



EUROPEAN COMMISSION



Directorate General for Energy and Transport

**Meeting with stakeholders on
the Commission Staff working paper
"Strengthening the protection of the rights of
passengers travelling by sea or inland waterway in
the European Union" and summary of
contributions**

18 JANVIER 2007

**CHARLEMAGNE BUILDING
Rue de la Loi, 170 Room S-1
1040-Bruxelles**

Brussels, 18 January 2007

MINUTES OF THE MEETING

Attendance list:

Miss Jill **ALLEN-KING** (European Blind Associations – United Kingdom), Mr Yann **BECOUARN** , (Ministère des transports, de l'équipement, du tourisme et de la mer – France), Miss Angelika **BERGER** (Ständige Vertreter Österreich Transport Attache), Miss. Theresienne **BEZZINA** (Consumer and Competition Div. Office for Fair Trading – Malta), Miss Laura **BIEZBARDE** (International Agreement Unit Maritime Departement – Latvia), Mrs Rimante **BRIEDYTE-MENESES** (Transport Attaché – Lithuania), Mr José **CAMPOS** (Medcruise – Association of Mediterranean Cruise Ports Spain), Mrs Nicolette **CAMMILERI** (Représentant Permanent – Malta) Mr Paolo **CAVANNA** (Costa Crociere ECC – European Cruise Control - Eire-Ireland), Mrs Frances **CARR** (Irish Hard of Hearing Association – Eire-Ireland), Mrs Paula **CARRAHER** (Irish Hard of Hearing Association Eire – Ireland), Mr Vojtěch **DABROWSKI** (Ministry of Transport Dpt. For navigation and waterways – Crech Republic), Mr. Vassillis Ph. **DEMETRIADES** (Permanent Representation of the **Republic of Cyprus**, Mrs. **Sandra DUNCAN** (DPTAC Maritime Working Group UK), Mr Jean **DUNLOP** (DPTAC Maritime Working Group UK), Mr Franco **GIORDANO** (Ministry of Transport Italy), Mrs Elsa **GONCALVES** (IPTM – Instituto Português e dos Transportes Marítimos Portugal), Mr Konstantinos **GONIAS** (Directorate for Domestic Maritime Transport Greece) Mr Stuart **GREENFIELD** (Carnival UK ECC - European Cruise Council), Mrs Gabriele **HEYSE** (Federal Ministry of Justice Germany), Mrs Blandine **HUCHET** (Armateurs de France) France, Mrs Leah **HUNTER** (European Blind Association France), Mr Christopher **IRWIN** (Administrative Council European Passengers Federation), Mr Martynas **JONKUS** (Senior Legal Counsel AB "DFDS LISCO" Lithuania), Mrs Evangelia **KEKELEKI** (KEPKA – Consumers Protection Centre Greece), Mr Ioannis **KOUROVNIOTIS** (Représentant Permanent – Greece), Mrs Niota **KRASSAKOPOULOU** (Superfast Ferries ESCA – European Community Shipowner's Associations), Mr Virpi **LAUKKANEN** (Ministry of Transport and Communication - Finland), Mrs Valeria **MANGIAROTTI** (Medcruise – Association of Mediterranean Cruise Ports Spain), Mr Graham **MANSBRIDGE** (P&O Ferries ESCA – European Community Shipowner's Associations, Mr. Alan **MARKEY** (Irish Ferries Eire/Ireland), Mr Tim **MARKING** (ECC – European Cruise Council ESCA – European Community Shipowner's Associations Belgium), Mr Tim **MAY** UK, Mrs Lorraine **McGURK** (Department of Transport Eire/Ireland), Mr Pat **McKENNA** (Irish Hard of Hearing Association Eire/Ireland), Mrs Laura **MIOARA** (Romania Naval Authority Romania), Mrs Estefania **MIRPURI** (ONCE – Spanish National Organisation of the Blind Spain), Mr Trinidad **MORENO LATORRE** (CNSE- Confederación Estatal de Personas Sordas), M. Kai **MORTEN** (Ministry of Labour and Social Affairs -Germany); Mrs Ivelin **NAKOV** (Ministry of Transport – Bulgaria), Mrs Monika **NIEMEC-BUTRRYN** (Ministry of Maritime Economy Unit of Maritime Transport – Poland), Mrs Maria **NYMAN** (European Disability Forum - Belgium), Mrs Cecile **OVERLAU** (ESPO – European Sea Ports Organisation - Belgium), Mr Alexander **PANAGOPOULUS** (Superfast Ferries ESCA – European Community Shipowner's Association), Mr. Ramiro **PEREDA** (Maritime and Coastguard Agency U.K.), Mrs Maria **PITTRDIS** (Louis Cruises / Hill Dickenson ECC – European Cruise Control), Mr Martin **RAKOV** (Ministry of Economic Affairs and Communications Aviation and Maritime Dpt. Estonia), Mr Fransisco **RAMOS CORONA** (Ministerio Fomento Dir Gral Marina Mercante Spain), Mrs J. Flor **RODRIGUEZ** (ONCE – Spanish National Organisation of the Blind – Spain), Mrs Nuria **RODRIQUEZ MURILLO** (BEUC – The European Consumers Organisation Belgium Legal Department), Mrs Christina **RUSSE** (ECTAA Group of National Travel Agents and Tour Operators Belgium), Mr DAVID **SAWKINS** (Orkney Ferries Scotland UK), Mr Johan **SHELIN** (Ministry of Justice - Sweden), Mrs Mikaela **SODERBLOM** (Silja Line Neptun Jurdicia – Finland) Mr David **TAYLOR** (Department of Transport Eire-Ireland), Mrs **VAN HELVOIRT** (European Barge Union – The Netherlands), Mr Johan **VAN STEEN** (SPF Mobilité et Transport - Belgium), Mr. Dimitros **VAROUXAKIS** (Directorate for Domestic Maritime Transport – Greece), Mrs Tapani **VOIONMAA** (Finnlines Plc. – Finland), Mr Simon **WALTERS** (Carnival UK ecc – European Cruise Control), Mr Ulrich **WEBER** (UITP – International Association of Public transport Expert Euro Team Belgium), Mrs W. **VAN DE VELDE**, M. Jan **DE BOER** (Ministry of Justice The Netherlands), Mrs Ananieva **VESELA** (Ministry of Transport - Bulgaria).

