

# **ECA audit on EU Passenger rights**

## **Overview of evaluation techniques**

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**Task leader**



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# Information we can offer

- An overview of the audit topic and approach
- The main conclusion of the audit work
- Insight to the survey results and methodology involved
- Our recommendations after the audit

# How did we carry out the audit?

- Missions to 10 Member States (Czech Republic, Germany, Ireland, Greece, Spain, France, Italy, the Netherlands, Poland and Finland) have been carried out;
- We have engaged with numerous stakeholders (carriers, industry associations, claim agencies, passenger unions);
- We have carried out two surveys
  - A statistically relevant survey of 10 000 people from 10 Member States
  - An open survey on the ECA website

# The main conclusion of our work

The name of our report:

EU passenger rights are comprehensive but passengers still need to fight for them

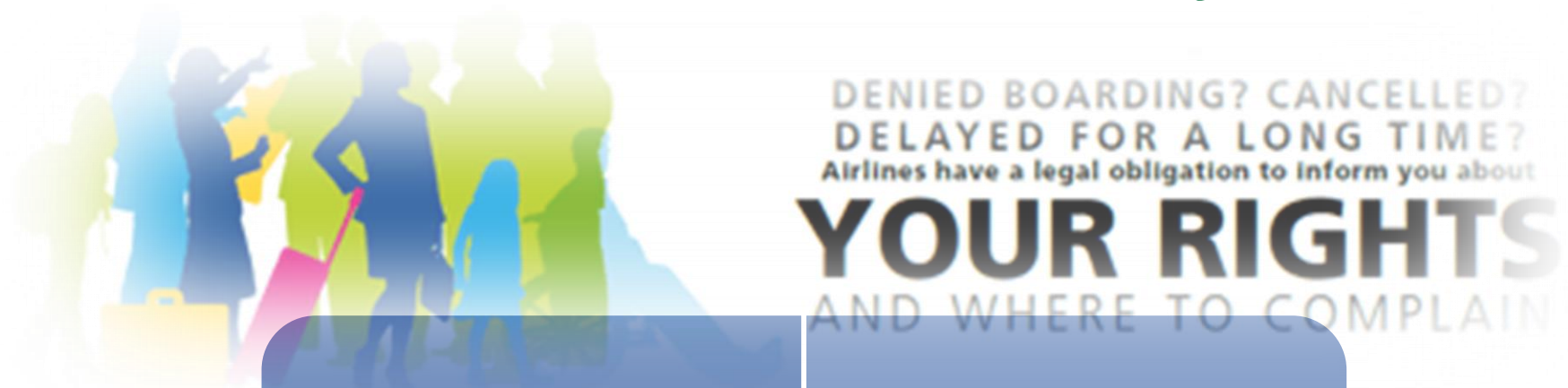
The main conclusion:

The main modes of public transport are covered by the passenger rights regulations, which makes the framework unique in a global context. However, passengers are not sufficiently aware of their rights and frequently do not obtain them due to problems with enforcement of the regulations.

# Challenges in organising a survey

- Defining potential partners;
- Public procurement;
- Providing sufficient replies to the contractor's questions;
- Defining the questions which would provide the information that will one day become useful;
- Raising awareness about the existence of the survey;
- Interpreting the results

