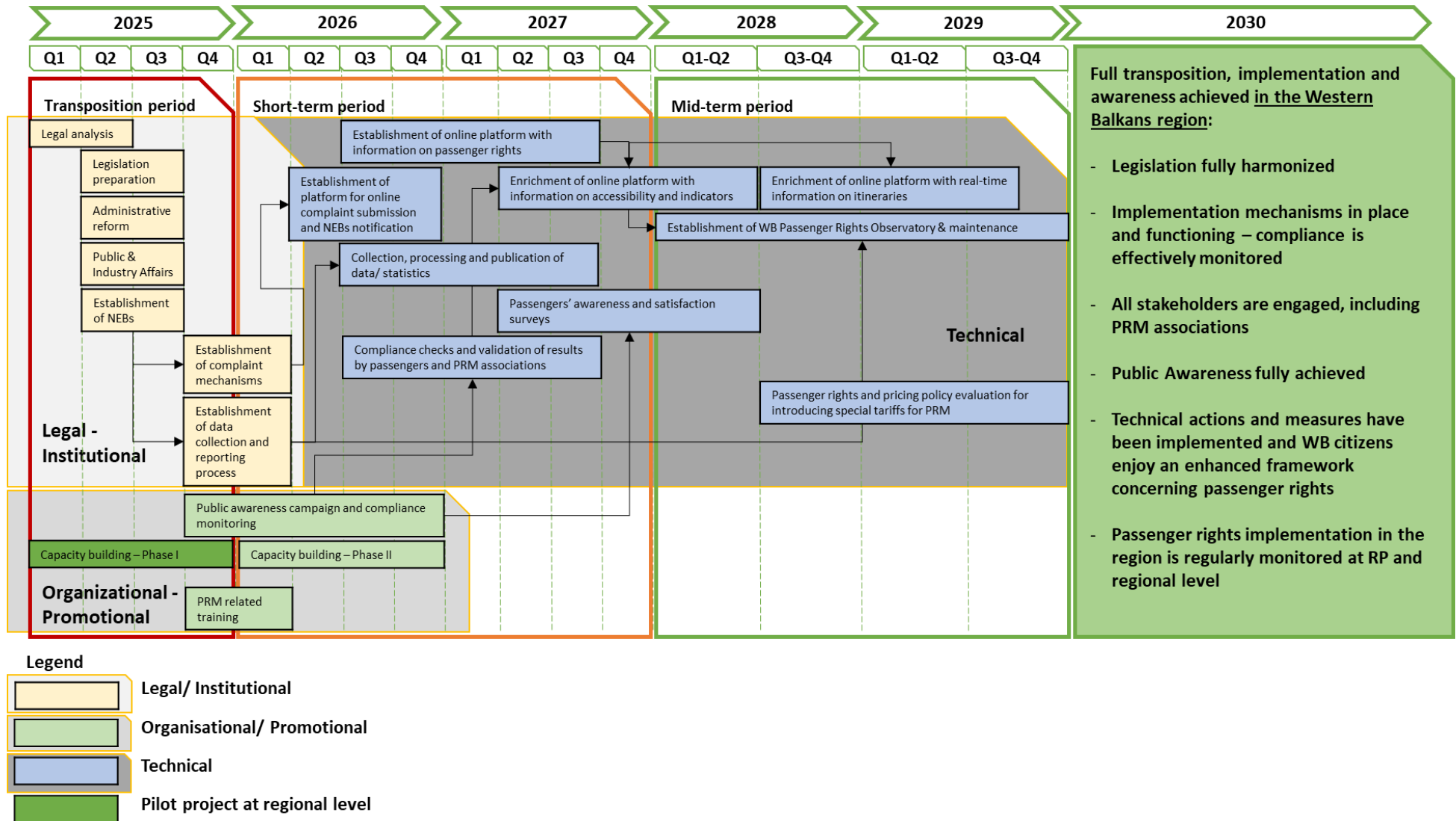


Figure 2 – Regional Roadmap for the improvement of passenger rights in the Western Balkan region

2 Selected pilot projects at regional level and in each RP

2.1 Approach for the selection of pilot projects

The criteria used for the formulation of the Roadmaps and the identification of potential pilot projects have been based on the previous assessment performed in the framework of Cost Effectiveness Analysis, which considered all relevant actions that had been identified within the review of the Regulations, best practices, gap analysis and needs definition.

This assessment was based on the following evaluation criteria:

- Anticipated Cost and Cost Effectiveness (Non-quantified or quantified)
- Anticipated benefit (Non-quantified or quantified)
- Complexity and time frame (interdependencies with other measures and actions)

Based on the description provided in the Comprehensive Roadmap at regional (WB) level presented in the previous chapter, the RPs were informed about the required and potential actions and measures during the CEA Workshop (Podgorica, 10 September 2024) and were engaged in a prioritisation exercise in order that their needs and aspirations are recorded and better understood and to set a common ground for a jointly acknowledged approach to enhance passenger rights in the region.

Based on the actions and measures ranking exercise, it was evident that the RPs' need in capacity building is much higher than other potential pilot projects to be promoted for implementation. During and after the CEA Workshop, four out of five RPs' representatives ranked capacity building as top priority, while a fifth RP as second, and instead public awareness and compliance monitoring was ranked first. It should be noted though that RPs have different standing positions regarding the passenger rights transposition and implementation and thus their needs are highly determined by this.