European Commission: Ms Anne **HOUTMAN**, Mr Peter **FAROSS**, Ms Flor **DIAZ PULIDO**, Mr Christophe **DUSSART**, Mr Richard **MASON**, Ms Sophie **MOULIN**, Ms Marleen **DESERT**, Ms Magali **DREYFUSS**.

The meeting took place in Brussels, on January 18th 2007. During the meeting the conclusions listed here below were agreed.

Introduction by Ms Anne Houtman

The meeting was opened by Ms Anne Houtman, who explained to the audience the first political conclusions drawn from the written phase of the public consultation. She noted that the meeting fell under Commission guidelines clearly placing the citizen centre-stage in Europe. A single market that provided companies with broader and richer opportunities would not be fulfilling its goals if it did not also benefit consumers. Transport had become a fundamental aspect of the daily lives of all European citizens, and it made sense for the protection of the passengers' rights to become an integral part of Community transport policy. The importance of maritime passenger transport was no longer in doubt. With over 210 million passengers a year in Europe (and probably more if persons with reduced mobility (PRMs) were given better access), maritime transport often proves essential.

Ms Houtman noted that there was at present no international standard comparable with those set by the 2002 Protocol to the Athens Convention on the matters subject to consultation. She also noted that the level of passenger protection in these matters varied from one Member State to another. Such variations were explained by the different degrees of protection offered by national legislation, good practice developed by companies and, in some cases, voluntary agreements between companies. On the chapter concerning treatment of complaints and means of redress, Ms. Houtman observed that there was a certain consensus on the best way of protecting passengers' rights, comprising a harmonised system of complaint handling among companies, and the establishment of a harmonised, out-of-court, rapid, flexible and transparent system for settling disputes. However, no such system existed at present. With regard to persons with reduced mobility, they should have the same right of access to maritime transport as other citizens. This applied to all such people, whatever the origin of their reduced mobility, their disability, age or any other problem factor. The majority of the contributors to the consultation, including all the Member States and local authorities, considered that PRMs should benefit from the same four principal duties: non-discrimination, access, assistance and information.