# What did we include to the survey?



Experience

Awareness

Passenger  
rights

Knowledge

Opinions



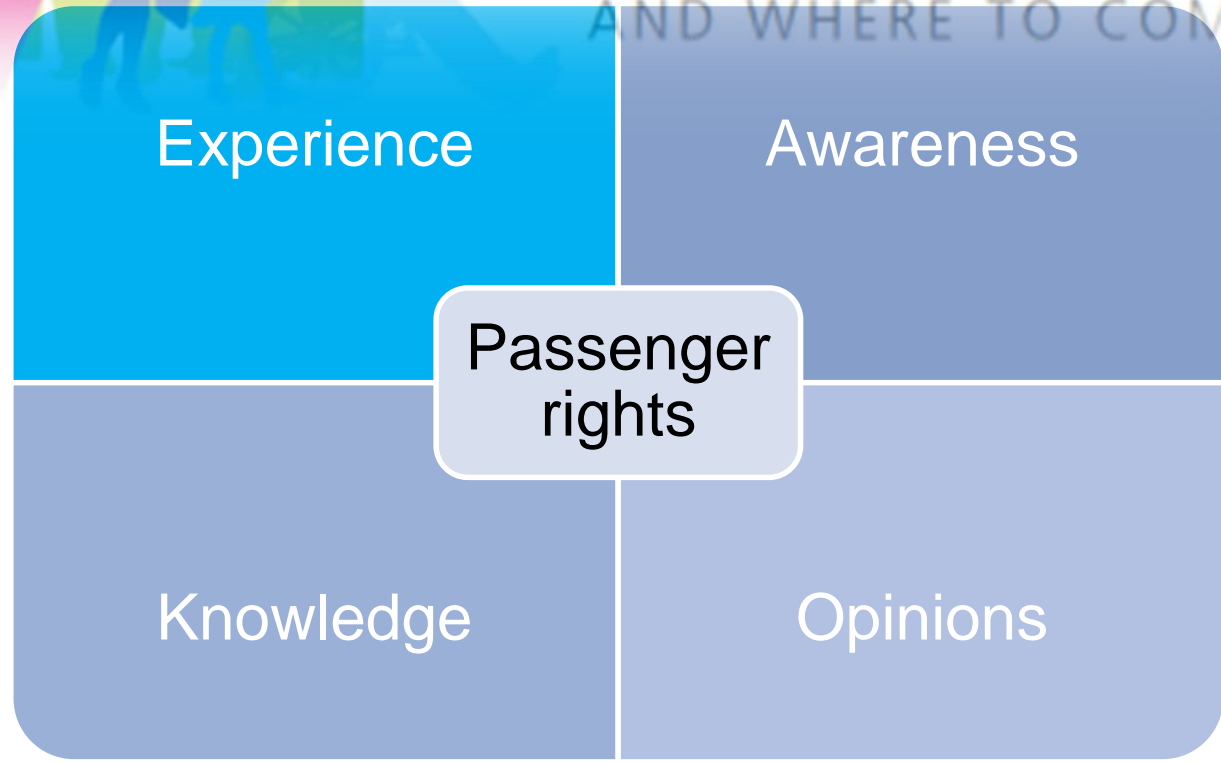
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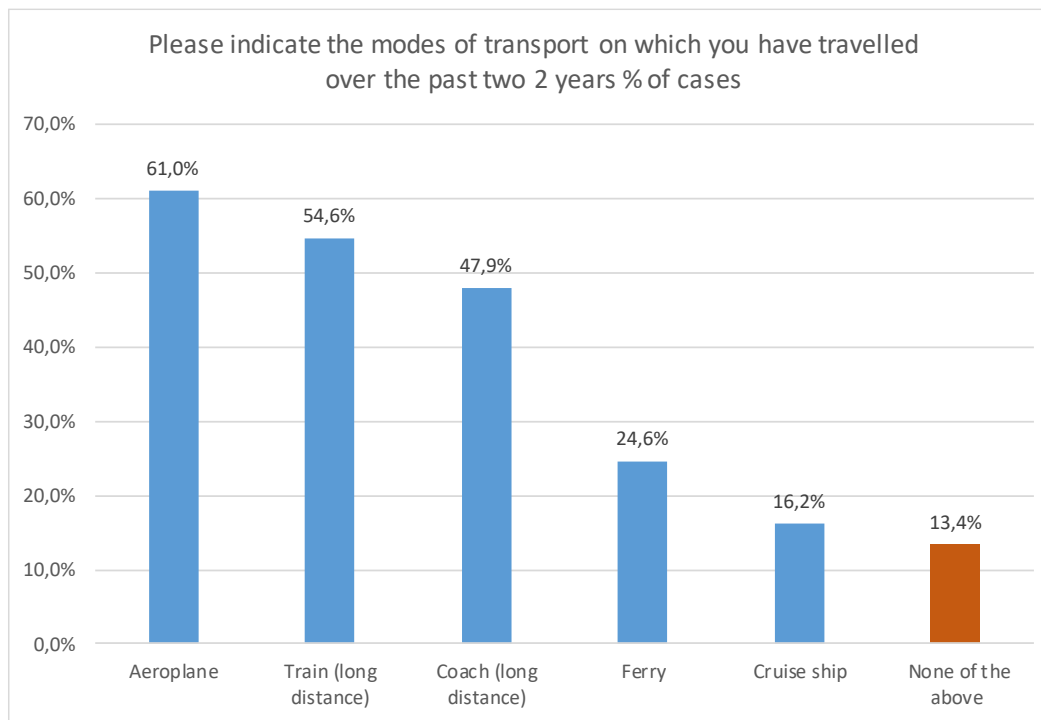
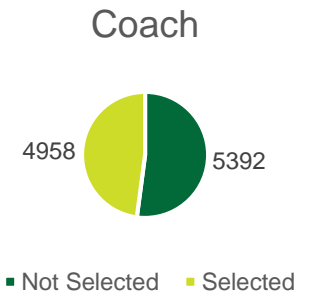
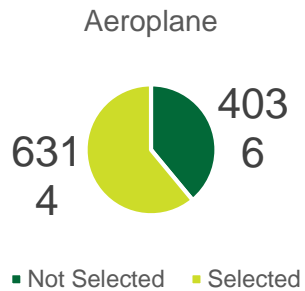
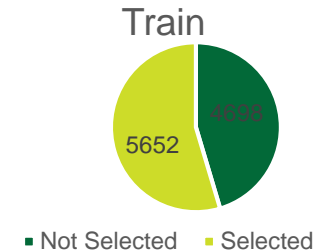
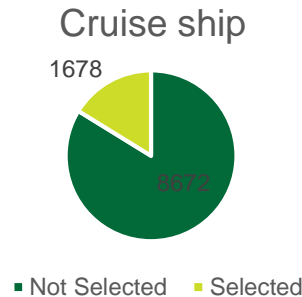
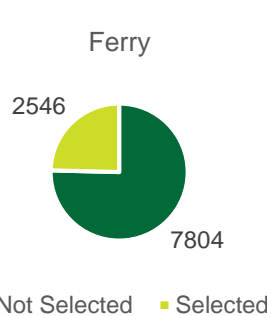
DENIED BOARDING? CANCELLED?  
DELAYED FOR A LONG TIME?  
Airlines have a legal obligation to inform you about