Summarising the feedback from the group discussions and the evaluation forms provided from the participants of the two workshops organised in the framework of this TA assignment, RPs expect to:

- receive further support from consultants during the process of drafting national legislation (providing opinion/ suggestions when transposing the Regulations provisions),
- hear more about EU best practices, examples of real-life case studies and ways of problem solving,
- hear about concrete ways of introducing compensations in railway transport,
- see examples/ solutions of implementation in national regulations in order to fulfil the harmonisation requirements,
- hear about passenger rights in multimodal transport,
- learn about experiences of EU Member States and their NEBs' structures,
- hear about provision of guidelines to carriers – operators,
- to have visit to EU Member State to see how the relevant structures operate.

Case studies and other aspects listed above (such as passenger rights for multimodal journeys) have been dealt with under the current assignment through the outputs prepared (Task 1) and made available to RPs. In

addition, during the second Workshop (Belgrade, 21 October 2024), the Consultant presented the current setup and experience from Greece (reporting, statistics, practices) per mode of transport, and an invited speaker presented the experience of the biggest transport operator in Greece (OASA), responsible for public transport in Attica Region.

Taking into account that a regional project should cover the needs of most of the RPs, as it emerged from the ranking exercise as well as the group discussion and the anonymous evaluation forms received, **continuing Technical Assistance provision comprising of a component for support in legislation drafting and a component for capacity building activities should be considered for promotion as regional project** for the immediate next period.

2.2 Selected pilot project in the WB region

The selected pilot project, which would cover at the same time all the RPs, comprises primarily capacity building activities. Capacity building was almost unanimously ranked first by the RPs, who – during the 1st workshop organized in the framework of this TA assignment – highlighted that they need to gain more knowledge about implementation of passenger rights, through case studies, best practices, problems met and problem solving, and to receive support in drafting their legislation to harmonise with the relevant EU regulations.

While this action has been included as an Organisational/ Promotional category of the Roadmap and it was initially scheduled to start after the transposition of the EU passenger rights, it becomes urgent, according to the feedback received from the RPs and in its Phase I it comprises provision of support to RPs on implementing Legal/ Institutional measures. **Capacity building activities relate to provision of support (e.g. technical assistance, legal support) for:**

- Performing RP-specific legal analysis and policy formulation
- Drafting of laws and relevant legal acts and preparation for their adoption
- Advising on the administrative reform to serve the needs of the new policy and regulatory framework
- Advising on the public and industry affairs and the establishment of relevant bodies, rules of procedure and their functions

All the above are actions that are scheduled for 2025 and are aligned with the TCT Action Plan, which foresees harmonization of the RPs legal framework on passenger rights with the relevant EU Acquis. The project preparation may start in already in Q4 2024 and more intensively in Q1 2025, to run in parallel with the relevant (targeted) activities of the Roadmap. Depending on availability of funding, the preparation for PRM-related training activities may be also added to the pilot project, given that this type of activities has been also highly ranked by the RPs.

A second phase (Phase II) of capacity building may follow in Q1 2026, after the new regulatory framework for passenger rights enters into force. This, as already described in the previous chapter, will be focused on all personnel involved in the implementation of passenger rights (governmental body(ies), NEB(s), carriers, operators and terminals managers), in order to further clarify the roles, obligations and responsibilities of each and the function of the setup. This will aim at further enhancing the capacities of all parties involved, assessing the first experiences in implementing passenger rights framework, identification of problems and application of corrective measures for ensuring a more efficient setup. Provided that new Regulations proposals have

been drafted by the European Commission and are expected to be adopted by EU co-decision instruments in late 2025 – early 2026, this phase of capacity building will be useful to provide updates and guidance to RPs regarding the additional harmonization requirements and further actions and measures.

Both phases could be implemented with the coordination and monitoring of the Transport Community Permanent Secretariat, which potentially could also finance these Technical Assistance assignments.

A second project that could be also seen as potential regional pilot project is the **establishment of an online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision**. However, given the low level and uneven state of play of harmonization of RPs legislation with the EU Acquis on passenger rights, only its first phase can be implemented (Phase I – simplified version), with preparatory activities undertaken for establishing the platform (design of the application, selection of contents, collection of information, organizational setup for the establishment and maintenance of the platform). This project, in its pilot phase, can also comprise activities from Phase II, with precursor activities particularly for surveys and data collection, namely information that will feed the platform in its enriched version: data on accessibility of fleet and terminals, requests for provision of assistance, etc. It can also include awareness raising materials, such as videos and interviews, and updates on evolutions and progress regarding the implementation of passenger rights of each of the RPs. If so decided, after consultation with the RPs and the TCT, this pilot can be the precursor of an Observatory on Passenger Rights in the region, which would increase the effectiveness in monitoring passenger rights implementation at regional level.

Last, but not least, another highly ranked project concerns **PRM-related training**. As already mentioned, this could be seen as a potential for inclusion in the selected pilot project to be implemented at regional level as a component, under the condition of availability of funds, or to be implemented separately by a group of RPs. If so decided by other RPs and the TCT, one training programme could be drafted for all RPs and then specialized per RP according to the specific contexts/ modes and conditions.

2.3 Selected pilot project in each RP

Concerning the pilot projects to be promoted for implementation at RP level, these were defined based on:

- a) the ranking performed
- b) the 1st ranked project for a Regional Partner, or its 2nd ranked project in case that the 1st coincides with the regional project
- c) the maturity (preconditions) for implementation of a given project (e.g. if transposition is to be achieved first and this is not the case)

These pilot projects are presented below per RP. This selection was taken into consideration in the RP-specific Roadmaps presented in the following chapter, which was subject of consultation with RPs during the 2nd Workshop implemented in the framework of this assignment on October 21, 2024, in Belgrade.

