

De : Laureys Benjamin <Benjamin.Laureys@minsoc.fed.be>

Envoyé : mercredi 29 avril 2020 16:44

À : Marie Denninghaus <marie.denninghaus@edf-feph.org>; 'VdK DBR 2020' <db2020@vdk.de>; Eva Konieczny <eva.konieczny@vdk.de>

Cc : 'Gisèle Marliere BDF' (<gisele.marliere@solidaris.be>) <gisele.marliere@solidaris.be>; 'Pierre Gyselinck AEH' (<pierre.gyselinck@aeh-europe.de>) <pierre.gyselinck@aeh-europe.de>; 'Germany NATIONAL COUNCIL' (<info@deutscher-behindertenrat.de>) <info@deutscher-behindertenrat.de>; Mher Hakobyan <mher.hakobyan@edf-feph.org>; Duchenne Véronique <Veronique.Duchenne@minsoc.fed.be>; Magritte Olivier <Olivier.Magritte@minsoc.fed.be>

Objet : RE: Accessibility problems with trains that are conform with EU law

Hello

The first letter was acceptable to the BDF, the new one is not.

I quote Gisèle Marlière:

Le projet initial de texte de l'EDF , excluant la possibilité d'une exemption pour les trains double-étage et les 2 hauteurs de quais, EST CE QUE NOUS DEMANDONS ! Accepter ces exemptions, sur le court terme, compte tenu des conséquences économiques dues au Covid 19 = 30 ans ?

Kind regards.

Benjamin Laureys
CSNPH-NHRPH

Van: Marie Denninghaus <marie.denninghaus@edf-feph.org>

Verzonden: dinsdag 28 april 2020 12:14

Aan: 'VdK DBR 2020' <db2020@vdk.de>; Eva Konieczny <eva.konieczny@vdk.de>; Laureys Benjamin <Benjamin.Laureys@minsoc.fed.be>

CC: 'Gisèle Marliere BDF' (<gisele.marliere@solidaris.be>) <gisele.marliere@solidaris.be>; 'Pierre Gyselinck AEH' (<pierre.gyselinck@aeh-europe.de>) <pierre.gyselinck@aeh-europe.de>; 'Germany NATIONAL COUNCIL' (<info@deutscher-behindertenrat.de>) <info@deutscher-behindertenrat.de>; Mher Hakobyan <mher.hakobyan@edf-feph.org>; Duchenne Véronique <Veronique.Duchenne@minsoc.fed.be>; Magritte Olivier <Olivier.Magritte@minsoc.fed.be>

Onderwerp: RE: Accessibility problems with trains that are conform with EU law

Dear all,

Thank you again for the feedback you gave and your support for the letter. After reviewing it I realized that Eva's comment was a little bit confusing as she asked NOT to remove the sentence in question but her reasoning was different.

Anyways, I suggested a different wording in my previous e-mail to replace this sentence and I hope this is acceptable to all of you. I'm attaching the updated version of the letter with the new sentence, let me

know if this is ok or if I should change anything else – the sentence can also be removed completely if it is too detailed.

Best regards,

Marie

Marie Denninghaus

Policy Coordinator

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Dear Benjamin,

Thank you for your reply and your interest in co-signing the letter.

I suggested a compromise in my e-mail to our German members to highlight that we have a long term goal (level access with uniform platform heights) and a short to medium term goal (level access with intermediate solutions, such as boarding aids). I was a bit confused because Eva said in her reply that the sentence should **not** be deleted (see my highlighting in yellow below) so I think we can solve it like that. Would that be fine with you?

I will also include a reference to your position in the letter. Will Pierre be the signatory for BDF? If yes, could you send me the BDF log and Pierre's electronic signature?

Thank you in advance, best regards,

Marie

Marie Denninghaus

Policy Coordinator

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From: Laureys Benjamin [<mailto:Benjamin.Laureys@minsoc.fed.be>]
Sent: lundi 27 avril 2020 16:51
To: Duchenne Véronique <Veronique.Duchenne@minsoc.fed.be>; Marie Denninghaus <marie.denninghaus@edf-feph.org>
Cc: Magritte Olivier <Olivier.Magritte@minsoc.fed.be>; marlière <gisele.marliere@solidaris.be> <gisele.marliere@solidaris.be>; pierre.gyselinck@skynet.be; Marie-Ange Vandecandelaere (Marie-Ange.Vandecandelaere@unia.be) <Marie-Ange.Vandecandelaere@unia.be>; Mathieu Angelo <mathieu.angelo@cawab.be>
Subject: RE: Accessibility problems with trains that are conform with EU law

Hello Marie

The BDF approves the content of the draft (attachment) and is willing to sign the letter.

However, the BDF does NOT agree with the German demand to delete this sentence from the letter: „To solve this problem, we suggest removing ambiguous formulations, such as accepting different target heights for platforms, exemptions for double-deck trains, etc. from the text once and for all, as we have already tried during the past two revisions.“ This sentence seems essential to us.

We send a copy of this mail to UNIA and CAWaB to notify them about this initiative.

The BDF also wants to refer to the position of the National High Council for People with a disability: <http://ph.belgium.be/fr/avis/avis-2019-15.html>
Feel free to relay it to other contacts who might be interested.