# YOUR RIGHTS

AND WHERE TO COMPLAIN



## Q2. Please indicate the modes of transport on which you have travelled over the past two 2 years:



8961 have travelled  
1389 have not travelled

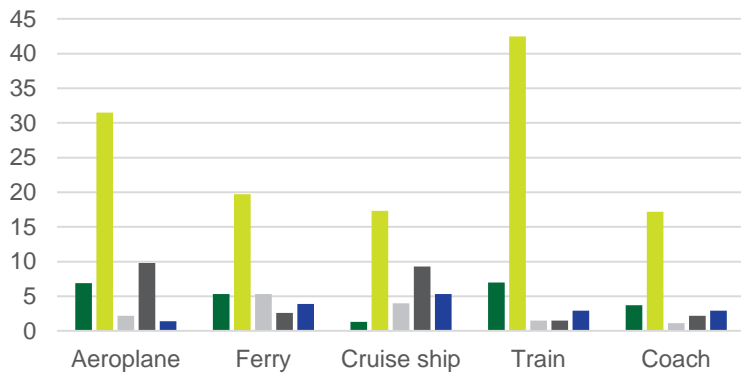


# Experience with travel disruption

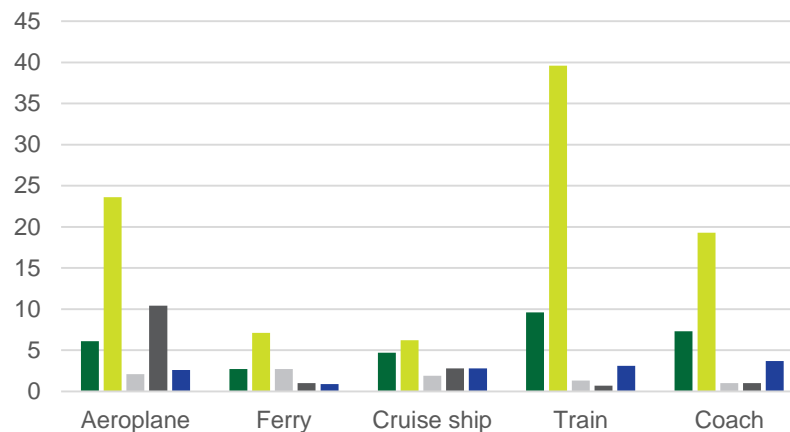
	Cancellation		Significant delay at departure/by the time of arrival		Denied boarding		Loss of or significant damage to luggage		Other problem		No problem occurred	
	n	%	n	%	n	%	n	%	n	%	n	%
Aeroplane	432	4.8	1937	21.6	129	1.4	512	5.7	158	1.8	3754	41.8
Ferry	86	1.0	365	4.1	75	0.8	40	0.4	69	0.8	1980	22.1
Cruise ship	47	0.5	115	1.3	44	0.5	57	0.6	69	0.18	1387	15.5
Train	318	3.5	1908	21.3	110	1.2	86	1.0	232	2.6	3298	36.8
Coach	212	2.4	813	9.1	101	1.1	110	1.2	229	2.6	3662	40.9

# Disruption types by mode of transport: country comparison

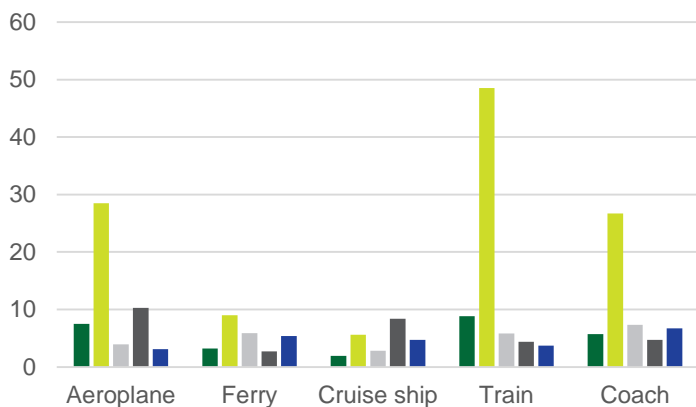
## France



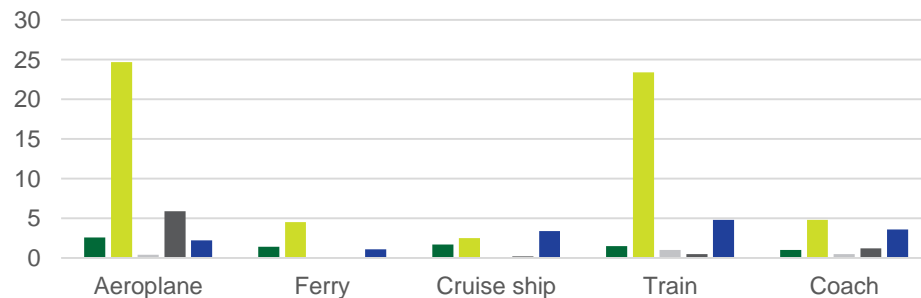
## Czech Republic



## Germany



## Finland

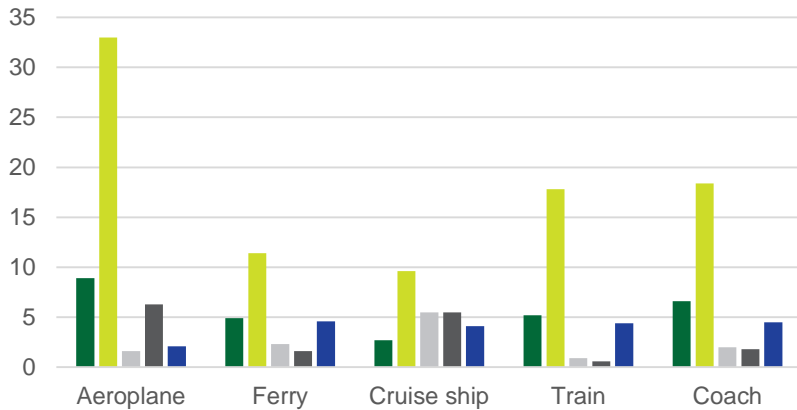


- Cancellation
- Delay
- Denied boarding
- Loss of or significant damage to luggage
- Other problem

