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Consumer Centres  
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eccnet.eu  
24 April 2026

# Strengthening Rail Passenger Rights in the EU

Position Paper



# Summary

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# Executive summary

Since Regulation (EU) 2021/782 entered into force on 7 June 2023, the Network of European Consumer Centres (ECC-Net) has handled 2,333 rail-related consumer requests. The volume is modest compared with some other transport sectors, but the issues are highly repetitive and reveal structural weaknesses that matter far beyond the individual case.

The main gap is simple: passengers buy what looks and feels like one journey, but in reality, they are often protected only for fragments of that journey. This is particularly visible in cross-border, multi-operator, night-train and multimodal travel.

ECC-Net therefore calls for a future review of the Regulation to focus on journey continuity, realistic rerouting, effective assistance during disruption, stronger compensation, more accessible complaint handling, and better protection for passengers with disabilities and reduced mobility.

- A single booking flow should trigger end-to-end passenger protection, regardless of how many rail operators are involved.
- The current rules on self-rebooking, complaint handling and extraordinary circumstances leave too much room for delay, uncertainty and under-enforcement.
- National and operator practices show that stronger passenger protection is feasible and already exists in parts of the market.

# Why a review is needed

Rail transportation is central to the European Union’s sustainable mobility ambition, but passengers will only shift to rail if their rights work in real life, including when journeys go wrong. That practical perspective is where the Network of European Consumer Centres (ECC-Net) adds value. Consumers contact ECC-Net when they face delays, missed connections, poor assistance, unclear liability, or fragmented complaint procedures in cross-border situations.

Regulation (EU) 2021/782 contains welcome improvements, especially on through-tickets, ticket vendor liability, accessibility and complaint handling. Yet the practical picture remains uneven. Too many rights still depend on the type of ticket, the operator involved, the Member State concerned, or the passenger’s ability to navigate complex procedures during a disruption.

The timing is right for action. The Commission has already signalled a targeted review of rail passenger rights in parallel with wider work on digital booking and ticketing for rail travel. ECC-Net’s evidence shows that the future review should not only refine legal concepts; it should close the protection gaps that consumers continue to experience every day.



# Through-tickets, single transactions and journey continuity



Article 12 was intended to improve journey continuity, but the current framework still leaves passengers exposed. In practice, 'reasonable efforts' to offer through-tickets are not enough. Multi-operator or cross-border itineraries are still often sold as separate transport contracts, even where the consumer books in one search, on one website and in one payment flow.

This legal fragmentation matters because end-to-end protection is exactly what passengers expect when they buy one trip. The ability of sellers to rely on disclosures that the itinerary consists of separate contracts undermines that expectation. Information may be shown, but it is often too technical, too easy to miss, or too abstract to be understood before a disruption occurs.

## Illustrative ECC-Net evidence

**Belgium:** ECC Belgium reports that the information shown during booking is expressed in general terms. It is not clear enough for an average consumer to understand whether the purchase is a through-ticket.

**France:** ECC France reports that consumers still expect to be covered to their final destination when they buy a whole trip from one seller, even if the national carrier has inserted a pop-up or terms and conditions on disconnected legs.

**Germany:** ECC Germany reports that through-tickets are available for some long cross-border routes but not for others, including cases where the final leg abroad is local or regional. Consumers do not understand why technically feasible combinations still leave them unprotected.

**Spain:** ECC Spain reports that combinations involving different operators or regional transport are still often sold as separate tickets.

## What ECC-Net recommends

- Any rail itinerary sold through one booking flow or one commercial transaction should trigger end-to-end passenger protection for the full journey, regardless of whether the seller is a railway undertaking, ticket vendor or tour operator.
- The opt-out logic that allows single-transaction sales to be split into separate transport contracts should be removed or, at the very least, drastically narrowed. If separate contracts remain possible, the consumer should actively choose them rather than merely being informed about them.
- Railway undertakings and intermediaries should be subject to stronger data-sharing and interoperability obligations, so that through-tickets become the default, not the exception, for connected journeys.
- Where the market still produces separate tickets, sellers should have to provide segment-specific confirmations in a way that makes the legal consequences immediately understandable.

