

(English version)

**Question for written answer E-002859/24
to the Commission
Marco Falcone (PPE)
(11 December 2024)**

Subject: Disruption on the sea route between Italy and France (Santa Teresa di Gallura-Bonifacio)

The application of the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) is provided for by Council Regulation (EEC) No 3577/92.

In its Decision of 16 March 2004 (2005/163/EC), the Commission considered that the connection between the islands of Sardinia and Corsica, albeit of an international nature, was a short-distance cross-border connection of mainly local interest, suitable for ensuring the mobility of workers, tourist traffic and the regular flow of goods.

For years, the disruptions — such as bad weather, engine failures in the motor vessels used on the route and the lack of replacement vessels — have been a source of annoyance for passengers and hauliers on the Santa Teresa di Gallura-Bonifacio route, interrupting the natural link between Sardinia and Corsica.

Given the upcoming tender procedure for the service under concession to private individuals, on the basis of territorial continuity, these problems need to be resolved.

In view of the above:

1. How does the Commission intend to support Italy and France in standardising the connection?
2. Does the Commission believe there should be compensation for users who have been affected by the disruptions?

Submitted: 11.12.2024

**Answer given by Mr Tzitzikostas on behalf of the European Commission
(5 February 2025)**

The Commission acknowledges the importance of reliable maritime connections on short cross-border routes like Santa Teresa di Gallura-Bonifacio, which support local residents, tourists, and economic activities.

Maritime services between Member States are subject to European Union rules ensuring open and competitive markets⁽¹⁾. Where market forces alone are insufficient to ensure adequate connectivity, Member States may impose public service obligations (PSOs) or conclude public service contracts (PSCs) in accordance with specific conditions established by EU law⁽²⁾.

Member States determine operational specifics, in compliance with EU legislation⁽³⁾. In case of PSCs with compensation, the state aid rules have to be respected.

The Commission supports Member States by ensuring compliance, facilitating funding through instruments like the European Regional Development Fund or the Recovery and Resilience Facility, and sharing best practices. Italy and France have had opportunity to use these tools to ensure reliable connectivity.

In case of cancellations or delays in departure of more than 90 minutes of waterborne passenger services, the carrier must offer passengers the choice between re-routing to the final destination and reimbursement of the ticket price in accordance with the EU legislation on waterborne passenger rights⁽⁴⁾.

Passengers may also be entitled to compensation from the carrier in certain cases. The responsibility for ensuring the correct application and compliance with these rules lies in the first instance with the national enforcement bodies designated in each Member State.

⁽¹⁾ Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries.

⁽²⁾ Council Regulation (EEC) No 3577/92 of December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage). *See also* Case C-280/00 *Altmark Trans v Nahverkehrsgesellschaft Altmark GmbH* [2003] ECR I-07747 and Case T-454/13 *SNCM v European Commission* [2017] 2 ECLI:EU:T:2017:134.

⁽³⁾ Article 106(2) of the Treaty on the Functioning of the European Union OJ C202/2016. Member States may apply Regulation (EC) No 1370/2007 of 23 October 2007 to public passenger transport by inland waterways and, without prejudice to Regulation 3577/92 (maritime cabotage).

⁽⁴⁾ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway.