

EVALUATION ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to share any relevant information that they may have.	
TITLE OF THE EVALUATION	Rights of passengers when travelling by sea and inland waterway (Regulation (EU) N°1177/2010)
LEAD DG – RESPONSIBLE UNIT	DG MOVE B5 – Social Aspects, Passenger Rights and Equal Opportunities
INDICATIVE PLANNING (PLANNED START DATE AND COMPLETION DATE)	Q3 2019 – Q3 2020
ADDITIONAL INFORMATION	https://ec.europa.eu/transport/themes/passengers/maritime_en

A. Context, purpose and scope of the evaluation

Context	<p>Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway¹ ('the Regulation') became applicable on 18 December 2012.</p> <p>The Regulation aims at ensuring an equivalent level of protection and assistance to passengers travelling by sea and inland waterway transport throughout the EU Member States. More specifically, it ensures that disabled persons and persons with reduced mobility (PRMs) have opportunities for sea and inland waterway travel comparable to those of other citizens; that passengers' inconvenience due to cancellation or significant delay is reduced; that passengers are fully informed of their rights and are able to exercise them; and that Member States and national enforcement bodies enforce the provisions of the Regulation.</p> <p>The Regulation has never been evaluated since the start of its application. In 2016, the Commission published a report² on the application of the Regulation that concluded that the challenge preventing passengers from enjoying their rights could be tackled by applying the current Regulation more effectively.</p> <p>In view of the above it is timely to assess how well the Regulation has performed since its adoption and whether it continues to be justified in terms of effectiveness, efficiency, relevance, coherence and EU added value. The market for waterborne services has certain specificities: sea traffic accounts for almost all passenger transport market by ship in the EU, while inland waterway traffic accounts for less than 1% of the market, and commercial passenger services constitute over 95% of the maritime passenger market, while cruises represent less than 5% of the market³.</p> <p>This evaluation will investigate in particular:</p> <ul style="list-style-type: none"> • the scope of application in all Member States, • non-discriminatory contract conditions and tariffs of carriers and ticket vendors, • enforcement of the rights of disabled passengers and passengers with reduced mobility, • enforcement of the obligations of carriers and terminal operators in the event of interrupted
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¹ 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)

² Report on the application of Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway (COM(2016) 274 final)

³ Report on the application of Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway (COM(2016) 274 final), pp. 2-3.

- travel,
- enforcement of the general rules on information and complaints by carriers and terminal operators
- the enforcement by the national enforcement bodies.

Purpose and scope

The purpose of this evaluation is to review, more than 6 years after its date of application, how effectively the current Regulation is applied, whether it is delivering the projected results (the protection of sea and inland waterway passengers' rights), and how it responds to various challenges.

The evaluation will examine the overall regulatory approach of the EU regarding sea and inland waterway passengers' rights and explore alternative approaches. It will assess to which extent the provisions allow for the achievement of the objective and which strengths and weaknesses they have displayed.

The evaluation shall cover effectiveness (the actual positive changes the Regulation has generated, particularly in view of its original objectives), relevance (whether the objectives are still in line with the current needs or problems; the developments in the situation/context as regards sea and inland waterway passengers' rights in the EU), EU added value (the added value delivered by the Regulation, over and above what reasonably could have been expected from national and regional policies), coherence of the proposed approach and measures included in the Regulation and efficiency (actual costs related to the actual benefits). Any potential for simplification and reduction of unnecessary regulatory costs will be identified.

The evaluation will cover the period from 18 December 2012 until mid of 2019 and all EU Member States.

It will provide the evidence base for any possible revision of the current framework, identify lessons for the future and inform any further decisions on the development of the sea and inland waterway passengers' rights in the EU.

B. Better regulation

Consultation of citizens and stakeholders

In order to gather the views of the stakeholders and any evidence they might have, several consultation activities will be carried out. The consultation activities will target the following main categories of stakeholders: transport operators and their associations, terminal operators, port authorities, passengers and their associations, public authorities, ticket vendors, travel agencies, tour operators and their organisations. All these stakeholders combine practical expertise and usually they keep records with quantifiable data which can be used as the basis for the policy decision making.

The following stakeholder activities are planned:

- A public consultation will be launched during Q3 of 2019. It will be available via the Commission's central public consultations page ([Have your say](#)) in all EU official languages;
- Targeted consultation activities (including interviews and/or questionnaires) of the above groups of stakeholders covering all main elements of the evaluation;
- Other relevant stakeholder meetings/workshops and Commission's expert groups can be also used for that purpose.

The Commission will publish a synopsis report on the outcome of all consultation activities.

Data collection and methodology

The evaluation will draw on different sources of existing data and information in the field of sea and inland waterways passengers' rights, covering at least:

- The report on the application of Regulation (EU) No 1177/2010 concerning the rights of passengers when travelling by sea and inland waterway (COM(2016) 274 final);
- The European Court of Auditors' Special report no 30/2018⁴: EU passenger rights are comprehensive but passengers still need to fight for them;
- The Special Eurobarometer survey on passenger rights (May 2019);
- The communication from the Commission to the European Parliament and the Council – A European vision for Passengers: Communication on Passenger Rights in all transport modes, COM(2011) 898 final;
- The Commission staff working document - The implementation of the 2011 White Paper on Transport "Roadmap to a Single European Transport Area – towards a competitive and resource-efficient transport system" five years after its publication: achievements and challenges, SWD(2016) 226 final.

The report on the application of Regulation (EU) No 1177/2010 gathered few quantitative data such as the number of complaints handled and the number of sanctions imposed. Therefore, the evaluation will further collect data and information regarding the application of the Regulation in all EU Member States through a support study. All relevant information that will be collected will feed the development of the indicators. External expertise will be used to update and complete existing information. Transport operators and their associations, terminal operators, port authorities, passengers and their associations, public authorities, ticket vendors, travel agencies, tour operators and their organisations will be contacted to complement quantitative information to address the data needs mentioned above. Qualitative indicators will be developed to cover areas where quantitative information is not available or not relevant.

⁴ Special Report No 30/2018 'EU passenger rights are comprehensive but passengers still need to fight for them' (2018/C 410/04)