



Brussels, 2 July 2020

Ref: EDF-20-55-YV-MLD

To: Director-General Mr Henrik Hololei
Directorate-General for Mobility and Transport
European Commission
1049 Brussels
Belgium

Subject: Recent cases of TSI-PRM compliant trains that remain not accessible for persons with disabilities

Dear Director-General Hololei,

We are writing to you as President of the European Disability Forum (EDF) and the President of the Belgian Disability Forum (BDF) to request a meeting to discuss several recent cases that have been reported in the European and national press where **trains that are compliant to EU legislation intended to make them accessible (Regulation 1300/2014, “TSI-PRM”) are in fact still not accessible for persons with disabilities.**

The most recent cases have been reported from Belgium and Germany but the issue is far more widespread. Please find a list of media reports and press articles attached to this letter.

This is not only a violation of the rights of persons with disabilities, which are underpinned by the UN Convention on the Rights of Persons with Disabilities (UN CRPD), but it also gives a negative image of EU legislation that is working against the interest of the very people it is supposed to benefit.

We are a strong supporter of this Regulation and have actively participated in the drafting of the text. In principle, we see it as a good and useful tool to improve accessibility of rail infrastructure and rolling stock and therefore are also in a difficult situation to defend a piece of legislation which in practice is used as an excuse to not make rolling stock accessible.

We therefore strongly suggest to **schedule the next revision of the Regulation as soon as possible to further improve the text**, but the latest in 2021. This will also be in the interest of the EU to keep its credibility on the effectiveness of its legislation, and to comply with its obligations under the UN CRPD ahead of EU’s review of the implementation of the Convention by the CRPD Committee.

This is also in line with the accompanying report to the recommendations of the European Agency for Railways (ERA)¹ which mentions “promotion of level

¹ Accompanying Report n. ERA-REC-128-2/ACR to the Recommendation of the European Union Agency for Railways on The amendment of Commission Regulation (EU) No 1300/2014 on the

access/independent boarding” as one of the areas for improvement which has not been sufficiently tackled in the most recent revision.

We have already addressed this urgent problem during our meeting with Commissioner Valean on 4 March 2020 who promised to follow-up. However, we think it is important to be in direct contact with you and the responsible Unit (C.4) to explain the technical details and propose concrete policy action.

We would like to thank you in advance for your time and consideration, and we look forward to hearing from you.

Yours sincerely,



Yannis Vardakastanis
President
European Disability Forum



Pierre Gyselinck
President
Belgian Disability Forum

technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility of 12 March 2020

Recent media reports in EU and national media on TSI-PRM compliant rolling stock that remains not accessible for persons with disabilities

Belgium:

The Belgian national rail operator SNCB/NMBS has recently made the biggest order for rolling stock in its history: almost 500 vehicles were ordered at a value of € 1.3 billion. In spite of protests from Disabled Persons' Organisations and other passenger organisations, the majority of those vehicles are not independently accessible to persons with disabilities. **SNCB/NMBS argues that the vehicles are compliant with EU Regulation 1300/2014 (TSI-PRM)** which should in theory guarantee their accessibility. However, because of different platform heights throughout Belgium and because of some important gaps in the text of the Regulation (exemptions for double-deck trains, for example), **the trains remain inaccessible in practice.**

- <https://www.bruzz.be/mobiliteit/nieuwe-wagons-matchen-niet-met-perronhoogte-2020-01-13>
- <https://www.bruzz.be/samenleving/nmbs-schiet-tekort-voor-mensen-met-beperkte-mobiliteit-2016-12-26>
- <https://www.thebulletin.be/new-trains-still-not-wheelchair-accessible-complains-disability-council>
- <https://www.dhnet.be/actu/belgique/la-futurs-trains-de-la-sncb-ne-seront-pas-adaptes-a-la-hauteur-de-la-majorite-des-quais-un-non-sens-total-pour-l-accessibilite-aux-personnes-a-mobilite-reduite-5de65f23f20d5a0c46f34f3b>
- <https://www.lacapitale.be/516550/article/2020-02-11/sncb-la-hauteur-des-quais-un-vrai-casse-tete-pour-les-pmr>
- <https://www.lalibre.be/belgique/mobilite/les-futurs-trains-de-la-sncb-sont-trop-hauts-par-rapport-a-la-majorite-des-quais-un-non-sens-total-pour-les-personnes-a-mobilite-reduite-5de6866ad8ad58130db8d996>

Germany:

Similar to the case in Belgium, but on a slightly smaller scale, the region of Schleswig-Holstein has ordered new rolling stock worth € 220 Million. Again, the rolling stock is officially TSI-compliant but in reality not accessible. Here the issue is mainly related to the ramp gradient inside the vehicles which is too steep, due to the exemption for double-deck trains in the text of the Regulation.

- <https://taz.de/Neue-Zuege-in-Schleswig-Holstein/!5638793/>
- <https://www.ndr.de/nachrichten/schleswig-holstein/Hamburg-Luebeck-Neue-Zuege-nicht-barrierefrei,barrierefreiheit164.html>
- <https://www.sovd-sh.de/2019/11/21/220-millionen-euro-neue-zuege-sind-nicht-barrierefrei/>
- <https://kobinet-nachrichten.org/2020/01/13/barrierefreie-bahn-in-schleswig-holstein/>
- <https://barrierefreiebahn.de/verrampte-zuege/>