Introduction by Mr Peter Faross

Mr Faross presented a rationale for consulting the public on the rights of maritime and inland waterway passengers. In the White Paper "European transport policy for 2010: time to decide", the European Commission had proposed establishing passengers' rights in all modes of transport. The Community had since made substantial progress in air transport (on denied boarding, persons with reduced mobility and the identity of the operating carrier), and the proposal for a Regulation on international rail passengers' rights and obligations was currently in the late stages of the co-decision procedure. In 2006, the Commission had also completed a public consultation on the rights of bus and coach passengers. In its communication of 16 February 2005 on strengthening passenger rights within the European Union, the Commission had presented a policy approach extending passenger protection measures to modes of transport other than air. On maritime and inland waterways transport (for the purpose of these minutes, "maritime transport"), the Commission had identified the following fields of action: rights of persons with reduced mobility, automatic and immediate

solutions where travel was interrupted, liability in the event of death or injury to passengers, complaint handling and means of redress, passenger information, and other initiatives.

On maritime transport, a proposal for a regulation on liability in the event of death, injury or damaged baggage was currently before the Council and Parliament. The Commission had launched a public consultation in January 2006 on the basis of Commission Staff Working Paper "*Strengthening the protection of the rights of passengers travelling by sea or inland waterway in the European Union*" containing a detailed questionnaire addressed to the Member States and other stakeholders on the other four chapters referred to above. The Commission had received 46 responses to the working paper. This meeting was the final, oral stage of that public consultation.

Mr Faross briefly presented the main conclusions and then opened the floor on each chapter by raising some questions.

The need for regulation

On the question "*Should our general objective be to establish minimum rights for maritime passengers in case a travel goes wrong?*" the main ideas reflected in the written phase of the consultation were voiced again at the meeting. EPF was strongly in favour, and advocated the application of three principles: consistency among the solutions provided in all transport modes to passengers in similar situations (e.g. facing long delays or cancellations); simplicity (simple solutions that could be easily understood by everybody – rights are better used when well understood); and equal treatment (all passengers deserve the same rights and principles, whatever mode of transport they choose). Other consumer and PRM associations shared this point of view (DPTAC).

From the operators' side, those in favour of setting minimum standards specific to maritime transport cited the strong influence of weather conditions on maritime transport (this point was challenged by the consumer organisation BEUC); the wide difference among services (routes varied from being served several times a day by different companies, to only once a week by a single company); the number of routes subject to OSP (Orkney ferries); and safety reasons (Irish Ferries). Operators seemed to agree with the idea of fixing a common set of minimum standards, if those standards were set by the industry itself through voluntary agreements (ECSA). Consumer associations were unanimous in their belief that only the regulatory approach could ensure that such minimum standards were put into practice. They stressed that, in any case, any voluntary agreement should be agreed not only by the industry, but by consumers as well (KEPKA, EPF, BEUC). Companies' non/compliance with a code of conduct in Greece was pointed to as evidence that voluntary practices were inadequate to secure consumers' rights (KEPKA). The main arguments of those against the idea of setting new standards were that: establishing new rights would increase companies' costs (AB "DFDS LISCO"); the wide variety of maritime operators, ships and routes, made it impossible to set common standards; and part of the industry already had some company standards regarding such critical events (Superfast Ferries). ECTAA stated that retailers should not be covered by any new legal framework or legislation on such issues. The exclusion of short/distance routes served by urban or suburban services was advocated (UITP). Some of the clues to a definition of such services were the following: they usually formed part of local

and regional public transport networks (integration of fares and schedules); they were often operated in a larger network with many stops; a substantial proportion of their passengers were daily commuters travelling without baggage and holding fare cards or season tickets (weekly, monthly, yearly); there was no advance booking for such services. However, such exclusion was rejected by consumer organisations (EPF), by those in the industry who opposed any new measure (Superfast Ferries), and by a cruise companies' association (ECC). A cruise association asked for the exclusion of the cruise sector on the basis that Directive 90/340 already covered these issues (ECC). One cruise port association (MEDCRUISE) took the floor to repeat that the cruise sector fell under tourism and should not be covered by any discussion of maritime transport.

Cyprus took the floor on this chapter, to express agreement with the idea of establishing a minimum set of standards, while asking for coordination with the proposal for a regulation on liability in the event of death or injury currently under discussion by the legislature. Also the Netherlands pointed out on the relationship with the draft regulation on the implementation of the IMO Athens Convention in the EU whereby a proliferation of too many initiatives might inflict on the early entry into force of the Athens Convention.

