

Targeted revision of the Rail Passengers' Rights Regulation – Call for evidence

EPF response – September 2025

Passenger protection in the event of disruption: EPF priorities

The willingness of (potential) passengers to travel by rail is compromised by fears that, in the event of disruption, they may not be able to get to their final destination at the earliest available opportunity without paying additional charges. This seriously undermines passengers' trust, with undesirable economic, environmental and social consequences. EPF has identified three priorities for passenger protection in case of disruption:

1. Journey continuation guarantee

When a disruption occurs, people generally prioritise being able to complete their journey at the earliest opportunity, at no extra cost, irrespective of territory or operator. If this is not feasible in an acceptable manner (e.g., during night hours, having to stand, or involving lengthy replacement bus travel), then passengers should have the option to choose between immediate continuation in less-than-ideal conditions or next day travel (with accommodation offered).

2. Access to practical information and support

When things go wrong, passengers need ready access to accurate, up-to-date information and advice, provided to them proactively by operators and intermediaries and/ or to be obtained by passengers with minimum effort – by means of an informed staff presence ideally, supplemented by online or telephone support where staff are not available or where the issue is beyond their competence (e.g., because it knocks on to services in another territory).

3. Straightforward and appropriate compensation

Passengers who incur additional expenses due to disruption (e.g., refreshments, meals, accommodation, phone calls) should be reimbursed promptly and easily. Moreover, they remain entitled to compensation for poor service performance, as established under the existing Rail Passengers' Rights Regulation. The claims process must be transparent, user-friendly and straightforward, supported by digital tools where relevant (e.g., to facilitate automatic compensation).

Gaps in protection for passengers on multi-operator rail journeys

EU rail passenger rights still **fail to consistently protect passengers** booking multi-leg journeys, even when tickets are purchased in a single transaction – especially when multiple operators are involved. The **lack of operational changes since the revision** highlights the urgent need for further reform.

Under the current Regulation, key rights – reimbursement and re-routing, compensation, assistance – are limited to holders of a 'through ticket'. While railway undertakings are required to make **"all reasonable efforts"** to offer such tickets, in practice this obligation applies primarily when the entire journey is operated by a single railway company or wholly owned subsidiaries of the same group. This means that passengers connecting between

different operators – e.g., from Lyon to Brussels with SNCF and Eurostar – may be left without protection if a disruption causes a missed connection. Under current rules, **sellers and carriers can easily disclaim liability** by stating in pre-contractual information that the journey is not a through-ticket – but even this is not always done transparently. Passengers may for example be asked to tick a box acknowledging the possibility of separate tickets, without being clearly informed that this applies to their specific booking.

Such restrictive provisions not only undermine passenger rights, but also discourage cross-border rail travel and are incompatible with the EU's goals of opening and integrating the European rail market. The European Passengers' Federation fully supports the objective of the targeted revision of the Rail Passengers' Rights Regulation, which aims to ensure that *"passengers are granted their passenger rights when travelling with multiple railway undertakings, with tickets purchased as part of a single transaction"*.¹ In line with basic principles of contract law, sold connections must come with guaranteed protection.

Journey Continuation must be a core right

When a connection is missed due to a disruption, railway undertakings must be required to cooperate in order to ensure that passengers reach their final destination at the earliest appropriate opportunity, at no additional cost, and without placing extra burdens on them.

Existing sectoral agreements, such as HOTNAT² and the CER/ CIT Agreement on Journey Continuation (AJC)³ represent **important initial steps** to build on. However, their current **implementation is inadequate**. Passengers are confronted with unclear, inconvenient procedures, such as having to leave the train to obtain a certificate at specific locations – adding further unnecessary delay and frustration. In addition, both passengers and staff struggle to identify which operators are covered or whom to contact during disruptions.

The ultimate goal is clear: **Every passenger travelling by rail in Europe must have the right to continue their journey on the next available train, at no additional cost, when faced with disruption – regardless of the ticket type, operators involved, or route taken.** If voluntary agreements cannot deliver this guarantee across the sector as a whole, then regulatory intervention will be essential to ensure that this fundamental right is upheld throughout the European rail network.