Albania:

- PRM related training, as top priority
and, in case of fast progress and depending on availability of funds,
- Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision – Phase I

Bosnia and Herzegovina:

- Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision – Phase I, as top priority
and, in case of fast progress and depending on availability of funds,
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations

Kosovo:

- Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision – Phase I (2nd ranked project at regional level)
and, in case of fast progress and depending on availability of funds,
- PRM related training (3rd ranked project at regional level)

Montenegro:

- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations, as top priority
and, in case of fast progress and depending on availability of funds,
- PRM related training

North Macedonia:

- PRM related training
and, in case of fast progress and depending on availability of funds,
- Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision – Phase I

Serbia:

- Establishment of online platform for provision of real-time information on itineraries, passenger rights, terminals details on accessibility and requests for assistance provision – Phase I, as top priority
and, in case of fast progress and depending on availability of funds,
- PRM related training

It can be recognized that actions related to PRM have been highly ranked by most of the RPs, particularly concerning activities of PRM related training, which ranked third at regional level. This maybe also considered as a potential regional pilot project to be implemented by two or more RPs, or even included as a third component in the regional pilot project, under the precondition of availability of the funding resources necessary. Similarly, the same applies for the establishment of an online platform for provision of information on passenger rights, terminals details on accessibility and requests for assistance provision, which is ranked second at regional level.

3 Roadmaps and recommendations for the implementation of passenger rights in each RP

Based on the regional Roadmap previously presented and based on the particularities of each RP, Roadmaps with actions and measures and recommendations have been prepared, tailored made per RP, incorporating the selected regional and RP pilot projects as well.

The Roadmaps are presented per period (Transposition, Short-term and Mid-term) and – to the extent possible – per group of actions and measures.

3.1 Albania

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (implemented as pilot project at RP level)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (potentially implemented as 2 nd pilot project at RP level – start, if possible)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (Phase I, potentially implemented as 2 nd pilot project at RP level – complete)
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics (complete)
- Passengers’ awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers’ awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in Albania is presented in schematic form in **Figure 3**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.

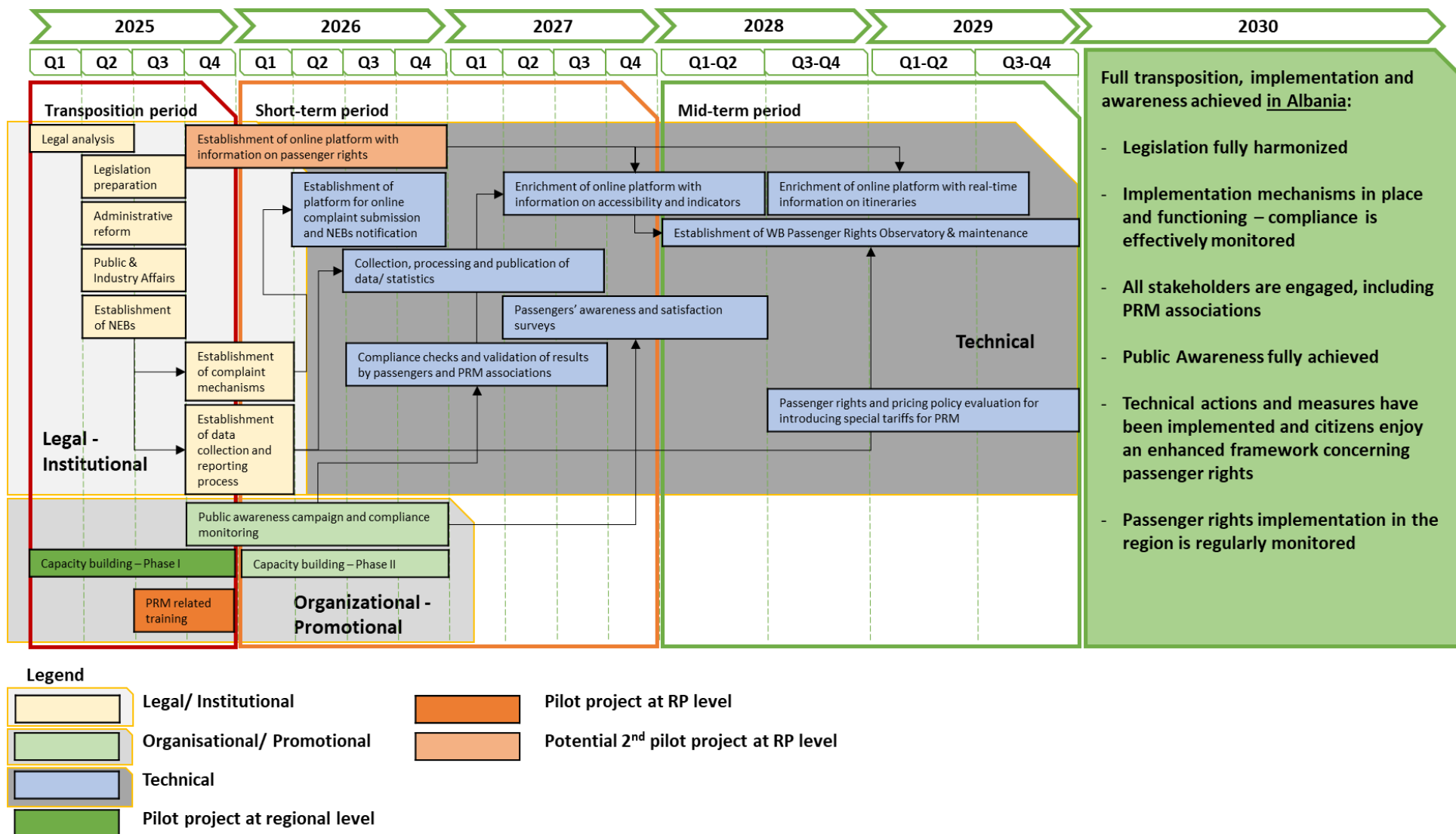


Figure 3 – Roadmap for the improvement of passenger rights in Albania

3.2 Bosnia and Herzegovina

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (start)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations (potentially implemented as 2 nd pilot project at RP level – start, if possible)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – complete)
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics (complete)
- Passengers’ awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations (potentially implemented as 2 nd pilot project at RP level – complete)
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers’ awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in Bosnia and Herzegovina is presented in schematic form in **Figure 4**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.

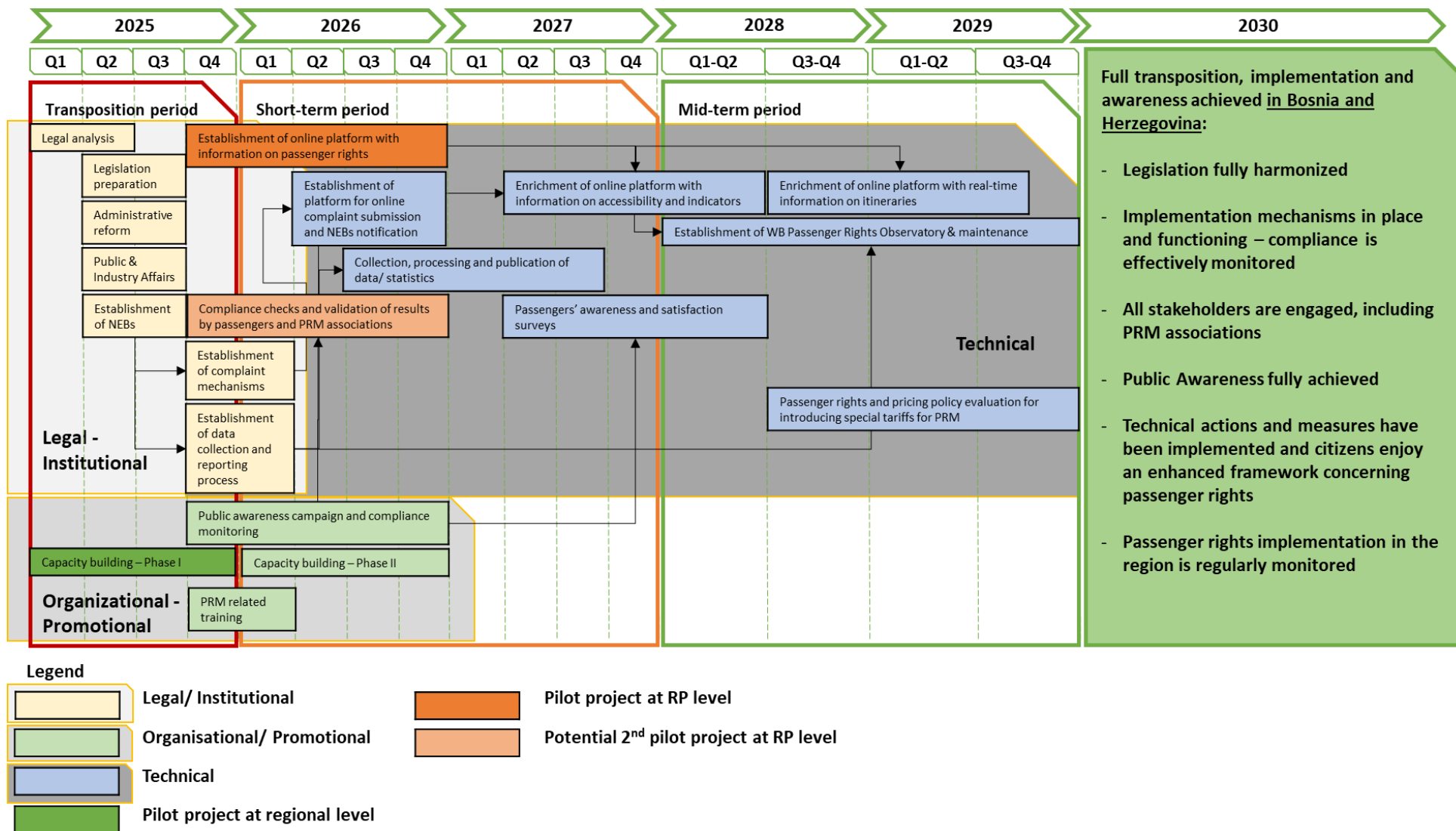


Figure 4 – Roadmap for the improvement of passenger rights in Bosnia and Herzegovina

3.3 Kosovo

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (implemented as 2 nd pilot project at RP level, if possible)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – start)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – complete)
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics
- Passengers’ awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers’ awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in Kosovo is presented in schematic form in **Figure 5**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.