# Rerouting and self-rebooking must work in practice



The rights outlined in Article 18 are important, but passengers regularly struggle to enforce them. The current framework assumes that passengers will quickly identify the responsible undertaking, obtain information, understand whether they may arrange their own alternative transport, and gather the right evidence – often in the middle of a disruption, at night, or abroad.

The 100-minute trigger for self-rebooking is too rigid. It is especially problematic in last-train scenarios, night train disruptions, and complex cross-border journeys where waiting for 100 minutes may mean losing the only realistic onward option. The Regulation also does not give passengers sufficient confidence that reasonable alternatives beyond rail, coach or bus will be covered if there is no meaningful solution.

## Illustrative ECC-Net evidence

**Germany:** A strong practice already exists: where a delay of 20 minutes or more is expected on domestic journeys, Deutsche Bahn lifts the train-specific restriction and allows the passenger to use another connection on the booked route. German law also grants additional protection for local and regional passengers, including taxi reimbursement up to EUR 120 in certain late-night cases.

**Belgium:** ECC Belgium reports that, in the cases handled, SNCB did not proactively offer rerouting; consumers were sometimes merely allowed to board another train or had to make their own arrangements.

**France:** ECC France reports that rerouting often depends on availability and that consumers are generally expected to identify and select the alternative connection themselves.

**Germany - night trains:** ECC Germany reports repeated situations in which passengers who were stranded after a night train disruption resorted to booking flights home, especially when there was only one night service per day.

## What ECC-Net recommends

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- The future review should designate a clear point of responsibility for rerouting in multi-operator journeys so that the passenger is not left to determine which carrier must act.
- The right to self-rebooking should become operational earlier, especially for cross-border, night and last-service scenarios. A fixed 100-minute period is not always reasonable.
- Passengers should be entitled to reimbursement for necessary, appropriate and reasonable alternative transport beyond rail, coach or bus if no meaningful solution can be offered within a realistic time frame.
- Seat reservation costs, ancillary fees and equivalent extra costs caused by rerouting should be reimbursed automatically.
- Carriers and ticket sellers should be required to communicate rerouting rights in plain language, in real time and across multiple channels, including on tickets, in apps, at stations and on board.

# Assistance rights remain too dependent on operator practice



Meals, refreshments, accommodation, and practical support are among the rights that matter most to passengers during a disruption. Yet they are also among the rights most often experienced as conditional, inconsistent or difficult to enforce. The legal right exists, but passengers still report that they must advance the costs themselves and then navigate burdensome reimbursement procedures.

This is particularly visible in large-scale disruptions, where consumers need a system that works without negotiation at the station desk. Rights that depend on prior authorisation, special statements or physical staff availability are not robust enough.

## Illustrative ECC-Net evidence

**Belgium:** ECC Belgium reports that in four cases received between March 2025 and March 2026, proper assistance was not offered, and consumers had to bear the cost themselves before claiming reimbursement.

**France:** ECC France reports that consumers may only recover their own assistance expenses if they first approach the carrier desk and obtain a statement that assistance could not be provided.

**Netherlands:** ECC Netherlands reports that the national carrier rarely offers accommodation or other services proactively in delay or cancellation cases, even though it is usually willing to compensate expenses afterwards.

**Germany:** ECC Germany reports that even meal reimbursement can become cumbersome because the service centre sometimes requires original receipts to be sent by post.

## What ECC-Net recommends

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- Reimbursement for self-arranged assistance should not depend on prior authorisation, desk statements or other formalities that are unrealistic during disruption.
- Digital copies of tickets and receipts should be sufficient proof unless there are reasons to doubt them.
- The Regulation should impose clearer operational duties for overnight disruption, including accommodation and local transport to that accommodation.
- Railway undertakings, station managers and infrastructure managers should be required to maintain crisis preparedness plans for strikes, major weather events and other large-scale disruptions.

# Compensation should better reflect the real consumer impact



The current compensation framework still sends the wrong signal to passengers. Compensation of 25% for delays of 60 to 119 minutes and 50% for delays of 120 minutes or more is modest compared with the disruption many passengers actually experience, especially in long-distance or cross-border travel.

If no adequate assistance is provided, the extraordinary circumstances exemption in Article 19(10) can further weaken confidence because it removes compensation precisely in situations where a disruption can be most severe.

National and operator practice shows that stronger protection is possible. The market already shows examples of more generous schemes and lower delay thresholds. The Regulation should not treat these as exceptional acts of goodwill, but as evidence that a more ambitious baseline is realistic.

## Illustrative ECC-Net evidence

**Belgium:** ECC Belgium reports that SNCB's terms and conditions go beyond the minimum Regulation in relation to some delay-compensation rights.

National railway companies in **Denmark, France, Italy, and the Netherlands** offer a compensation to their passengers starting at a delay of 30 minutes, even in cases of force majeure. This compensation is usually 25% of the ticket price.

It is even worth noting that the major French rail carrier continues to pay compensation even in cases of force majeure for delays exceeding 60 minutes, as this protection existed prior to the entry into force of the new regulation.

**Spain:** ECC Spain reports that compensation is generally offered in money, while vouchers may be proposed, but consumers can usually request payment instead.

## What ECC-Net recommends

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- The extraordinary circumstances exemption for delay compensation should be removed or, at a minimum, significantly narrowed.
- The European Union should assess whether the current thresholds and percentages still provide adequate deterrence and meaningful redress in modern long-distance and cross-border rail travel.
- Monetary refunds should remain the default form of compensation. Vouchers should only be used with explicit, informed consumer consent and on flexible terms.
- More favourable national rules or operator practices should remain possible and should be encouraged, not crowded out.

# Complaint handling, ADR, and enforcement are still too fragmented



Passengers often lose time not because their case lacks merit, but because the system is too difficult to navigate. They must identify the right addressee, cope with language barriers, respect short deadlines and often re-explain the same facts to different bodies. This weakens enforcement.

The Regulation contains valuable timelines for passengers to file complaints and for Alternative Dispute Resolution bodies (ADRs) and National Enforcement Bodies (NEBs) to process them, but procedural complexity remains a barrier in cross-border cases.

Where ADR or NEB complaint channels are online-only, overly automated, paper-based, or mainly monolingual, access to rights is reduced in practice.

## Illustrative ECC-Net evidence

**Germany:** ECC Germany reports that the Passenger Rights Service Centre may require forms and supporting material to be sent by post. Processing can take several months.

**France:** ECC France reports that the complaint architecture is highly automated and difficult for more complex complaints because consumers must fit their problem into pre-defined online forms and chatbot categories.

**Spain:** ECC Spain reports that the carrier aims to reply within 30 days, but response times can be longer in practice, depending on workload and case complexity.

**Netherlands:** ECC Netherlands reports no clear response timeframe, long-standing backlogs, inconsistent answers and ADR availability that is better suited to Dutch-speaking consumers than to cross-border users.

## What ECC-Net recommends

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- Any railway undertaking, ticket seller, or station manager receiving a complaint outside its field of responsibility should be obliged to forward it promptly to the competent entity and inform the passenger.
- Time limits for complaints should be reassessed. At a minimum, the statutory limitation period should be suspended while a complaint is pending.
- Complaint, ADR, and NEB procedures should be easily accessible for cross-border passengers, including through multilingual information and digital channels that can handle complex cases.
- NEBs should publish more visible information on their activity, sanctions, priorities and cooperation outcomes. This would make the system more intuitive, transparent, and predictable for passengers.

# Persons with disabilities and reduced mobility still face barriers to spontaneous travel



The revised Regulation improved the framework for passengers with disabilities and reduced mobility, but ECC-Net evidence and external disability rights advocacy point to a continuing gap between legal entitlement and real autonomy. A right that depends on advance notification, unreliable accessibility information or ad hoc staff intervention does not yet deliver genuinely spontaneous and equal rail travel.