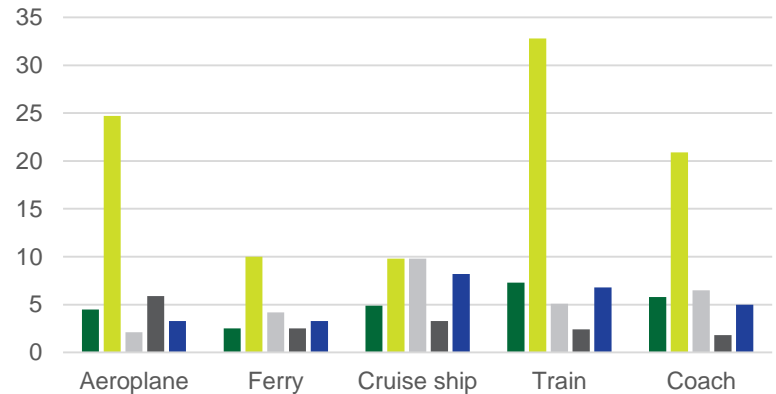


# Disruption types by mode of transport: country comparison

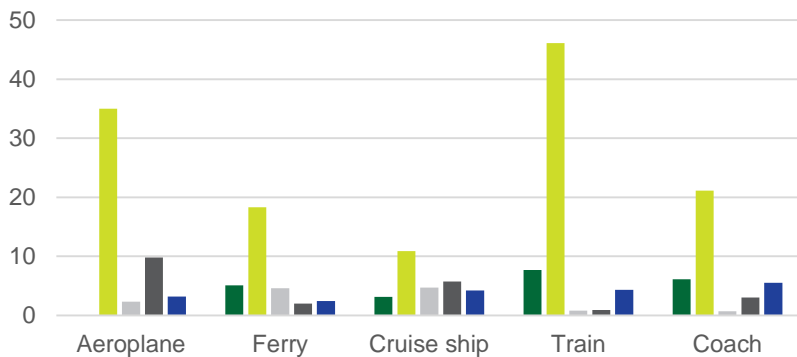
Ireland



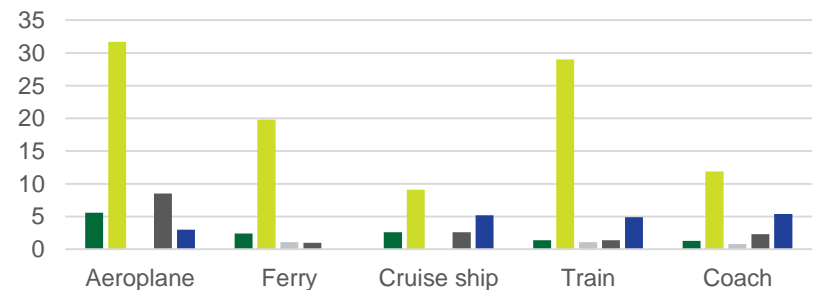
Netherlands



Italy



Greece

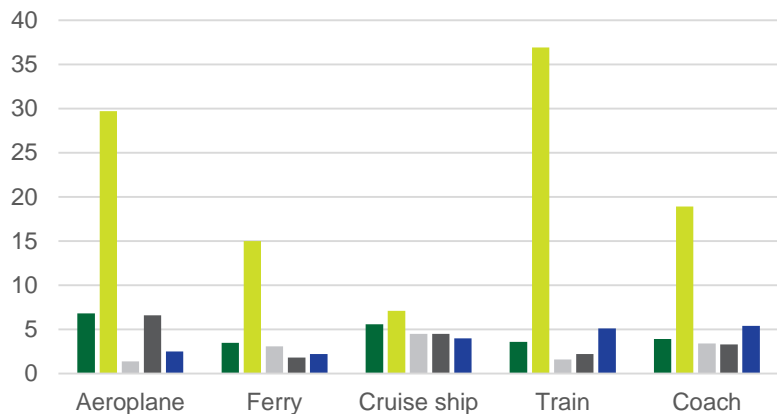


- Cancellation
- Delay
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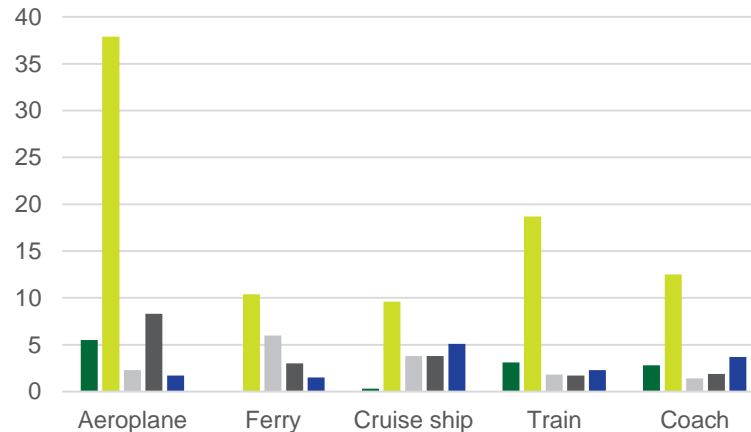


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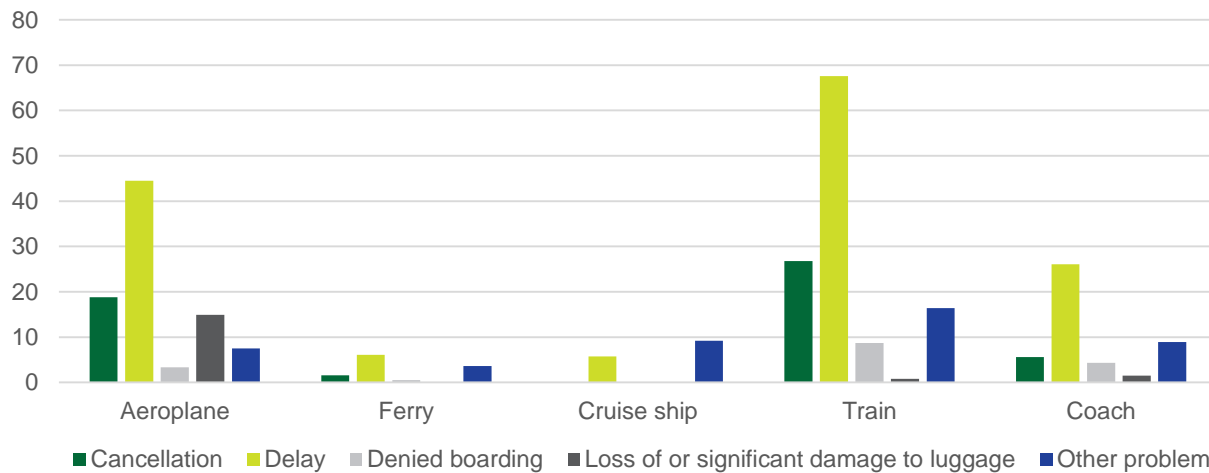
Poland