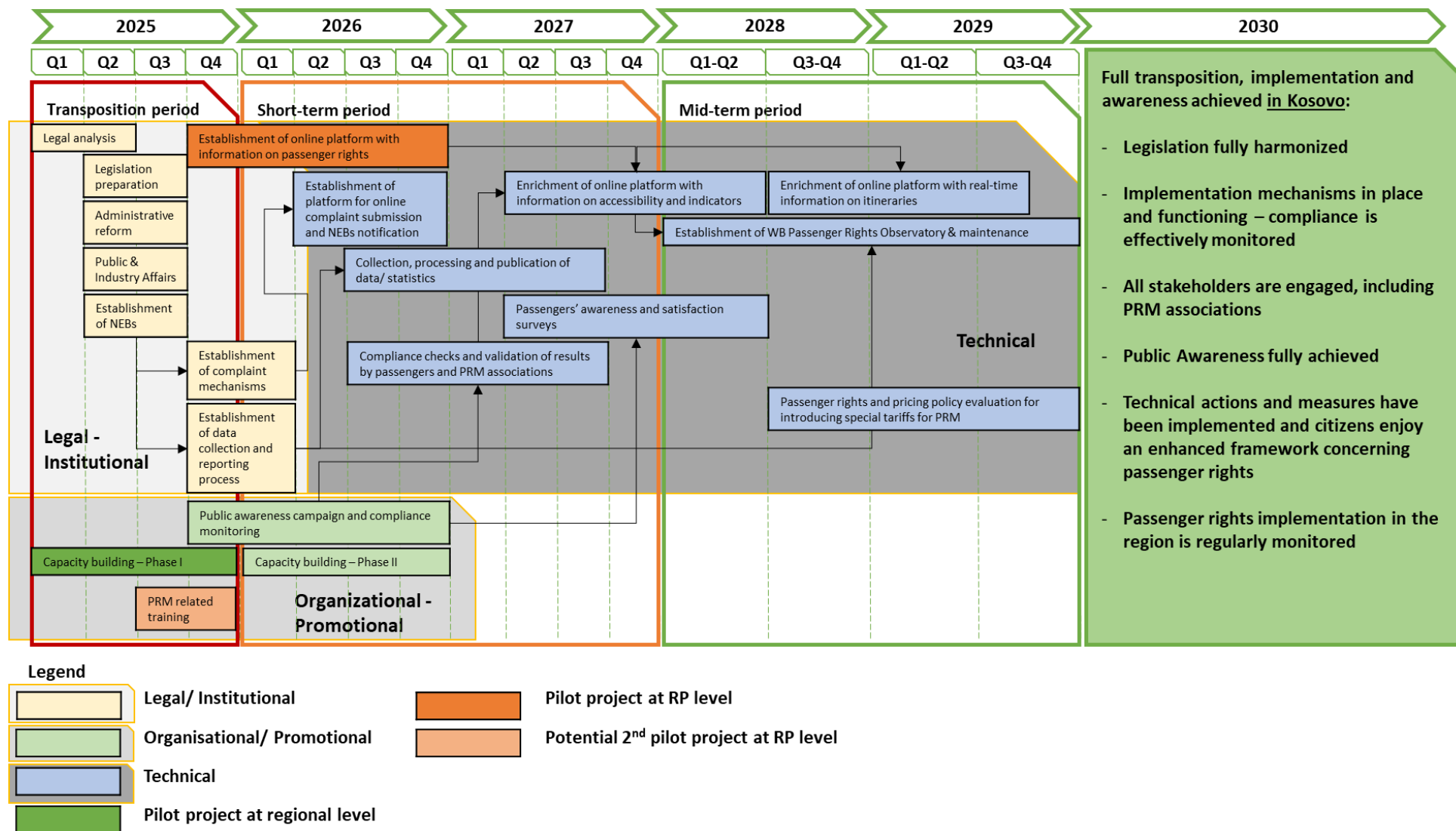


Figure 5 – Roadmap for the improvement of passenger rights in Kosovo

3.4 Montenegro

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (potentially implemented as 2 nd pilot project at RP level, if possible)

Technical actions and measures
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations (implemented as pilot project at RP level – start)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics
- Passengers' awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations (implemented as pilot project at RP level – complete)
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers' awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in Montenegro is presented in schematic form in **Figure 6**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.

