

The Ship Transportation of Passengers with Disabilities and The Disability-Related Training Procedures of Seamen: A Legal and Social Framework

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Received: 11-11-2018. Accepted: 11-12-2018. Published: 31-12-2018

doi:10.23756/sp.v6i2.420

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Abstract

Recent programs aimed at the independent living of persons with disabilities, allow them to be costumers of sectors in which they have never had full access in the past. The Lisbon Treaty has distinctly recognized the existence of a community tourist area within the primary law, and CRPD has defined the principles of accessibility (art. 9) and accessible tourism (art. 30) as tools for the inclusion. In addition, tourism and transportation stakeholders must guarantee non-discriminatory services; they must approach persons with disabilities as every other customer, by taking in consideration their needs and rights, especially when it comes to their accessibility, assistance, and information. Companies of transportation must cooperate with DPOs in order to define disability-related training procedures.

Keywords. *Disability, Tourism, Transportation, Accessibility, Training.*

1. Introduction

The Convention on the Rights of Persons with Disabilities (CRPD)² focuses on the principle of non-discrimination at the contracting States.

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² Adopted by the General Assembly on 13 December 2006 and entered into force on 3 March 2008.

Discrimination is any kind of distinction, exclusion, or restriction on disability; and CRPD's purpose is to translate the principle of non-discrimination into real opportunities for the many people who, on the ground of the social barriers around us, cannot live respected enough³.

The CRPD policy has found continuity in the European Disability Strategy 2010-2020⁴. The latter, in fact, identifies several areas of intervention⁵ for the enforcement of the rights of persons with disabilities and for their full protection, considering that there are about 80 million of persons with disabilities in Europe⁶, which make one-sixth of the population.

Tourism is an area where there is frankly a necessity to develop managerial skills when it comes to disability. The same concept is valid for the transportation field, as a branch of tourism⁷.

EU, on the other hand, has always been pro-inclusion of persons with disability⁸. Through the Strategy 2010-2020, following the CRPD principles as mentioned in the last paragraph, EU wants a real change aimed at a tourist field accessible for everyone in Europe.

Effectively, the Lisbon Treaty⁹ has distinctly recognized the existence of a community tourist area within the primary law. Furthermore, a big step forward was naturally accomplished through the regulations on transport of

³ CRPD refers to the Declaration of Human Rights and the International Covenants on Human Rights. Furthermore, it expressly asks contracting States to respect individual dignity, autonomy and independent living, participation and accessibility to information, leisure and job (arts. 3, 9, 19, 21, 27, 30), etc., through an adequate and sustainable social protection.

⁴ Strategy 2010-2010 allow to an action both at European and national level, according to Charter of fundamental rights of the European Union, for the non-discrimination on the ground of disabilities (TFEU arts. 10, 19).

⁵ Accessibility, participation, equality, employment, education and training, social protection, health, external action: Eu and each Member State must act for the protection and safeguard of human rights e freedom of persons with disabilities, according to CRPD.

⁶ EU Labour Force Survey ad hoc module on employment of persons with disabilities (LFS AHM), 2002, reported on "Communication from the Commission to the European Parliament, the Council, the European economic and social Committee and the Committee of the Regions 'European Disability Strategy 2010-2020': A Renewed Commitment to a Barrier-Free Europe" (COM/2010/0636 final). In this communication the Commission highlights also, that over a third of people aged over 75 have disabilities that restrict them to some extent, and over 20 % are considerably restricted (LFS AHM and EU- SILC 2007). These numbers are set to rise as the EU's population ages.

⁷ The right way to avoid a ghettoization of tourists with disabilities and, therefore, discrimination, is to ensure accessibility to conventional tourist circuits and not create tourist circuits ad hoc for them.

⁸ See article 26 Charter of Fundamental Rights.

⁹ Amending the Treaty on European Union and the Treaty establishing the European Community (2007/c 306/01).

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passengers¹⁰, although with some reservations (even of considerable importance)¹¹. These are challenges for a tangible protection of the rights of persons with disabilities or reduced mobility.