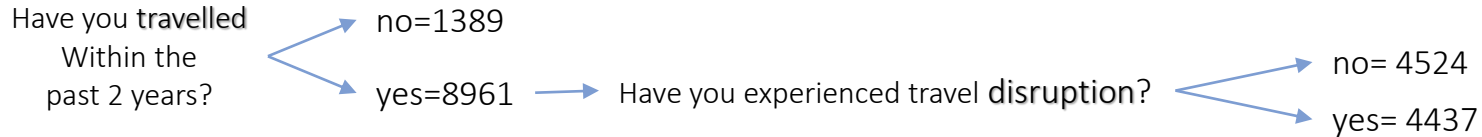
Spain



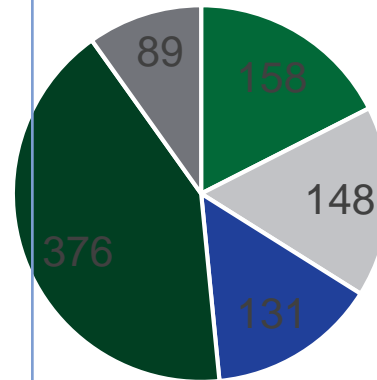
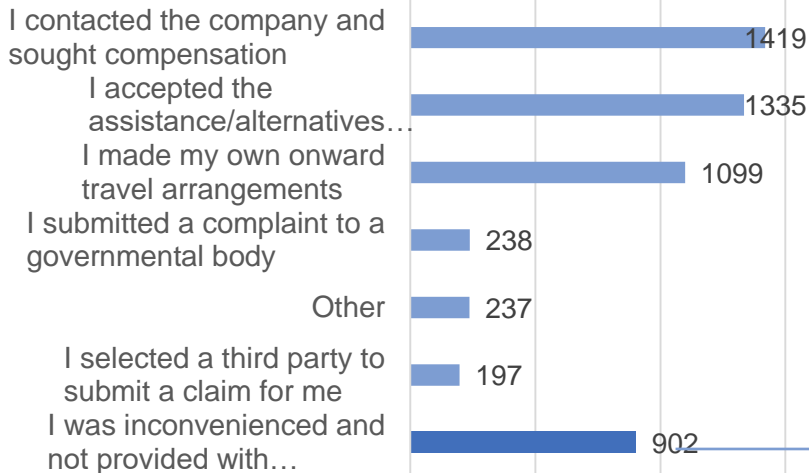
EcaSurvey



# Travel disruption: experiences and reactions



In cases where your travel was cancelled or delayed, you were denied boarding, your luggage was damaged etc., did you take any of the following action?  
(more than 1 allowed)



- Not knowing what I was entitled to
- Not knowing how to proceed
- The recourse process was too troublesome
- The unlikelyhood of a satisfactory response

# did you take any of the following action?

		I made my own onward travel arrangements	I contacted the company and sought compensation	I selected a third party to submit a claim for me	I submitted a complaint to a governmental body	I accepted the assistance/alternatives provided by the carrier	I was inconvenienced and not provided with assistance but took no action	Other	Total
I made my own onward travel arrangements	n	1099	261	58	61	173	0	14	1099
	%	24,8%	5,9%	1,3%	1,3%	3,9%	0,0%	0,3%	24,8%
I contacted the company and sought compensation	n	261	1419	76	238	339	0	7	1419
	%	5,9%	32,0%	1,7%	2,7%	7,6%	0,0%	0,2%	32,0%
I selected a third party to submit a claim for me	n	58	76	197	24	36	0	4	197
	%	1,3%	1,7%	4,4%	0,5%	0,8%	0,0%	0,1%	4,4%
I submitted a complaint to a governmental body	n	61	119	24	238	57	0	1	238
	%	1,4%	2,7%	0,5%	5,4%	1,3%	0,0%	0,0%	5,4%
I accepted the assistance/alternatives provided by the carrier	n	173	339	36	57	1335	0	8	1335
	%	3,9%	7,6%	0,8%	1,3%	30,1%	0,0%	0,2%	30,1%
I was inconvenienced and not provided with assistance but took no action	n	0	0	0	0	0	902	0	902
	%	0,0%	0,0%	0,0%	0,0%	0,0%	20,3%	0,0%	20,3%
Other	n	14	7	4	1	8	0	237	237
	%	0,3%	0,2%	0,1%	0,0%	0,2%	0,0%	5,3%	5,3%
total	n	1099	1419	197	238	1335	902	237	4437
	%	24,8%	32,0%	4,4%	5,4%	30,1%	20,3%	5,3%	100,0%

Active and angry

Active, angry but resigned

money seeker

Very angry but hasty

Passive but money seeker

# PRMs and experiences with travel disruption

		Q12. Do you have reduced mobility?		Total
		Yes	No	
Have you ever experienced travel disruption in the <b>air</b> sector?	Count	<b>164</b> (xsq sig .06)	2405	2569
	% within Q12	<b>52,9%</b>	58,3%	
Have you ever experienced travel disruption in the <b>Ferry</b> sector?	Count	<b>46</b> (xsq sig .25)	520	566
	% within Q12	<b>14,8%</b>	12,6%	
Have you ever experienced travel disruption in the <b>Cruise</b> sector?	Count	<b>33</b> (xsq sig .03)	258	291
	% within Q12	<b>10,6%</b>	6,3%	
Have you ever experienced travel disruption in the <b>Rail</b> sector?	Count	<b>177</b> (xsq sig .14)	2177	2354
	% within Q12	<b>57,1%</b>	52,8%	
Have you ever experienced travel disruption in the <b>Coach</b> sector?	Count	<b>91</b> (xsq sig .95)	1205	1296
	% within Q12	<b>29,4%</b>	29,2%	
<b>Total</b>	Count	<b>310</b>	4127	4437