Clarifying the role of intermediaries

Intermediaries play an important role in today's transport and travel distribution ecosystem. However, their responsibilities in case of disruptions remain unclear. While the Passenger Mobility Package (2023) addresses this issue for air and multimodal transport, in EPF's view this is a horizontal topic, and similar provisions should be extended to rail, to ensure consistency and legal clarity. EPF calls for clear and enforceable rules to define how responsibilities are shared between operators and intermediaries, especially when tickets are purchased via a one-stop-shop. This covers, as a minimum, the following aspects:

- Providing real-time disruption information;
- Proactively informing passengers of their rights and how to claim them;
- Assisting with re-routing or refunds when journeys are disrupted;
- Serving as the first point of contact for passengers, e.g., for complaint handling.

¹ Call for Evidence, https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14691-Targeted-revision-of-Regulation-EU-2021-782-on-rail-passengers-rights-and-obligations_en

² **HOTNAT** allows travellers to take the next available high-speed service leaving from the same transit station as planned, in case of a delay or cancellation causing a missed connection. This applies for connections between two high-speed trains that are both part of the RailTeam alliance, at specific railway stations.

³ The **AJC** is a voluntary, industry-led initiative by European railway undertakings to ensure that international passengers holding separate tickets can continue their journey at no extra cost if they miss a connection due to a delay or cancellation, in cases not covered by existing EU passenger rights legislation.

Without clear B2C and B2B rules, passengers risk being passed back and forth between operators and ticket vendors, undermining trust and delaying redress. Regulatory clarity is essential to ensure passengers always know who is responsible and what steps to take when things go wrong – no matter how or where they booked their journey.

Final considerations

Effective enforcement is essential to ensure passengers can fully exercise their rights. While the Passenger Mobility Package (2023) introduces some improvements – better reporting, enhanced cooperation between NEBs, simplified complaint handling – further action is needed. EPF calls for the following cross-modal measures, including for rail:

- Stronger mandates and increased resources for NEBs;
- Truly dissuasive sanctions for non-compliance (e.g., based on annual turnover);
- Mandatory participation of operators in Alternative Dispute Resolution (ADR);
- Binding decisions by ADR bodies and NEBs;
- Automatic reimbursement and compensation where feasible;
- Strict deadlines for complaint resolution.

National exemptions from the Rail Passengers' Rights Regulation should be removed, as they exclude suburban and regional services used by most rail passengers in Europe. Daily commuters deserve equal protection. Continuing to allow exemptions for domestic services undermines the Regulation's scope and effectiveness.

Rail passengers currently lack clear protection in the event of **schedule changes or cancellations announced in advance**, unlike air passengers who are explicitly protected under EU Regulation 261/2004. These changes can disrupt travel plans, especially when the rail journey is part of a longer multimodal trip.

Another cross-modal issue is the right to **self-cancellation**. As noted by EPF in its position paper on 'Better Protection for Passengers and their Rights', passengers who book a standalone flight should be able to cancel their flight, just like passengers who booked the same flight as part of a Package Travel – in case of a major crisis (official travel warnings should count as such) without having to pay a fee. The same right should apply for rail.

Operators should be **challenged to identify actual avoidable costs** before accepting their objections on cost grounds to improved passenger rights' measures. The marginal cost of carrying additional passengers is usually minimal, and clear information on minimum connection times at booking can reduce missed connections. Any price increases for journey guarantees should reflect true marginal costs, offset by revenue gains from more confident passengers. Enabling passengers to book cross-border rail tickets without fear of being stranded is likely to increase ridership and profits, outweighing costs.

Rail passengers currently face a range of persistent obstacles, including the lack of integrated timetables and route planning, fragmented booking systems across operators, and limited or unclear rights in cases of disruption. To make informed choices, passengers must be able to **access all available travel options and easily plan, book and pay** for their journeys in a one-stop-shop. At the same time, being the weaker party to the service contract, they must be **adequately protected when things go wrong**. Addressing these challenges requires coordinated regulatory action on both fronts: guaranteeing access to comprehensive travel data and ticket distribution under fair, reasonable and non-discriminatory (FRAND) conditions, and strengthening passenger rights across all segments of the journey. These elements are interconnected – **without access to information and ticketing, rights remain theoretical**. If passengers cannot see or book a journey, they are excluded from the protection meant to support them. Thus, integrated information, seamless ticketing, and strong rights must be delivered together.