Recently, the Directive (EU) 2015/2302 (of the European Parliament and of the Council of 25 November 2015, on package travel and linked travel arrangements)¹² that is valid from 1 July 2018, is aimed at standardizing consumer protection legislation throughout the territory of the European Union.

Moreover, we are witnessing the development of policies and programs that focus on guaranteeing the independent living of persons with disabilities, for their effective social inclusion (in Italy, for example, by the law "After us"). These programs offer trust on the professional level, which enables customers to develop a sense of faith toward the organization, which simultaneously allows this project to come about.

The consequences of these programs are potentially extraordinary and varied, and certainly individual with disabilities are seen to the world, and to the market as parts of it. Therefore, as a result, market stakeholders should be more considerate of persons with disabilities and respect their rights.

In light of all this, this paper is particularly dedicated to accessible tourism as tool for the inclusion of persons with disabilities, highlighting that tourist stakeholders¹³ should develop better disability management skill to better meet the disabled client's customers' needs and requirements.

A plausible proposal is the act of communicating, informing, interpreting their individual wishes in terms of traveling, or any leisure related service. In other words, stakeholders must, first, break psychological barriers between the parties, creating a virtuous interaction with the client. The objective is to have the disabled be seen and considered as a "person" in the first place rather than being seen differently because of his or her "disability". The subsequent evaluation of the disabilities of the customer, will be managed

¹⁰ Reg. EU n. 181/2011 (bus transport); Reg. EU n. 1177/2010 (maritime transport); Reg. EU n. 1371/2007 (rail transport); Reg. EU n. 1107/2006 (air transport).

¹¹ I.e., the complaint promoted by President of the European Disability Forum, Vardakastanis, Yannis. 2018. "No more excuses! Equal access to rail travel is overdue". EDF, May 8. <http://www.edf-feph.org/newsroom/news/no-more-excuses-equal-access-rail-travel-overdue>.

¹² Amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC.

¹³ I.e. tour operators, accommodation, leisure centers, station management bodies and transport companies.

with an essential experience and know-how of the ‘tourist agent’ not only as an expert of tourism, but also as a disability manager. Tourist agent must be able to provide assistance before, during, and after the service¹⁴, or at least be able to identify who may do it in his behalf if necessary, without additional costs.

The intention of this project is aimed at the satisfaction of the user with disabilities, ensuring a non-discriminatory approach and service for the disabled¹⁵.

2. A brief regulatory framework on Shipping contract

Transportation is one of the most important services of tourism, whether it's included in the tourist package, or not. Among the classics and more widespread tool of transportation, the maritime one represents a challenge for the accessible tourism, given its peculiarities and, sometimes, technical complexity. In this paragraph we briefly try to define the most important aspects of the transport contract, and the importance of its cornerstone. The following paragraphs put emphasis on the rights of persons with disabilities and on the importance of the training of the Seaman on disabilities for Ensure, an effective level of safety, and assistance on board.

The maritime transport (of passengers) contract requires carriers¹⁶ to transfer people by sea from one place to another, with their baggage. Additionally, passengers pay a fee for this service¹⁷.

The Athens Convention (1974) affirms that the international transport is the one carried out between two ports situated in different States and expresses that the vessel is registered by one of the Contracting States (art. 1). The latter involves the, “two tiers liability,” only in reference to claims caused by shipping accidents¹⁸.

¹⁴ In the latter case, following the correct procedures of accessible claims, and supporting, possibly, problem solving strategy, and the choice of alternative dispute resolution.

¹⁵ May it also be considered a customer retention strategy in order to increase the business of the tourist agent himself?

¹⁶ EU meaning of carrier: a natural or legal person, other than a tour operator, travel agent or ticket vendor, offering transport by passenger services or cruises to the public.

¹⁷ This definition is in accordance with the art. 1.2 of the Athens Convention of 1974, that expressly specify that maritime transport of passengers is a <<contract made by or on behalf of a carrier for the carriage by sea of a passenger or of a passenger and his luggage, as the case may be>>

¹⁸ On this issue see F. Berlingieri, *The Athens Convention on The Carriage of passengers and their Luggage by Sea and the European Parliament Regulation (EC) n. 392/2009*; Gaskell, *Revision of the*

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The Convention (art. 6) states that the Court may exempt each, or part, of the carrier's liability if he proves that there is a direct or indirect responsibility, or negligence, of the passenger for the death or personal injury of the passenger himself (or the damage and loss of his baggage).

There is no limit of liability if the carrier, or its employees, caused the damages just by being irresponsible whether the act was intentional, or even if they could foresee that something would occur at some point.

The contract can be terminated by the law if a problem regarding the departure ranges on reasons beyond the control of the carrier¹⁹. The latter, in such cases, will reimburse the price paid by the passenger for the purchase of the ticket passing.

If the departure gets cancelled, but there is the chance to offer alternative departures with ships by the same carrier, the passenger is entitled to carry out the ride on one of the ships, if allowed, or to either terminate the contract²⁰.

The European Union adopted the Athens Convention (and the London Protocol 2002). In fact, it was included as *Annex I*²¹ to the Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in case of accidents.

This regulation provides also a compensation²² in accordance with the liability of the carrier as described by the Athens Convention (art. 3), i.e. "*in the event of loss of, or damage to, mobility equipment or other specific equipment used by a passenger with limited mobility*".

Athens Convention 1974 on the Carriage of Passengers and their Luggage by sea; Hill, *Passengers' progress*; Wiswall, *Protocol to the Athens Convention: an Internationalist's Commentary*.

¹⁹ art. 401 Italian cod. nav.,

²⁰ The same happen if the itinerary of the voyage has changed despite passenger interests

²¹ Annex I: "*Provisions of the Athens Convention relating to the carriage of passengers and their luggage by sea relevant for the application of this regulation (Consolidated text of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 and the Protocol of 2002 to the Convention)*".

²² The compensation shall correspond to the replacement value of the equipment concerned or, where applicable, to the costs relating to repairs.

3. Accessibility in the European maritime transportation of passengers

The EU policies on transportation intend to ensure an adequate level of protection of the passengers with disability, or with limited mobility²³. Moreover, the EU makes its own regulations, which define measures that each Member State must respect.

On maritime transportation in Europe, Regulation no 1177/2010²⁴ is the principal source, and it shall apply in respect of passengers travelling on a passenger services, or on a cruise²⁵, where the port of embarkation is situated in the territory of a Member State. It is valid also if the port of embarkation is situated outside EU, but the port of disembarkation must be situated in the territory of a Member State, provided that the service is operated by carrier of the EU.

Reverse, Regulation no 1177/2010 is not applicable when a vessel has a crew responsible for the operation of the ship composed of not more than three people, or where the distance of the overall passenger service is less than 500 meters.

The first goal is to ensure accessible services for everyone. Secondly, it's the European Legislator's responsibility to accomplish free movement and freedom of choice²⁶. Finally, the measures chosen to achieve these objectives are "non-discrimination," adequate, "assistance," and "information."

The right to transport, and therefore to access to services, for persons with disabilities, or those with limited mobility is lined by art. 7. It rules that carriers, travel agents, and tour operators shall not refuse to accept a reservation, transport or embark people on the grounds of disability or of limited mobility. In addition, they cannot add the costs for reservations or tickets. This general principle has some limits. Effectively, the regulation links to the preceding principle. It could happen "*in order to meet applicable*

²³ In this context, see EU Regulation no 1177/2010, *whereas* No 2: <<Since the maritime and inland waterway passenger is the weaker party to the transport contract, all passengers should be granted a minimum level of protection. Nothing should prevent carriers from offering contract conditions more favourable for the passenger than the conditions laid down in this Regulation>>.

²⁴ European parliament and Council of November 24th, 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004.

²⁵ For 'cruise', this regulation means <<a transport service by sea or in land waterway, operated exclusively for the purpose of pleasure or recreation, supplemented by accommodation and other facilities, exceeding two overnight stays on board>>, art. 3 (t).

²⁶ EU Regulation no 1177/2010 *whereas* No 4.

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safety requirements established by international, Union or national law or in order to meet safety requirements established by the competent authorities” or, “where the design of the passenger ship or port infrastructure and equipment, including port terminals, makes it impossible to carry out the embarkation, disembarkation or carriage of the said person in a safe or operationally feasible manner”²⁷.