Mr Faross closed the discussion on this chapter by concluding that there was a consensus on the need for a minimum set of standards on the rights of passengers in the event of cancellation, long delays or denied boarding, which should be proportionate, simple and consistent with what was established for other modes of transport, while reflecting the particularities of maritime transport. The Chair's second conclusion was that, while there was a consensus on the need for a minimum set of standards, stakeholders were clearly divided with regard to the means of setting those standards, between those who advocated a regulatory approach through Community action and those who preferred a self-regulatory approach via codes of conducts or voluntary agreements.

Incidents regarding denied boarding, interruption, delay or cancellation of a journey by sea

Introducing the topic, Mr Faross said that passengers should be entitled to reliable services, and to be protected if something went wrong with the trip. He pointed out that maritime transport was the mode of transport with the fewest voluntary agreements and codes of conduct in force. He noted that up to now companies and national authorities had not compiled statistics on the number of trips subject to long delays or cancelled and the reasons for those delays or cancellations. The same applied to denied boarding. This lack of data meant that stakeholders held very different opinions on the number of passengers affected annually by those events and their impact on them. Mr Faross opened the floor by asking the audience to do three things: to come up with examples of voluntary agreements currently in force; to explain whether they were in favour of offering both assistance and compensation to passengers in the event of such an incident or only assistance; and to say whether there was a

need for more statistical information before qualitative proposals could be made to improve passenger's rights.

On the question of voluntary agreements, one operator agreed on the need to set minimum common standards (Irish Ferries) with some qualifications – "no one size fits all" – and pointed out that ferry companies did not currently offer the same level of protection, for passengers or PRMs. One consumer association gave the example of the Greek code of conduct, which lacked key definitions of terms such as "long delay", and of means of enforcement. As a result, companies did not comply with the code of conduct and passengers suffered delays of many hours on board, with no assistance and no compensation offered. The difficult situations experienced by thousands of passengers in several Greek ports during the summers of 2005 and 2006 had been documented (KEPKA). The Greek national expert acknowledged the difficulties suffered by thousands of passengers further to the cancellation of several trips during the whole summer 2006, and explained that the Greek national authorities had tried to deal with the situation, at least in the port of Piraeus. The Greek consumer association (KEPKA) insisted on the poor conditions at other Greek ports, and on the lack of proper information and assistance given to passengers. The Greek national expert agreed that Community guidelines to Member States to encourage voluntary agreements could be a solution. No other example of codes of conduct or voluntary agreements was mentioned.

On the second question, Ferrylines, taking the floor on behalf of an operators' association (ECSA) insisted that sometimes the ship was delayed to wait for part of the freight, that might be "vital for the community", such as medicines or food, and that in those cases the company should not be blamed. Medcruise insisted that the cruise sector should not be covered. The ECC repeated that Directive 90/340 covered cruise sector activities, and suggested that that Directive could be used as a model for any future standards covering the ferry sector. Some operators (Irish Ferries, Orkney Ferries) suggested better use of new technology to assure better and timely information to passengers concerning delays and cancellations. Consumer organisations (KEPKA, BEUC) agreed with the principle that new technology should be used more to provide information, but not imposed as the only information source, since in Southern countries Internet use was not yet widespread enough. They suggested instead increased use of mobile phones to inform passengers of long delays and cancellations within a reasonable time limit. They insisted that the responsibility for providing information on long delays and cancellations must continue to lie with the company.

On the question of quantitative data, the French national expert expressed his support for a set of common standards and asked for an impact assessment of any future action. He stressed the lack of data currently available, which hampered the discussion and a correct assessment of the size of the problem. ECSA suggested that no action should be carried out until more statistical data was available. It also refused to draw conclusions from statistics coming from bad competitors. However, ECSA did not answer the question how members of that association, i.e. operators, who were the only stakeholders in a position to collect statistics on such incidents, would help to provide that statistical data. Another operator (Finnlines) said that operators could collect data, but that it was time consuming and depended on the operator's willingness.