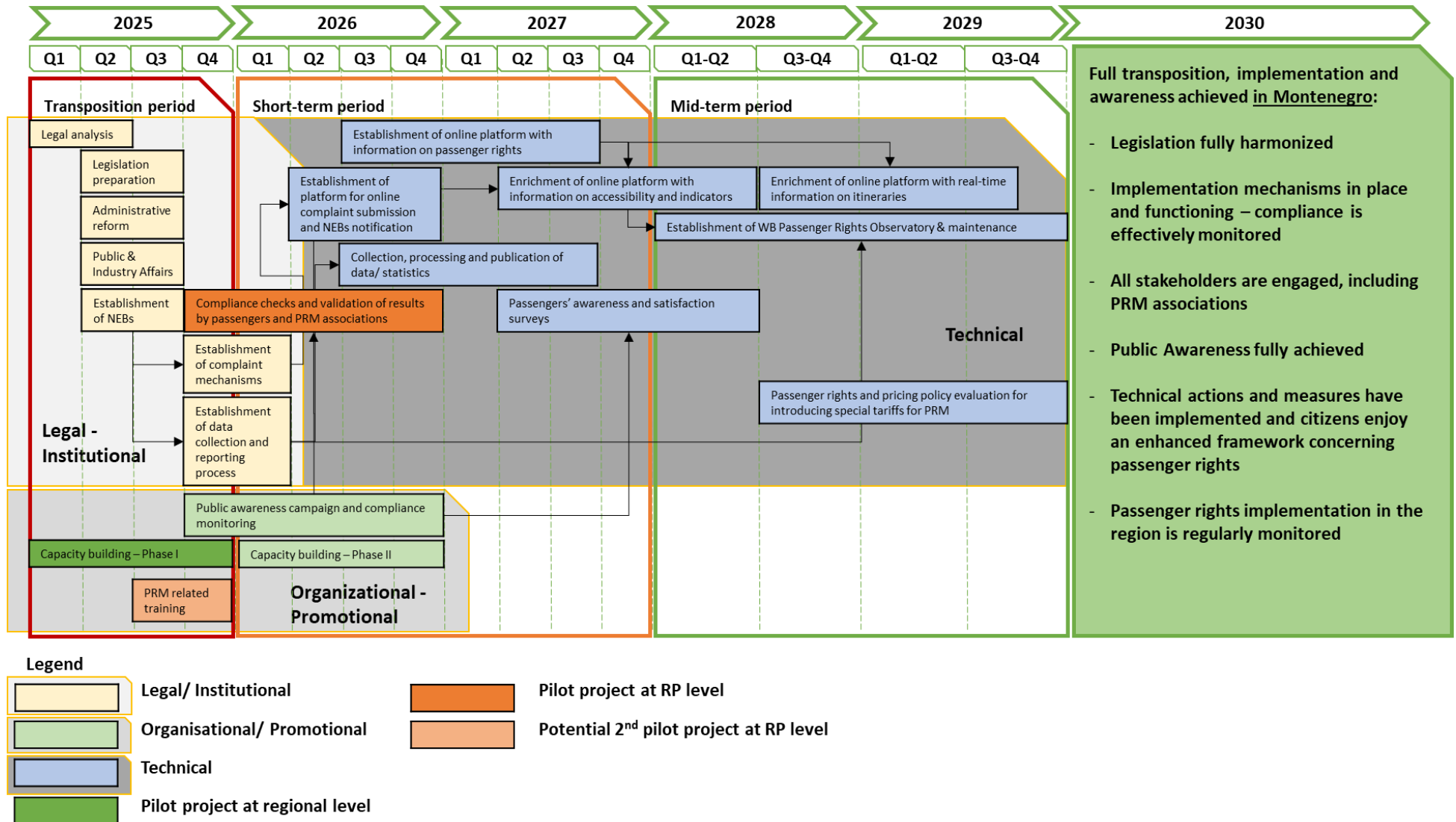


Figure 6 – Roadmap for the improvement of passenger rights in Montenegro

3.5 North Macedonia

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (implemented as pilot project at RP level)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (potentially implemented as 2 nd pilot project at RP level – start, if possible)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

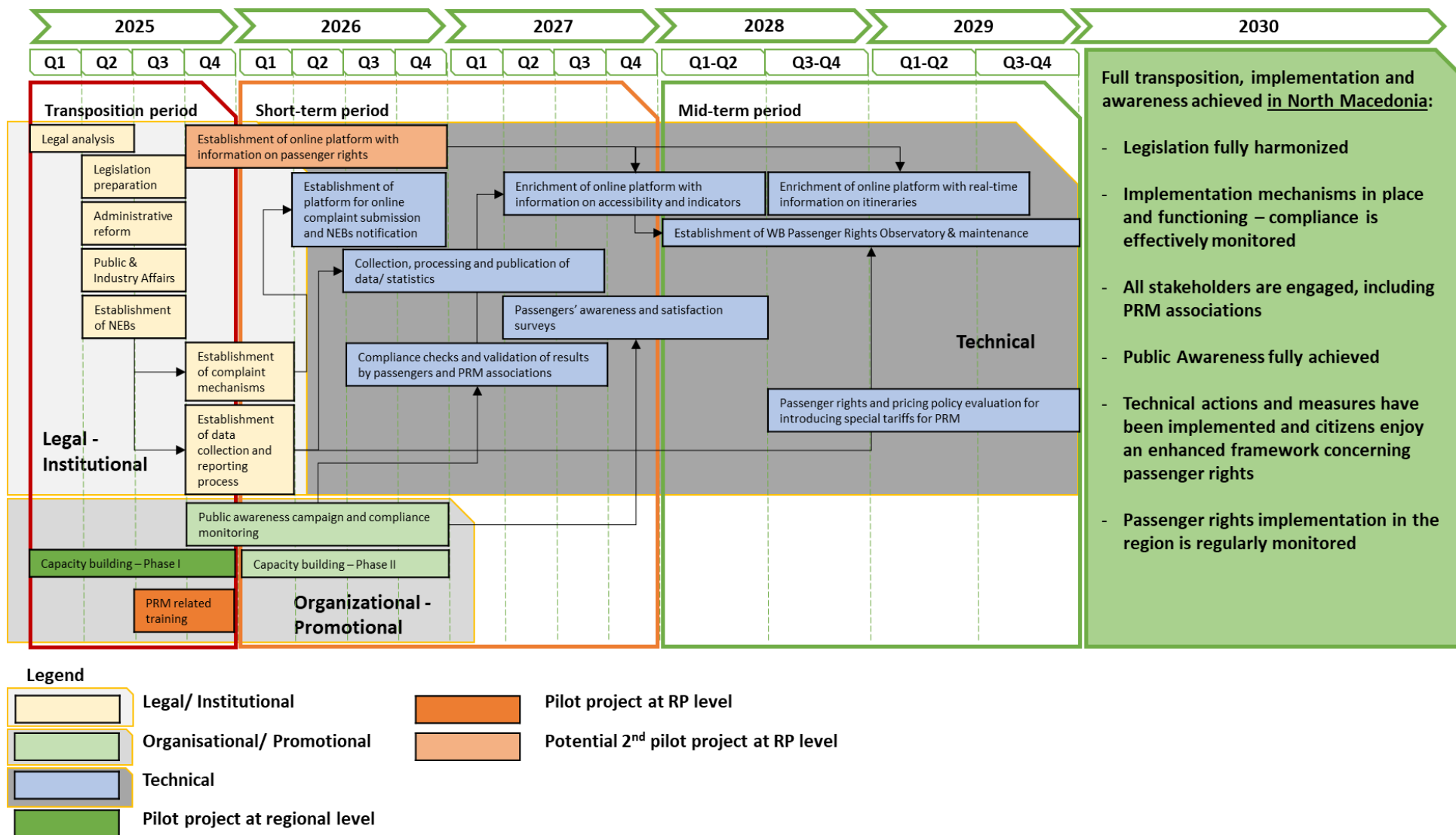
Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (potentially implemented as 2 nd pilot project at RP level – complete)
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics (complete)
- Passengers’ awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers’ awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in North Macedonia is presented in schematic form in **Figure 7**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.