The regulation listed here provides a system of checks and balances. In fact, these special limits impose on carriers, travel agents, and tour operators an obligation to inform passenger with disabilities or with limited mobility on alternative solutions, if possible.

In the modern day, the right of information is a crucial key that opens the door of accessibility. Actually, carriers, tour operators and terminal operators shall set up, or have in place, non-discriminatory access conditions for the transport of the disabled²⁸. Additionally, they must make these access conditions publicly or digitally available, in accessible formats by request²⁹.

Finally, taking in consideration the definition of a “person with disability” and “persons with limited mobility” has been adopted by the EU in this Regulation. The point of view of those who think there is a possibility that this broad definition can somehow grant some abuse³⁰ appears as not sharable. In fact, the link between the breadth of the definition adopted by the regulation and the apprehension for potential abuse, seems inconsistent³¹.

On the contrary, keeping high the attention to the goal of non-discrimination, it is interesting to quote the European Court³² for which the European Law recognizes that obesity could be a shape of disability if being oversize is an obstacle to the full and real participation of social life. It shows

²⁷ *Ibid*, article 8.

²⁸ Carriers, tour operators and terminal operators shall communicate the access conditions upon request to national enforcement bodies.

²⁹ Regulation No 1177/2010, article 9.

³⁰ S. Zunarelli, *Il Regolamento (EU) n. 1177/2020 sui diritti dei passeggeri che viaggiano per mare*, 782.

³¹ “Definition of disability” on the Regulation No 1177/2010 (article 3): “*disabled person*’ or ‘*person with reduced mobility*’ means any person whose mobility when using transport is reduced as a result of any physical disability (sensory or locomotor, permanent or temporary), intellectual disability or impairment, or any other cause of disability, or as a result of age, and whose situation needs appropriate attention and adaptation to his particular needs of the service made available to all passengers”.

³² Judgment of December 18th, 2014 of the European Court (Section IV), case No C-354/13

us the multiple facets of disability; and we have also to consider how intersectionality factors expand the issues of the persons with disabilities.

So, we should avoid any kind of discrimination for the so-called, “hidden disability”³³, instead of adhering to the term “disability”.

4. Seaman training and STCW requirements to avoid discrimination based on disabilities

Now we could analyse the figure of the "Seaman" who, as part of his professional performance, must acquire the skills typical of the disability manager in order to guarantee the safety and enjoyment of the trip of disabled passengers, or with limited mobility.

The International Maritime Organization (IMO) Facilitation Committee recognized that the degree of inclusion of persons with disability – in the social and economic life of the community in which they live – is not adequate in consideration of the considerable number of persons with disabilities³⁴. To contribute the implementation of the rights of persons with disabilities, IMO found four areas of interest: transportation to and from ports, parking facilities and exterior access to marine passenger terminals, movement within the terminal, to and from the ship, and on-board ships (including use of facilities and services), communication aspects and training of staff³⁵.

EU Regulation no 1177/2010 specifically states that carriers, should consider the important requirements of the ‘International Convention and Code on Standards of Training, Certification and Watchkeeping for Seafarers as well as the Recommendation of the International Maritime Organization (IMO)’ on the design and operation of passenger ships to respond to elderly and persons with disabilities’ needs. The EU requires cooperation with the organizations’ representatives of persons with disabilities, “*in organizing assistance to disabled persons and persons with reduced mobility, and the training of their personnel*”. It also asks a cooperation between tourist stakeholders in order to ensure accessible service. For example, carriers,

³³ On “hidden disability”, and how to resist and mitigate disability stigma, see J. E. HARRIS, *Processing Disability*.

³⁴ This number in 1989 was about up to 10%, of international population, in 2011 was 15%, and the data is growing further.

³⁵ IMO, Fal. 5/circ.3 of the 23th august 1989 - Ref. T3/4.01: Introduction of “Access to Marin passenger terminals for elderly and disabled passengers”.