Mr Faross concluded by saying that there was a consensus among stakeholders on the need to provide assistance to passengers affected by long delays or cancellations, even though there was no agreement on the nature of the action to be taken. Again, basically two views were expressed: the first was strongly in favour of introducing either a regulation or Community guidelines; the second was in favour of improving the standards of the industry on a voluntary basis. Some companies already provided some kind of assistance, but current practice was not homogeneous or widely agreed, and it was not generally known to passengers. Positions on the need to provide financial compensation were not yet clearly defined. There seemed to be broad acceptance that overbooking was rare in maritime transport, but all stakeholders accept that denied boarding and denied reservation do happen. Mr Faross noted that the lack of statistical and quantitative data could only be tackled by operators themselves, since the Commission had already explored all other avenues (independent consultants, consumer associations and national authorities). Participants were invited to provide the data required.

Protection of the rights of persons with reduced mobility (PRMs) during a journey by sea

In his introduction to the debate, Mr Faross set out the two main issues: firstly, PRMs must not be discriminated against because of their disabilities, and secondly they must be able to travel like anyone else. Consequently, travel facilities must be accessible for them, and adequate assistance and sufficient information must be provided. Hence, the two main issues were to determine what kind of assistance was required in ships and ports, and who was responsible.

With regard to access and non-discrimination, it was generally argued that a lot needed to be done. Ports and ships were only partly accessible, and access must notably be extended to deaf, blind and intellectually impaired people, who were refused reservation or boarding on safety grounds, and therefore de facto discriminated against (EDF). This situation was all the more difficult to accept because blind people, for instance are a substantial group: 1 in 7 European citizens over 70 years of age have a visual disability, and 1 in 4 over the age of 80 (European Blind Union). Assistance must also be provided to PRMs in the event of cancellation or long delays, when it was badly needed (EDF). Operators fully agreed with the four principles of accessibility, assistance, non-discrimination and information (Superfast/Blue Star Ferries, Orkney Ferries), while cruise ports also considered that PRMs must have full access to cruise travel, for both excursions and resort activities (Medcruise). A clear message was also that voluntary codes have had no effect (UK Disabled Persons Transport Advisory Committee – DPTAC), and that not all ferry companies provide the same service to PRMs, despite the 1997 IMO guidelines (Irish Department of Transport).

Putting these principles into practice to fully take into account the needs of all PRMs was not so complicated, according to most contributors. Giving information to deaf, hard-of-hearing or visually impaired people called for simple solutions: for deaf and hard-of-hearing passengers, it has notably been mentioned that adequate signs allowed them to travel without needing to ask questions, and that very clear speech allowed staff to deal with inquiries if there were any. Vibrating or flash alerts in cruise or ferry ships could alert deaf and hard-of-hearing passengers to emergency situations at night (Irish Hard of Hearing Association,

Confederacion Estatal de Personas Sordas). For blind people, cruise brochures must be published in an accessible format, Braille not being the only solution since many people who cannot see cannot feel either (European Blind Union). Corresponding quality standards could be easily enforced through questionnaires, for instance (European Blind Union).

Beyond physical adaptations such as dedicated parking spaces on ferries, training was identified as a crucial in preventing what can amount to degrading treatment of PRMs even where staff show goodwill (EDF, DPTAC). Training for all staff, including refresher and awareness courses, were indispensable to put easy solutions in place (Irish Hard of Hearing Association, Confederacion Estatal de Personas Sordas). As a rule and where possible, staff must be trained by disabled people (European Blind Union).

The importance of harmonisation and cohesion was also stressed. Harmonisation of the approach with other modes of transport which already have PRM-related legislation, such as air and rail transport, was very welcome (German Ministry of Transport, ONCE – Spanish Organisation of the Blind). Certain principles should be upheld: in air transport, Regulation No 1107/2006 provides that it is possible to refuse access to handicapped people, but alternative solutions must be found to avoid discrimination (ONCE). Operators pointed out that progress could also be achieved with the full implementation of Directive 2003/24 (Superfast/Blue Star Ferries). DPTAC confirmed that PRM-friendly facilities were gradually being introduced on ships, thanks to Directive 2003/24. DPTAC also insisted on the need for an approach consistent with existing texts such as Directive 2003/24.

At this stage, Mr Faross asked two additional questions: “Do PRMs need a seamless service?” and “What principles should govern coverage of the costs of such actions?”