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**YOUR RIGHTS**  
AND WHERE TO COMPLAIN

Experience

Awareness

Passenger  
rights

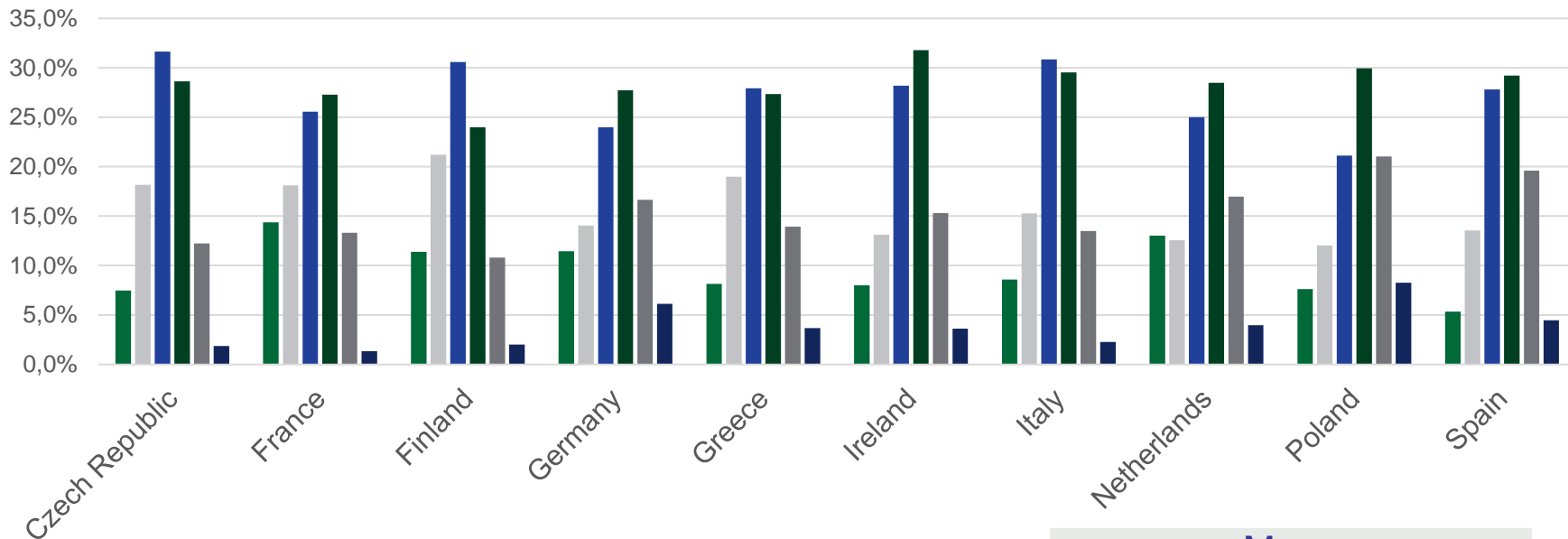
Knowledge

Opinions





# True/False Test: number of correct options selected 0-5



■ 0 ■ 1 ■ 2 ■ 3 ■ 4 ■ 5

	Frequency	Percent	Cumulative Percent
0	990	9,6	9,6
1	1621	15,7	25,2
2	2818	27,2	52,5
3	2940	28,4	80,9
4	1590	15,4	96,2
5	391	3,8	100,0
<b>Total</b>	<b>10350</b>	<b>100,0</b>	

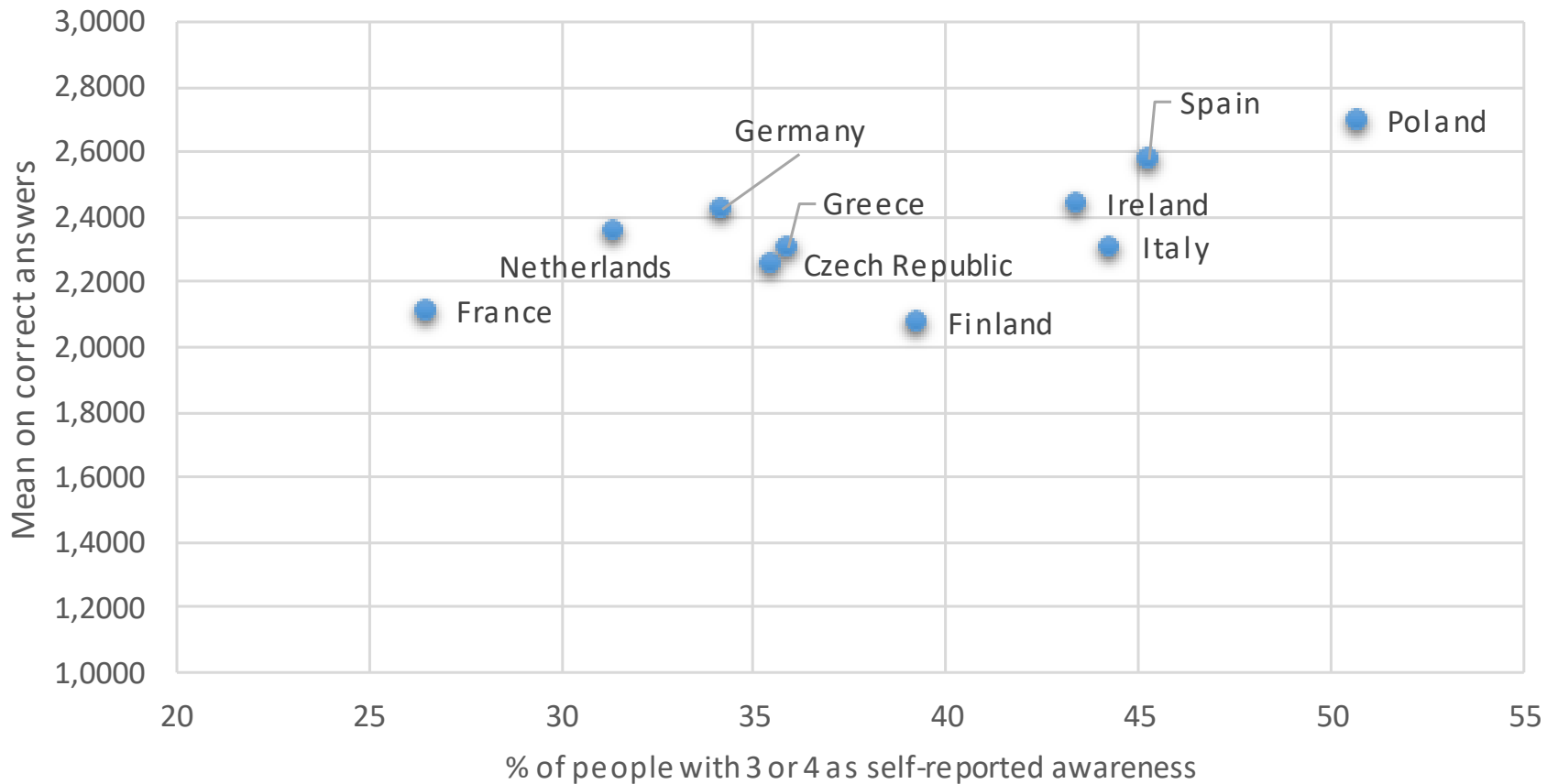
\*902 cases of people who took no action after disruption:  
Mean 2,22