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terminal operators, travel agents, and tour operator shall notify each the specific assistance condition required by the passengers. Carriers and terminal operators also have to designate a point inside or outside the port terminals at which persons with disabilities, or with limited mobility, can announce their arrival and request assistance³⁶.

To accomplish EU Regulation No 1177/2010 requirements³⁷, the Italian government agreed on a system of sanctions in case of violations imposed on the carriers, operators of the terminals, and tour operators³⁸. A lack of disability-related training procedures of the personnel defined in cooperation with DPOs, is sanctioned up to 30.000€³⁹.

Though the cost of the sanction is quite high, this denotes the importance of training procedures. Regarding that, there is an interesting activity report of the UK National Enforcement Body (2017) on a test for passengers with limited mobility when boarding or disembarking from a lifeboat. The results revealed that the requirements need to be more “customer sensitive”, when it comes to considering their needs, as well as setting out the safety issues on board the vessel for which the “Master” (or “Captain”) has ultimate responsibility⁴⁰.

That emphasizes how crucial it is to guarantee a proper training course on disabilities – inter alia – in accordance with the Equality Act 2010⁴¹ – which provides a mandatory training, asking UK Parliament to incorporate it into the national legislation⁴².

³⁶ EU Regulation 1177/2010, article 12 (reception of notifications and designation of meeting points).

³⁷ *Ibid*, article 14.

³⁸ *Decreto Legislativo 29 luglio 2015, n. 129*, which provides sanctions for violations of EU Regulation No 1177/2010, (15G00144) (OJ no 191 of August 19th, 2015).

³⁹ Main sanctions for other mandatory requirements are: for refusal of reservation, ticket or boarding up to 5.000€; for application of additional charge on the ground of the disability up to 1.500€; discriminatory conditions of access up to 15.000€; for lack of a public information on accessible conditions up to 5.000€; for violation of the public information on travel and transport conditions up to 1.500€; for lack of free assistance up to 1.200€; for lack of claims system up to 25.000€.

⁴⁰ United Kingdom National Enforcement Body activity report for 2017, “Rights of passengers travelling by sea and inland waterway (Regulation (EU) N° 1177/2010)”. Accessed March 14, 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/618439/NEB_Report_June_2017.pdf.

⁴¹ The Equality ACT requires reasonable solutions when a person with disabilities is disadvantaged compared to all others, in accordance with regulations or uses. This means that the stakeholders must adopt any measures to ensure persons with disabilities access to their services.

⁴² As an effect of Brexit, the real risk in the United Kingdom is that the adoption of the regulations may be frustrated.

The Royal Institution of Naval Architects on its website sees that, about “Costa Concordia – Passenger Evacuation”⁴³, “*in a real emergency situation on a cruise ship lifeboat many people believe that embarkation would take longer than the design ideal of 10 minutes*”⁴⁴, taking into consideration that “*a typical cruise contains a fair portion of passengers with impaired mobility and families with young children*” This is a confirmation of what has just been said about the importance of training in order to reduce any kind of unexpected events.

Frequently, maritime authorities highlight the STCW requirements to their shipowners, i.e. the Bahamas Maritime Authority mentions the importance of the implementation of the STCW requirements⁴⁵ as expressed in Bulletin no. 135 (2017), listed in the BMA website⁴⁶.

Therefore, this vision allows to achieve not only a higher safety degree and better assistance on board, but it also contributes to equalization of opportunities, elimination of discrimination based on disabilities, and support of social inclusion policies, as well as it allows disabled people's accessibility of transportation, as the Convention on the rights of persons with disabilities (2006) requires⁴⁷.

5. Conclusion

The European social policies, in line with the international ones, are heading towards the realization of the so known Universal Design of products, environments, programs and services that can be used by all people without any other adaptations.

⁴³ The Royal Institution of Naval Architects (RINA - UK). Accessed March 12, 2018.

<https://www.rina.org.uk/cgi-bin/showpage.fcgi>.

⁴⁴ In accordance with the IMO Life Saving Appliances (LSA) Code 4.4.3.1 states: “*Every passenger ship lifeboat shall be so arranged that it can be boarded by its full complement of persons in not more than 10 minutes from the time the instruction to board is given*”.

⁴⁵ Which will be effective from 01 July 2018.

⁴⁶ BMA asks, in fact, that all persons serving onboard passenger ships shall complete passenger ship emergency familiarization training or instruction appropriate to their capacity, duties and responsibilities.

⁴⁷ Bahamas signed CRPD on 24 Sep 2013 and ratified it on 28 Sep 2015. Art. 9 of CRPD asks States to respond appropriately to ensure that private entities that offer public services take care of accessibility for persons with disabilities. As well, training procedures for their employees on accessibility issues facing persons with disabilities.

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The “law” must be the main instrument of regulation of society. Through a series of limits and corrective, it must pursue not only the purpose of wealth, but also other values and interests, among all solidarity and reciprocity. In the absence of this, the risk is to expose the weak part of society to the marginality, with consequent exaltation of the selfishness of society’s negativity⁴⁸.

The market, generally, must respect the ethics, and a ‘Cultural Revolution’⁴⁹ can raise awareness on priceless values, that are the result of social ties, such as the average family⁵⁰. In effect, ethics is essential to match economic efficiency and of human rights or, in other words, to match market and democracy⁵¹. The latter is an open space where people are free, and at the same time empowered, thanks by an exact information⁵².

The States and civil society are responsible for the promotion and observance of fundamental rights, for one to ensure the future of persons with disabilities for their independent living, and on the other to develop new professionalism, such as the disability manager, in various social sectors. The stakeholders must demonstrate a competence in disability and approach to persons with disabilities. In addition, the social inclusion of persons with disabilities also determines their openness to the market as consumers. Hence, there is the need to raise awareness and inform commercial agents and other operators, such as those operating in the tourism and transportation of passenger’s sectors, on disability and on the right of non-discrimination.

The Italian tourist market, in general, is still not sufficiently adequate to offer accessible services for everyone who essentially needs it⁵³. Not only does this generate discrimination, but it also economic losses for the tourism stakeholders.

In the light of everything said, the States must control the effective application of all sanctions provided by the law in case of violations of the rights of tourists and passengers with disabilities. At the same time there is

⁴⁸ P. Perlingieri, *Prolusione letta al Congresso Nazionale dei Giuristi Cattolici Italiani*, 1994.

⁴⁹ *Ibidem*.

⁵⁰ R. Dahrendorf, *Lebenschancen. Anlaufe zur sozialen und politischen Theorie*. Suhrkamp Verlag.

⁵¹ F. Campanella, *Lo Stato e il mercato. Le idee e i miti di un passato più o meno prossimo*, in Pubblico e provato nel sistema economico S. Berena (ed.), Milano, 1992, p. 99.

⁵² A. Marzano, *Dal primo al terzo capitalismo industriale*, 21.

⁵³ The number of people with any form of impairment that does not travel because of the inadequacy of services is consistent, reaching the threshold of 10 million units. “*Osservatorio Vacanze italiani*”, Doxa Europcar. 2015. Accessed January 3, 2017.

<http://www.doxa.it/news/osservatorio-vacanze-italiani-2015-doxa-europcar/>.

the necessity of a social initiative to promote accessible tourism, and, for this case, University and Research have a crucial role for the Universal design, information, and formation of the future ruling class; as well the DPOs should be more involved in the definition of accessible procedures in every commercial sector by the companies.

The inspirational words of the preamble to the CRPD says, “[that] disability is an evolving concept and [...] results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”⁵⁴; as well as the speech of the Italian Minister of Labour, Health and social policies on the CRPD presentation in which he asks cooperation and accountability by Government, oppositions party, non-profit organizations (third-sector), and all civil society for a change to the independent and freedom of persons with disabilities⁵⁵.

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⁵⁴ CRPD Preamble, (e).