Kind regards

Benjamin Laureys
CSNPH-NHRPH

From: VdK DBR 2020 [<mailto:dbr2020@vdk.de>]
Sent: lundi 27 avril 2020 11:52
To: Marie Denninghaus <marie.denninghaus@edf-feph.org>; 'Olivier Magritte BDF (Olivier.Magritte@minsoc.fed.be)' <Olivier.Magritte@minsoc.fed.be>; 'Véronique Duchenne BDF (veronique.duchenne@minsoc.fed.be)' <veronique.duchenne@minsoc.fed.be>
Cc: 'Gisèle Marlière BDF (gisele.marliere@solidaris.be)' <gisele.marliere@solidaris.be>; 'Pierre Gyselinck AEH (pierre.gyselinck@aeh-europe.de)' <pierre.gyselinck@aeh-europe.de>; 'Germany NATIONAL COUNCIL (info@deutscher-behindertenrat.de)' <info@deutscher-behindertenrat.de>; Mher Hakobyan <mher.hakobyan@edf-feph.org>; Eva Konieczny <eva.konieczny@vdk.de>
Subject: AW: Accessibility problems with trains that are conform with EU law

Dear Marie,

thanks for your mail!

I asked my co-worker Eva Konieczny, Accessibility expert, to answer your question:

She wrote:

„To solve this problem, we suggest removing ambiguous formulations, such as accepting different target heights for platforms, exemptions for double-deck trains, etc. from the text once and for all, as we have already tried during the past two revisions.“

In our view, this sentence above should **not** be deleted. The goal or rather the long-term perspective is, of course, the level entry through a uniform platform height. In practice, however, this cannot yet be made possible. The stepless-level access in long-distance trains is still practically unsolved. We have ICE fleet with an entry at 120 to 126 cm. Large wagon wheels / wheel disks, which are arranged in bogies underneath the wagons, are generally necessary, especially in high-speed traffic. The consequence of this is that a floor height of approx. 120 cm is necessary. And that is significantly higher than the standard height of 76 cm for long-distance trains platforms in Germany. Overcoming the remaining height of approx. 44 cm requires steps or a lift as access. Whereby lift solutions are less constructive for the advantages of level-free access; in relation to the meaning of the Disability Equality Act, namely in the generally customary manner of the self-determined use and without any special difficulties. The train (ECx) commissioned by the Spanish manufacturer Talgo is positive. It offers a stepless level entry at least for long-distance rail platforms in Germany at a height of 76 cm and, since there are no bogies, is at ground level with only a few seats at the end of the train.

For the standard height (55 cm) of long-distance rail platforms in some neighboring EU countries, solutions must be found for long-distance cross-border trains which can serve the different platform heights of 55 and 76 cm.

At local traffic vehicles have been and still are used in many federal states, which are only suitable for the 55 cm platforms from their floor height of approx. 55 to 60 cm in order to ensure a level entry. Since these trains or wagons have a running time of 30 years and more and orders have already been placed, many platforms would not be accessible for a long time. There are numerous exceptions from the states with the DB Station & Station, which refer to the height 55 cm and accept this for the time being. Increases can only be realized with regular, extensive new vehicle purchases. Through the Federal Council, the federal states are claiming for the two platform heights to be given equal rights in the railway construction and operating regulations, as well as the inclusion of accessibility in the General Railway Act.

Therefore, there is still no uniform platform and it depends on the trains . Approaches remain to be discussed, e.g. self-determined using and so on.

If you have any questions, please contact my colleague Eva.

Eva Konieczny
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Abteilung Sozialpolitik
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Mit freundlichen Grüßen

Dorothee Czennia
Koordinatorin DBR-Arbeitsausschuss



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Von: Marie Denninghaus [<mailto:marie.denninghaus@edf-feph.org>]

Gesendet: Donnerstag, 23. April 2020 14:12

An: Dorothee Czennia <czennia@vdk.de>; 'Olivier Magritte BDF (Olivier.Magritte@minsoc.fed.be)' <Olivier.Magritte@minsoc.fed.be>; 'Véronique Duchenne BDF (veronique.duchenne@minsoc.fed.be)' <veronique.duchenne@minsoc.fed.be>

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Betreff: Accessibility problems with trains that are conform with EU law

Dear Dorothee; dear Olivier and Véronique,

I hope you are all well and have not been affected too badly by the Corona-situation in your respective countries.

I'm writing to you in reference to the recent cases of new trains being purchased in Belgium and in Germany (Schleswig-Holstein) which are not fully accessible in practice but operators have argued that they are conform with EU law (Regulation 1300/2014, "TSI-PRM") which should guarantee their accessibility.

We had already some meetings in Belgium to discuss this and we have also brought up this problem with EU Commissioner for Transport, Ms Ioana Valean in a recent meeting. However, we also want to follow-up with the Commission service in charge directly to urge them to adapt the Regulation as soon as possible to avoid these problems in the future.

I'm sending you attached a draft letter to the Commission services, mentioning the two concrete examples from Germany and Belgium with press articles as proof. Could you have a look and check if our description of the situation is correct? Also, if you are aware of additional cases like this in Germany I'd be happy to include it.

You are also very welcome to co-sign the letter or re-send it to your national authorities if you think it is appropriate. For Germany, I have already been in contact with the regional Ministry of Schleswig-Holstein as well as the office of Jürgen Dusel and they both indicated this case as a problem.

Best regards,

Marie

Policy Coordinator

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