- Full transposition, implementation and awareness achieved in North Macedonia:**
- Legislation fully harmonized
 - Implementation mechanisms in place and functioning – compliance is effectively monitored
 - All stakeholders are engaged, including PRM associations
 - Public Awareness fully achieved
 - Technical actions and measures have been implemented and citizens enjoy an enhanced framework concerning passenger rights
 - Passenger rights implementation in the region is regularly monitored

Figure 7 – Roadmap for the improvement of passenger rights in North Macedonia

3.6 Serbia

During the transposition period (2025), the following activities are foreseen:

Legal/ Institutional actions and measures
- Legal analysis for transposition of the EU legislation provisions and policy formulation
- Legislation preparation for full transposition of the relevant Regulations and adoption of the relevant laws
- Administrative reform for organizational aspects
- Public and industry affairs, including establishment of committees for cooperation with Consumer Protection authorities and with associations of passengers and of people with disabilities or reduced mobility
- Establishment of National Enforcement Body/ies
- Establishment of complaint handling and compensations mechanisms (start)
- Establishment of data collection and reporting process (start)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (start)
- Capacity building (implemented as regional pilot project – Phase I)
- PRM related training (implemented as 2 nd pilot project at RP level, if possible)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – start)

During the short-term period (2026-2027), the following activities are foreseen:

Legal/ Institutional actions and measures
- Establishment of complaint handling and compensations mechanisms (complete)
- Establishment of data collection and reporting process (complete)

Organisational/ Promotional actions and measures
- Public awareness campaign and compliance monitoring (complete)
- Capacity building (Phase II)

Technical actions and measures
- Establishment of online platform for provision of information on passenger rights (implemented as pilot project at RP level – complete)
- Establishment of platform for online complaint submission and instant notification of NEBs for complaint processing (complete)
- Collection, processing and publication of data/ statistics
- Passengers’ awareness and satisfaction surveys (start)
- Compliance check of terminals, fleet and equipment availability; validation of results by passengers and PRM associations
- Enrichment of online platform with information on accessibility and indicators (start)

During the mid-term period (2028-2029), the following activities are foreseen:

Technical actions and measures
- Enrichment of online platform with information on accessibility and indicators (complete)
- Enrichment of online platform with real-time information on itineraries
- Contribution to the Western Balkans Passenger Rights Observatory (if established)
- Passengers’ awareness and satisfaction surveys (complete)
- Passenger rights and pricing policy evaluation for introducing special tariffs for PRM

The proposed Roadmap for improvement of passenger rights in Serbia is presented in schematic form in **Figure 8**. The duration of activities is indicative of the timespan in which an action should be implemented, while the arrows provide the correlation between actions and measures and their logical sequence.

