Legal and contractual implications of COVID-19 on passenger rail traffic

UNECE COVID-19 informal advisory group
Videoconference, 9 June 2020

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SUMMARY

• Who we are
• Passenger rights
• Data Protection
WHO WE ARE

Members
200 railway + maritime companies from all around the world

Aim
• Implementation of international and EU transport law
• Standardisation of the contractual relationships

- Passenger traffic
- Freight traffic
- Infrastructure
- Multimodality
- Data Protection
• Situation regarding COVID-19 crises raised several questions for our members

• CIT provided legal support to its members

• CIT GS issued measures regarding legal and contractual implications of COVID-19 in the relation with the passengers (recommendatory character)

• Experiences from the COVID-19 crises will be used in the further development of CIT agreements and products, possible amendments of existing texts also
KEY POINTS

• Significance of the information provided to passengers (on running/interrupted services, after sales)

• Measures to put in place if the service is not running (assistance, re-routing, etc.)

• After sales and commercial gesture and the cooperation between carriers in that respect

• Implementation of State’s measures such as control of passengers and sanitary measures
Several measures had to be taken to fight COVID-19, which raised issues in relation to data protection (use of health data, personal information, location data, etc.)

Here too CIT provided legal support to its members

CIT GS issued measures in relation to processing of such personal data (recommendatory character)

Legal findings arising from those different issues will be integrated in the CIT Manual on data protection for transport undertakings
KEY POINTS

• Don’t process personal data (including sensitive data) if not necessary (non-existence of a ground to do so)

• If necessary, process (collect, store, use, disclose, etc.) only the minimum amount of personal data (including sensitive data)

• Comply in principle with the rights of your passengers/employees as regards data protection (right to be informed, right to object, right of access, right to portability, right to be forgotten, right to rectification)

• Ensure that you have measures in place to keep personal data (including sensitive data) secure (e.g. no data breach possible, etc.)
Thank you for your attention!

Questions?

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