Accessibility must also be assessed from the passenger's perspective. Systems that appear workable on paper may fail in practice when boarding equipment is unreliable, assistance must be requested differently in each country, or rerouting is offered in a form that is not suitable for the passenger.

## Illustrative ECC-Net evidence

**Germany:** ECC Germany reports unreliable accessibility information based on self-reporting, difficulties booking a companion ticket, and technical problems with boarding assistance, including poor-quality or impractical lifts.

**France:** ECC France reports a case where a French passenger with reduced mobility could not directly book an adapted space for a largely German journey. Instead, they had to make a request and wait weeks for confirmation.

**France:** ECC France also reports that rerouting offered to passengers with reduced mobility is not always appropriate. If the passenger then uses a taxi or more suitable transport instead of an inadequate alternative, reimbursement may be refused.

**Spain:** ECC Spain identifies recurring practical risks around station assistance, disruption coordination and infrastructure accessibility.

## What ECC-Net recommends

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- The legal and operational framework should move further towards spontaneous travel. Advance notice should not remain the decisive condition for effective assistance wherever operationally avoidable.
- Accessibility information should be independently verifiable, standardised and genuinely usable, including for cross-border bookings.
- The European Union should support an EU-wide digital system or single point of contact for booking assistance across borders, including during rerouting.
- Equivalent and appropriate rerouting must be guaranteed for passengers with disabilities and reduced mobility. If the proposed solution is not actually accessible, the required alternative transport should be reimbursed.

# Protection gaps remain in multimodal, night train and excluded-service scenarios



Some of the weakest protection appears exactly where modern rail policy is trying to grow: in multimodal journeys, cross-border connections, airport access services and night trains. Passengers can still fall between legal frameworks or lose coverage because one segment is characterised differently from the rest of the journey.

National exclusions under Article 2 aggravate that problem. Where local or regional services are outside scope, missed connections to long-distance services can leave passengers only partly protected. This is difficult to reconcile with the everyday reality of how journeys are planned and sold.

## Illustrative ECC-Net evidence

**Spain:** ECC Spain reports that the exclusion of certain urban, suburban and regional services creates difficulties in mixed journeys. For example, when a delayed local or regional leg causes the passenger to miss a long-distance train.

**France:** ECC France reports difficulties with a train leg sold by an airline as part of a wider itinerary, because it may not be treated as a service performed by the national carrier, even though its trains and routes are used.

**Germany:** ECC Germany reports a multimodal case in which a delayed rail leg caused a missed flight. It was unclear which company had to reimburse the passenger. ECC Germany also reports package travel situations in which uncertainty about the rail-to-airport segment undermined the holiday itself.

**Netherlands:** ECC Netherlands reports that urban, suburban and regional trains do not fall under the Regulation, even though the issue may not yet have generated many complaints based on the national data.

## What ECC-Net recommends

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- Where rail is sold together with another transport mode in one contract or one transaction, the passenger should benefit from clear end-to-end responsibility for missed connections and rerouting.
- The interaction between rail passenger rights, passenger-rights enforcement rules and package travel law should be clarified so that passengers are not caught between different legal regimes.
- National exclusions for regional or suburban services should be narrowed or phased out where they undermine connection protection in mixed journeys.
- Night train disruptions and last-service cancellations should trigger stronger obligations on information, accommodation, rerouting and reimbursement because the harm to passengers is especially acute.

# Conclusion

The central lesson from ECC-Net case experience is straightforward: a rail journey should be protected as a journey. This protection should not be excluded with a chain of disclaimers. Regulation (EU) 2021/782 improved the framework, but it still leaves too much room for fragmented ticketing, procedural complexity and uneven practical protection.

A future review should, therefore, focus less on formal rights that exist in theory and more on clear rights that can be exercised quickly and across borders. That means end-to-end journey continuity, practical rerouting, enforceable assistance, meaningful compensation, accessible complaint procedures and appropriate treatment for passengers with disabilities and reduced mobility.

Stronger rail passenger rights are not a burden on sustainable mobility; they are a precondition for it. If the European Union wants more consumers to choose rail with confidence, the legal framework must protect them when the journey does not go to plan.

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