Operators insisted on the need to obtain information from passengers about their needs prior to the trip in order to be able to accommodate them and give seamless service. Ports must also provide adequate equipment so that shipping companies’ efforts to give a seamless service to PRMs were not wasted (Superfast/Blue Star Ferries). Since most older ferries were not correctly equipped to fully accommodate PRMs, shipping companies would face a heavy financial burden if they had to be adapted (Orkney Ferries). Wherever possible, port authorities should also make sure that piers were built or renovated so that cruise ships could embark and disembark PRMs and give seamless service. But local authorities had a responsibility to bear in this process, on the cost issue especially. The Commission should also reflect on port accessibility and assistance for PRMs outside the EU (Medcruise).

Mr Faross concluded by saying that a clear consensus emerged on support for the four principles of accessibility, seamless assistance, non-discrimination and information. When explicitly asked by Mr. Faross, none of those present challenged the need for regulation and harmonisation at EU level. Needs and requirements in terms of assistance information and training were also documented. A number of practical issues were still open, notably how port facilities could be included in the process.

Dealing with complaints and means of redress and others issues (Integrated ticketing systems, information, quality of services, the role of ports, package holidays, and discussion forum)

Mr Faross opened the discussion by briefly summarising the main conclusions from the written part of the consultation, and asking three questions: whether participants agreed that a common complaint handling system should be set up; whether they had any suggestions concerning how it should be organised and how it should work; and whether, in addition to complaint handling, we should aim also to have an out-of-court dispute settlement procedure.

Two Finnish operators (Finnlines and Silja lines) explained that their companies had their own complaint handling system and that, with regard to dispute settlement, the Finnish Consumer Protection Board was highly respected in Finland, it was not expensive and companies tended largely to accept its settlements, even if they were not legally binding. Silja Lines pointed out that 99% of the complaints it received were satisfactorily handled by the company. The Estonian national expert partially disagreed with the two operators' statements, since companies usually included a clause on the ticket conditions allowing them to change scheduled timetables without prior notice to passengers. From his point of view, the maritime passenger transport sector needed a more "consumer friendly" approach, and he agreed on the need to set some common standards on those issues. From the consumer point of view, EPF insisted that few complaints did not necessarily mean that passengers were satisfied or that their rights were satisfactorily protected, as operators tended to affirm. KEPKA insisted on the fact that any national body or authority with an out-of-court power to settle disputes must be independent, publicly funded and with an equal representation of consumer associations and operators. BEUC agreed with this approach, and pointed out that enforcement of consumer and passenger rights was always cumbersome and expensive for individuals, which was why there were so few complaints, and that almost no complaints got to the Court of Justice.

Consumer associations explained that passengers currently felt at a loss; they did not know their rights or how to lodge a complaint, since those rights and procedures differed from company to company, and they did not complain as a consequence of this lack of awareness (BEUC, EPF, KEPKA). Consumer associations were in favour of a common complaint handling system imposed upon companies by regulation. They would agree on a common, harmonised three-step system: first of all the complaint was sent to the company, so that it could rectify the situation immediately. Secondly, passengers could go to an independent, out-of-court, cheap European common body or European network of national bodies in charge of settling disputes, whose decisions were binding on both parties. Finally, passengers should be able to go to court if the company did not comply with the binding decision of the national body. The only way voluntary agreements might work would be through a legal framework setting rules to develop and monitor them (BEUC, KEPKA, EPF). A common system of handling complaints was a very important tool to improve quality of service, but the role of consumer associations and international consumer associations should be strengthened, since it was essential to translate the general, common interest of passengers into better quality standards and better protection of their rights. The minimum common set of standards concerning passenger rights should not be defined by one of the parties only, the operators, as was currently the situation in the best of cases (EPF).

A cruise operator association (ECC) distinguished between a single body devoted to receiving and aggregating information on such matters, and a single enforcement body with powers to settle disputes, which from its point of view would not work. It cited a passenger ship association in the United Kingdom and its procedures, which were in force for members of ECTA, as an example of good practice. The Lithuanian national expert expressed opposition to "a culture of claim", and rejected the idea of introducing more bureaucracy.

The Irish national expert explained that sometimes, when passengers had a problem with a ferry company, it was very difficult to know which national or international law applied. Therefore, he clearly saw the need for some kind of Community framework on these matters.

On the issues of information and quality standards, a consumer association (EPF) said that the publication of some key indicators, such as the number of complaints and settlements, would help to encourage passengers to take the boat and companies to honour their standards. UITP considered that a charter would be the best way to inform passengers of their rights.