⁵⁵ Direzione Generale della Comunicazione e della Direzione Generale per l’Inclusione e i diritti sociali e la responsabilità sociale delle imprese (CSR), Presentation of Maurizio Sacconi *Ministro del Lavoro, della Salute e delle Politiche Sociali*, red by S. Tognoloni e A. Sanna. *Ministero del Lavoro, della Salute e delle Politiche Sociali* (Italy). September 2009. https://www.esteri.it/mae/resource/doc/2016/07/c_01_convenzione_onu_ita.pdf

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Appendix I

“Go 4 all”, a non-profit association for inclusive action and development strategies for accessible tourism

Generally, the international policies are interested on the independent living of persons with severe disabilities especially when they will be on their own without their parents (or relatives) - in Italy by the law No 112 of 2016⁵⁶. In fact, the framework of principles defined by CRPD, and the areas of implementation suggested by the EU, are aimed to promote prosperity, social inclusiveness and independence of persons with disabilities. By innovative programs such as the co-housing, or specific training for a job as well, the goal to build active citizenship⁵⁷. In this context the disability manager is a crucial figure for the persons with disabilities, helping him/her to grow up his/her individual and collective capabilities.

The disability manager is a quite eclectic professional figure, because, first, he must translate several and general aspects of diversity into specific and adequate answers. Then, he must be deciphering social barriers case-by-case, in relation to the project of life and capabilities of the individual. He will do it with a proper style of

⁵⁶ Legge 22 giugno 2016, n. 112, *Disposizioni in materia di assistenza in favore delle persone con disabilità grave prive del sostegno familiare* (OJ no 146 of 24-6-2016).

⁵⁷ See more in J.L. Dubois, A.S. Brouillet, P. Bakhshi, C. Duray-Soundron, *Repenser l’action collective: une approche par les capacités*.

approach, putting the person - and not his disability – at the centre of decisions making. In this way, he may expand the asset of opportunities and freedom of choice for the disabled, increasing their capacity to form self-determined preferences⁵⁸.

So, the disability manager is relevant also in the fields of tourism and transportation. The focus on maritime transportation – seen above – is one of the tools for an accessible tourism. It shows the importance of training procedures on disability for the tourist's stakeholders, in which the professional of disability manager is aimed at non-discrimination.

General expectation is to providing disabled customers the tools to access services, for an independent living, and for their full participation in the society. Associations, individuals and other subjects may plan activities for the autonomy and independence of persons with disabilities in respect of their rights and their will.

On the base of these awareness acquired during my PhD research, Go 4 all association⁵⁹ is born with the mission of promoting accessible tourism through information for a real necessity of a change of the society.

“Go 4 all” association involves Experts in tourism and University subjects through learning by doing programs. First projects carried out is the survey, in Italy, on the knowledge of the rights of passengers with disabilities, and the e-Learning course on accessible tourism.

The first showed a lack of general knowledge on the rights of persons with disabilities in passenger transportation⁶⁰; the second was achieved with a partnership of Italian associations⁶¹, students, and individual persons with disabilities, as well⁶², which was recently published on an online platform for Italian travel agencies⁶³.

The purpose of the latter is to share the knowledge on disabilities and their rights⁶⁴ and improve the customers' approach and loyalty.

Lastly, the next step will be a definition of training procedures of training for the companies of transportation, aligned with the requirements of EU Regulations on transportation⁶⁵.

⁵⁸ On life project, disability and capabilities, see R. Barbuto, M. Biggeri, G. Griffo, (2011) life project, peer counselling and self-help groups as tools to expand capabilities, agency and human rights, 192-205.

⁵⁹ Go 4 all address: Ancona, via del Canale 22, Italy. Mail: info@go4all.it. Website: www.associazionego4all.it.

⁶⁰ Go 4 all website: <http://www.associazionego4all.it/wp-content/uploads/2018/09/SONDAGGI-TORTE-TOTALE.pdf>.

⁶¹ Partnership: Cibo Amico (<https://www.ciboamico.it/3/jo/>); Omphalos (<https://www.associazionekomphalos.org/>), AILI (<http://www.associazioneailli.it/>).

⁶² Pamela Cazzaniga (<http://ilmondodipamela.it/>), Alessandro Bordini (<http://www.alessandrobordini.com/>), Ila Moore (<https://divanatablog.wordpress.com/>).

⁶³ Go Academy, Online Platform (www.goacademy.it).

⁶⁴ Especially the rights of accessibility, assistance, information.

⁶⁵ See footnote N 9.