	Mean
Poland	2,6958
Spain	2,5752
Ireland	2,4410
Germany	2,4251
Netherlands	2,3575
Greece	2,3091
Italy	2,3085
Czech Republic	2,2553
France	2,1111
Finland	2,0760
<i>EcaSurvey</i>	2,58

# Is self reported awareness related to rights knowledge?

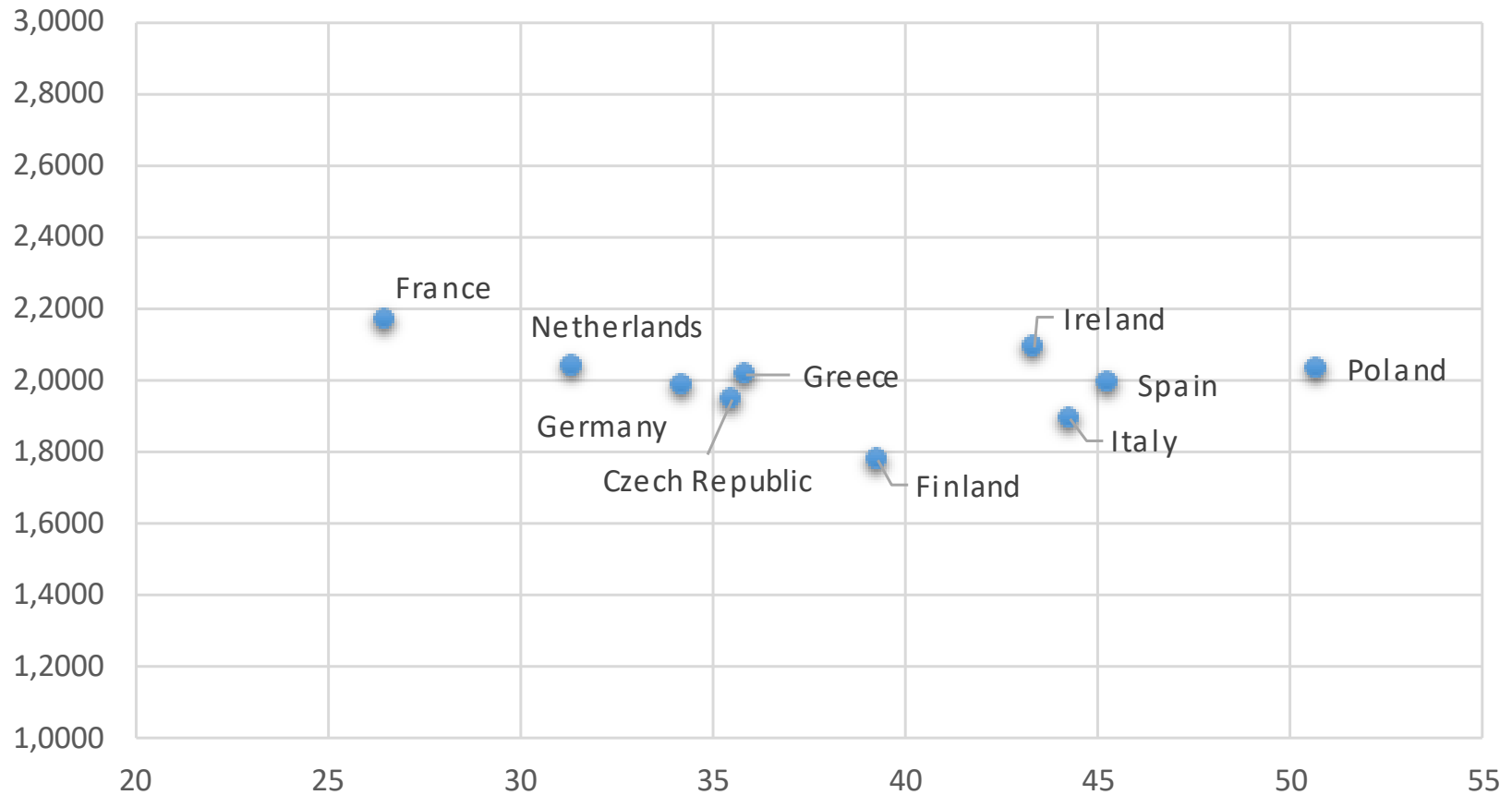


## True False test by awareness (q7)



- Small variation range among countries' mean of correct answers
- Weak relation between actual knowledge and self-reported awareness of rights

## 15 items test by awareness (q7)



- Small variation range among countries' mean of correct answers: low rate of correct answers
- No relation between actual knowledge and self-reported awareness of rights





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# Which rights do passengers Think are the most important?