ECSA stated that quality was impossible to define, that quality standards should be left to the industry, and that each company should define quality in their own terms and offer its product accordingly. Finnlines considered that competition was the best way to raise standards. MEDCRUISE explained that a common set of quality standards was key for ports, so that cruise companies and passengers could be sure of what to expect in each port of arrival. KEPKA (a consumer association) argued that in some cases, competition simply did not exist, and disagreed with the statement that quality was impossible to define. From its point of view, it was indeed possible to define a minimum set of quality standards. From the point of view of KEPKA and EDF, those minimum standards should be enforced by national authorities, not by consumer associations or consumers alone. BEUC could accept quality standards defined by the industry, as long as Community or national authorities enforced and monitored them. Orkney Ferries agreed on the idea of setting a common set of quality standards, and were in favour of an open dialogue among all stakeholders to define and agree on them. However, it had reservations concerning overall quality standards. If one company offered a lunch service on board and the competitor did not, was that a quality standard?

DPTAC answered this question by stating that PRMs did not seek complicated and expensive quality standards. They simply expected to be able to get on and off the ship as any other person did, and they were convinced that this expectation was not so expensive most of the time. It called for changes in the mentality of the industry, on ways of doing things to adapt staff habits to PRMs' needs. It called for strong regulation because up to now companies' good will had not been enough. Operators kept complaining about costs, but PRMs had money, and their number was increasing. It challenged the industry to change its practices to attract more clients in the future, PRM clients who did not dare travel by ship at present. All consumer and PRM associations insisted unanimously on the need for better training of staff, so that they could provide PRMs on the spot with the information and assistance requested in the simplest, cheapest and most efficient way.

Regarding integrated ticketing, Finnlines and Ferrylines explained that previous attempts had failed, and that it seemed extremely difficult to harmonise the data bases and electronic reservation systems of different modes of transport. This statement was challenged by DPTAC, which argued that there was room for a lot of improvement to ensure seamless access to ports and from ports to the ships. The relationship between in-shore and onboard services was not working at the moment, and that could be easily improved. EPF explained that integrated ticketing among different modes of transport already existed in other parts of Europe, and challenged the attitude of the industry as always against any change or improvement. Orkney Ferries agreed with this statement, and mentioned the ongoing project "Transport Scotland". Even if this project turned out not to be entirely successful or cheap enough, they would learn to avoid mistakes and to develop better practices to implement in the future.

Finally, with regard to the participants opinion on the setting up of a Discussion Forum which for further reflection and discussion among stakeholders on how to improve passengers' rights, there was unanimous agreement on the importance of setting up such a Forum, and on the fact that this first meeting among maritime passenger transport stakeholders had been very fruitful.

Mr Faross noted the request from all consumer stakeholders for a common system of handling complaints as a very important tool to improve quality of service. With regard to the settlement of disputes, Mr Faross concluded that there was still an open debate on the issue, even though it seemed generally accepted that a three-step system (direct complaint to the company; complaints not satisfactorily settled to be dealt with by a cheap, quick out-of-court conciliation and arbitration body; if still no satisfaction, complaint to the Court of Justice) worked better than a two-step one (direct complaint to the company; legal complaint to the Court of Justice). The other questions still open on this issue are: whether there should be a single European conciliation and arbitration body or a European network of national bodies; whether out-of-court decisions should be legally binding or just accepted voluntarily; and whether such a body or network of bodies should be set up by Community or national regulation.

Secondly, Mr Faross concluded by noting that there was partial support for the idea of a common set of quality standards. For those in favour, the definition of quality standards should be either left to the companies or to national or Community authorities, depending on the opinions, but in all cases this set of quality standards should be monitored and controlled by Community or national authorities. For those against, quality standards were difficult to define and should be left to each independent company. He concluded that there was unanimous agreement on addressing PRM questions by regulation, since voluntary agreement and individual action had not been successful in the past.

He noted as well that there was unanimous agreement on setting up a more permanent Discussion Forum where stakeholders could continue to discuss issues of protection of maritime passengers' rights, to approach positions and improve the competitiveness of the sector. He regretted that ports and ferry port associations had remained silent during both the written and oral phases of the public consultation. Mr Faross concluded by setting a deadline of 1 February 2007 for stakeholders to send the Commission any other relevant information, such as copies of voluntary agreements, codes of conduct, relevant information on best practice, figures, etc. Those present agreed with these conclusions.

The meeting was closed.