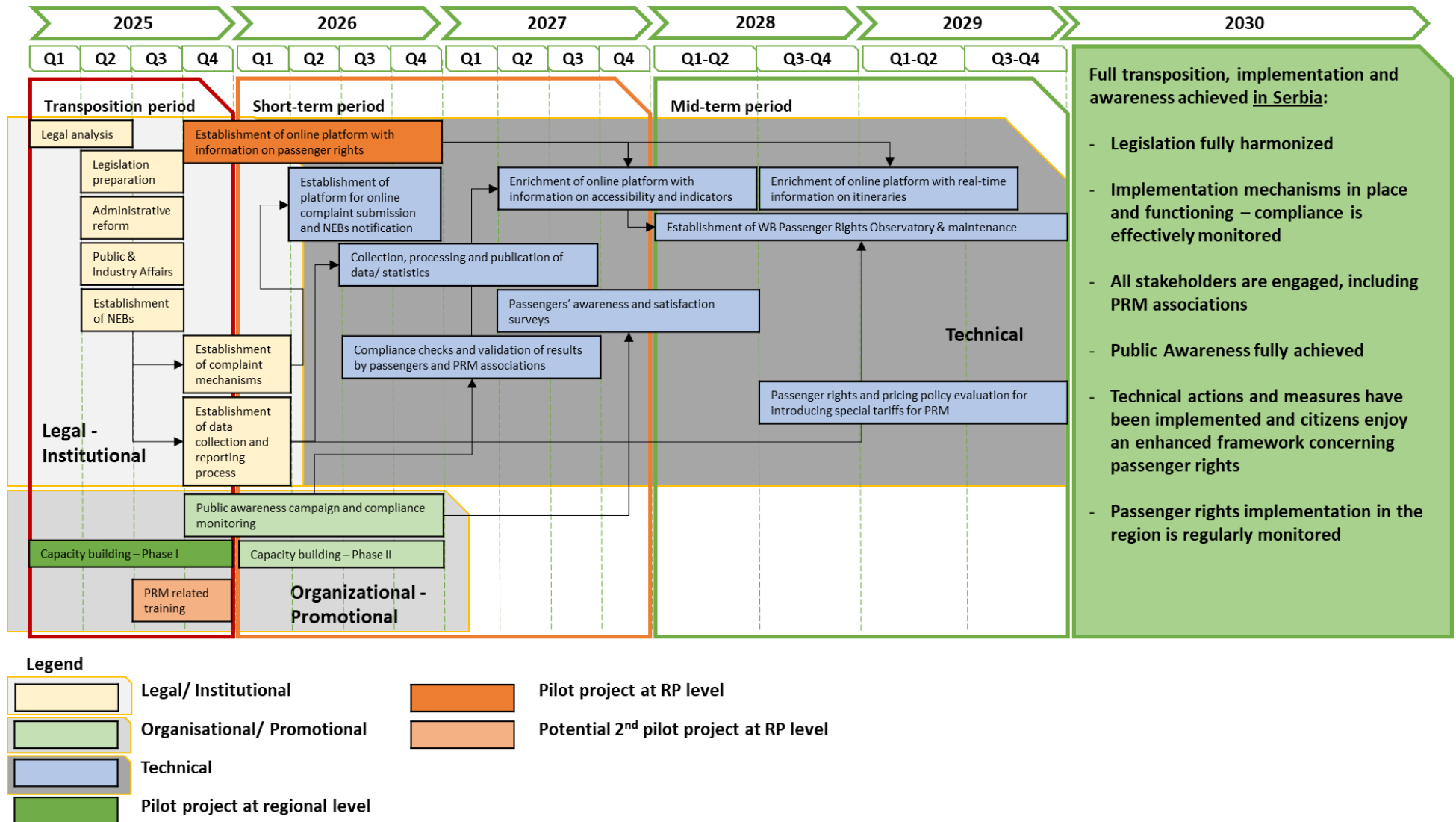


Figure 8 – Roadmap for the improvement of passenger rights in Serbia

FINAL RECOMMENDATIONS

This report presented the Study for strengthening the regulatory framework for passenger rights in the Western Balkans region. It combines the results of the various activities performed under the separate tasks of this Technical Assistance, namely the assessment of the EU legal and institutional framework and best practices, the gap analysis and needs assessment and the Cost Effectiveness Analysis, on the basis of which a Comprehensive Roadmap with actions and measures has been developed for effective implementation of the passenger rights EU Regulations in the WB region. The report includes also the Roadmaps tailored to RPs' specific needs and conditions, as well as the defined pilot projects to be promoted for implementation at RP level and one regional pilot project, which seems to be the most necessary to boost implementation of passenger rights in the short term.

The Roadmap with proposed actions and measures at regional level, covers a 5-year period, which comprises:

Year 2025, as the transition - transposition period, will include legislation preparation, administrative reform and public and industry affairs, establishment of National Enforcement Bodies, complaint and data collection and reporting mechanisms.

During this period, Capacity Building activities will be implemented, as pilot project at regional level, covering support in legal analysis, legal drafting and training. RPs will start implementing their pilot projects at RP level: PRM related training by Albania and North Macedonia, Phase I of establishment of platform on passenger rights, terminal details on accessibility and assistance provision by Bosnia and Herzegovina, Kosovo and Serbia and compliance checks of terminals, fleet and equipment by Montenegro.

Years 2026-2027, as short-term period, will include enhancement of capacities, PRM related training, public awareness and compliance monitoring, as well as activities related to further advancement of implementation of the regulatory framework through specific projects: online platforms with information on passenger rights, complaints submission, compliance checks, information on accessibility and indicators, and passengers' awareness and satisfaction surveys.

Capacity Building activities might be necessary to be implemented in 2026 as well, in order to provide updates to RPs about the new EU Regulations that are anticipated to enter into force in late 2025 or early 2026 and RPs to benefit from additional support so that they further enhance their regulatory framework and institutional setups.

Years 2028-2029, as mid-term period, in which some measures of the previous period will continue and complete, as well as an evaluation of the passenger rights policy evaluation, which will lead to the formulation of further measures, including corrective ones, for the following period.

It is considered that, after the implementation of the recommended actions and measures, in 2030 full implementation of the passenger rights will be achieved, and WB citizens will be enjoying an enhanced framework of their passenger rights protection.

The actions and measures proposed in the Roadmaps and the timeframes set for their implementation are considered realistic and feasible. However, their implementation depends on the level of commitment of the RPs and the guidance, support and monitoring of the Transport Community Permanent Secretariat.

For a more effective coordination, monitoring and supporting mechanism, the following are recommended:

- to formalize the existing Working Group on Passenger Rights and advance it to a Technical Committee, with clear Rules of Procedures and portfolio.
- to provide support to RPs through the regional pilot project comprising capacity building activities focused on legal analysis, legal drafting and training.
- to provide guidance and support to RPs on implementing their pilot projects and on specific ad-hoc requests they might have.
- to update RPs and provide support on new harmonization requirements and accompanying implementation measures that will emerge from the upcoming update of the EU relevant regulatory framework.
- to promote particularly PRM-related activities, as well as activities for raising the awareness of citizens in the region through establishing a platform on passenger rights, similar to the one established at EU level.
- to consider the establishment of a Western Balkans Passenger Rights Observatory, which will present statistics for the region and per RP.