



VCD Project Plan

Schlichtungsstelle Mobilität - The Conciliation Body for Long-Distance Travel

With the support of The German Federal Ministry of Food, Agriculture and Consumer Protection (BMELV)
Project Duration 12/2004 - 11/2009

Background

In October 2004, the Deutsche Bahn's (German Railway) new long-distance Conditions of Carriage (Kundencharta) came into effect. One element thereof is the Deutsche Bahn's promise to support a neutral conciliatory body initiated by the federal government. Air passenger rights, too, were strengthened appreciably by the coming into force of the Montreal Convention at the beginning of 2004, and the European Air Passengers' Rights regulation in February 2005.

The Schlichtungsstelle Mobilität (The Conciliation Body for Long-Distance Travel) was mandated to conciliate between passengers and transport companies impartially, without red tape and, for all modes of transportation. It takes on cases concerning long-distance public transportation by rail, air, bus, and ferry.

Project executing organisation is the Verkehrsclub Deutschland (VCD); chosen due to its comprehensive approach to transport issues and its longtime commitment to passengers' rights.

About the Project

Eight conciliators work for the Schlichtungsstelle Mobilität. Their job is to address consumer complaints quickly and competently. Often, providing basic consumer information is all that is needed. Their main duty, however, is to lead conciliatory proceedings.

The Conciliation Process

Conciliation follows a clearly delineated procedure.

This process was officially recognized on the international level by the European Commission in 2006.

The Commission has notified that the Schlichtungsstelle Mobilität fulfills the conditions of: impartiality, transparency, effectiveness, and fairness.

Conciliatory proceedings can begin when the consumer has lodged a complaint with the transportation company and received either no answer at all, or an unsatisfactory answer. The conciliators ensure that there is a basis for a claim and, if so, prepare a conciliation proposal. This includes:

- a comprehensive description of the circumstances of the case,
- a detailed explanation of the legal grounds for the case and
- a conciliation proposal.

The conciliation proposal is submitted to both parties, who then have four weeks time to accept or reject it.



Companies participate voluntarily in the proceedings. To date, conciliation proposals have been sent to more than 100 companies.

Proceedings are free of charge for complainants and companies.

Since 2006, the Schlichtungsstelle Mobilität has been aided by an advisory board made up of representatives from two German Ministries, consumer associations, carriers and neutral experts. Chairman of the board is Prof. Dr. Klaus Tonner, who holds the chair for Civil Law and European Law at the University of Rostock Law School.

Milestones

2004

Dispute resolution begins

2005

First expert meeting

2006

Advisory board founded
Official Notification by the European Commission

2007

Second expert meeting
BMELV extends project support

2008

Third expert meeting (projected)

2009

Fourth expert meeting (projected)
Secure the future of the Schlichtungsstelle Mobilität after Nov. 30, 2009

Project Scope

The Schlichtungsstelle Mobilität is successful in conciliating between consumer complainants and transportation companies.

A broad public has access to the results of its work.

An appealing website and intensive media and PR work informs consumers of their rights and of the possibility of alternative dispute resolutions (ADR).

It seeks to solve current problems and thus helps improve long-distance public transportation.

This increases customer satisfaction with long-distance public transportation.

The Schlichtungsstelle Mobilität decreases the workload for the court.

Photos (left to right.)

1. page Schlichtungsstelle (VCD)
photocase.com (VCD)
pixelio.de
2. page Bärliner/pixelio.de
pqm/pixelio.de
Schlichtungsstelle (VCD)

With the support of:



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