<b>ECA OPEN SURVEY</b>	<b>N</b>	<b>% of Cases</b>	<b>SSI SURVEY</b>	<b>n</b>	<b>% of Cases</b>
Right to receive alternative transport in the event of long delays, cancellations or denied boarding	828	65,4 %	Right to receive alternative transport in the event of long delays, cancellations or denied boarding	4321	41,7%
Right to compensation in the event of long delays, cancellations or denied boarding	640	50,5 %	Right to compensation in the event of long delays, cancellations or denied boarding	4095	39,6%
Right to access to information in the event of travel disruption	560	44,2 %	Right to care (food, assistance) in the event of long delays	3732	36,1%
Right to a refund from the carrier in the event of disruption	398	31,4 %	Right to compensation in the event of damage to your luggage	3691	35,7%
Right to care (food, assistance) in the event of long delays	365	28,7 %	Right to a refund from the carrier in the event of disruption	3595	34,7%
Right to protection against discrimination based on nationality, residence or disability when you use public transport	263	20,8 %	Right to protection against discrimination based on nationality, residence or disability when you use public transport	3235	31,3%
Right to assistance at no cost for passengers with reduced mobility	230	18,2 %	Right to access to information in the event of travel disruption	3096	29,9%
Right to compensation in the event of damage to your luggage	197	15,5 %	Right to assistance at no cost for passengers with reduced mobility	2990	28,9%
Right to proper implementation of the regulations by public authorities	189	14,9 %	Right to lodge a complaint with a carrier if you are dissatisfied with their service	1001	9,7%
Right to lodge a complaint with a carrier if you are dissatisfied with their service	74	5,8 %	Right to proper implementation of the regulations by public authorities	744	7,2%



## Q5. Please select from the following list the three rights you regard as most important? *sub-sample people who didn't take any action after disruption (902)\**

	N	Cases
Right to compensation in the event of long delays, cancellations or denied boarding	376	41,7%
Right to receive alternative transport in the event of long delays, cancellations or denied boarding	369	40,9%
Right to compensation in the event of damage to your luggage	338	37,5%
Right to care (food, assistance) in the event of long delays	329	36,5%
Right to a refund from the carrier in the event of disruption	328	36,4%
Right to protection against discrimination based on nationality, residence or disability when you use public transport	281	31,2%
Right to access to information in the event of travel disruption	262	29,0%
Right to assistance at no cost for passengers with reduced mobility	250	27,7%
Right to lodge a complaint with a carrier if you are dissatisfied with their service	80	8,9%
Right to proper implementation of the regulations by public authorities	64	7,1%
tot	2677	296,8%



# Wordclouds of most recurrent words in the open box, EcaSurvey





## Recommendation 1: Improving coherence of the EU passenger rights framework

In order to ensure the best possible protection of passengers in all modes of transport, the Commission should by the end of 2020 carry out an analysis of the differences between the current passenger rights regulations, focusing on the 10 core passenger rights, to determine the best practices to be introduced to all modes of transport. For this purpose it should also take account of current international practice.

## Recommendation 2: Improving clarity within the passenger rights framework

In order to better protect passengers during travel disruption the Commission should by the end of 2020 issue interpretive guidelines defining:

- (a) minimum standards on information to be provided to passengers experiencing travel disruption;
- (b) carriers' obligations to provide re-routing; including the use of alternative carriers.

## Recommendation 3: Increasing passenger awareness

In order to increase awareness about passenger rights, the Commission should by the end of 2019:

- (a) take actions to promote and coordinate the launching of awareness campaigns by NEBs while fostering the participation of carriers and other stakeholders in order to ensure a wider reach of these campaigns;
- (b) prepare a guide for passengers on how to enforce their rights in practice. It could include references to case law and a model claim form to be presented to the carriers and the NEBs;
- (c) propose that the NEBs report on the frequency, causes and routes most affected by travel disruption within their area of competence.

## Recommendation 4 Improving the effectiveness of the passenger rights framework

challenges to enforcement, the Commission should by the end of 2021 address the following issues when reflecting on its proposals to amend the existing regulations. The issues should include:

- (a) setting minimum standards for assistance and care. Minimum thresholds should depend on the length of the disruption and the mode of transport used. For example, the minimum air passenger allocation for care could be 10 % of the medium rate of compensation (currently €400). For other modes of transport, the rate could be limited to 50 % of the air allocation;
- (b) reducing the number of derogations that limit the application of the regulation;
- (c) obliging the carriers to publish a note to passengers within 48 hours of the occurrence of the travel disruption of its causes and specifically, whether it was due to extraordinary circumstances;
- (d) obliging the carriers to execute automatic (without a specific request) compensation payments to passengers who have provided the necessary information at the time of purchasing the ticket;
- (e) introducing a mechanism to maintain the purchasing value of compensation rates.

## Recommendation 5: Further empowering the NEBs and enhancing the mandate of the Commission

In order to empower the NEBs and to develop their supportive role vis a vis passengers while ensuring proper enforcement of passenger rights, the Commission should by the end of 2021 address the following issues when reflecting on its proposals to amend the existing regulations. The issues should include:

- (a) providing the NEBs with further tools for the enforcement of passenger rights, such as:
  - (i) applying the principle of territorial enforcement;
  - (ii) monitoring the carriers' policies on assistance, care, information and re-routing;
  - (iii) handing compensation claims submitted by individual passengers;
  - (iv) sanctioning carriers for a failure to provide assistance, care and information.
- (b) enabling the Commission to obtain the necessary information from the NEBs in order to have a comprehensive view of the state of enforcement and giving it a mandate to perform quality control of the enforcement practices of the NEBs.

**Thank you  
for your attention!**

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