

Dear sections, dear National Representatives,

You possibly have been informed about the cancellation of the ESNtrain. With this email we would like to clarify some of the issues surrounding this matter. First of all, many thanks to all of you for your patience and your energy. Patience because the communication flow from our side after the cancellation should have been better. Energy because of all the events that are still taking place even though the train has not departed.

The goal of the ESNtrain was to have a train as a mobile communication platform travelling through 18 European countries. This idea was presented during the Annual General Meeting 2008 in Besancon as a project developed by Bernhard Jäggle. Later on, it was included as part of the "Happy Birthday, ESN" celebrations. Matthias Fenner, former president of ESN AISBL, acted as the main contact from ESN with the ESNtrain organizers.


In order to realise and plan the ESNtrain project, a separate company (Platform GmbH) was set up by the ESNtrain initiator (Bernhard Jäggle). A partner of this company is the ÖBB ("Österreichische Bundesbahn", Austrian Railway Company) which was responsible for the reservation of the tracks, the schedule of the train, the reservation of the wagons, the changes of the locomotives along the route and some other logistical tasks connected with the train journey. All other tasks were the responsibility of the Platform GmbH, assisted by a team of volunteers: the ESNtrain Board. The full legal, financial and logistical responsibility lays within Platform GmbH. ESN only gave its name and its patronage to the project, promoted it and encouraged local sections to organize events along the route. But this was never an obligation for the sections. We as ESN supported the idea on a basis of trust and friendship.

The ESNtrain was supposed to start on the 28th of March 2009 at 12.00 o'clock. At the Annual General Meeting 2009 (AGM) in Utrecht on the 27th of March 2009, Bernhard Jäggle announced that a substantial amount of money was missing in the budget, which Platform GmbH had to pay to the ÖBB. As the ÖBB did not receive the requested money, it refused to start the train. During the Annual General Meeting 2009 in Utrecht, the section delegates discussed possibilities of saving the project. The discussion even included warranties from the ESN International budget, which were refused by the AGM. The situation at the time was not clear and the implications were not foreseeable. The AGM decided that ESN would offer help to any section affected by this project and would work towards restoring our reputation.

Two days after the AGM 2009, Matthias Fenner resigned as president of ESN AISBL in order to facilitate the clear and transparent investigation of the cancellation of the ESNtrain project. An internal committee within ESN - the **Care Team** - has been set up afterwards in order to gather information from the sections (if they have been affected and how) and to help those sections in need. Starting on the 4th of April, we have sent out questionnaires to the sections asking if they are in trouble because of the organisation of any event for the ESNtrain. The feedback so far shows that no section has suffered any serious financial damage. Also, sections request more information and clarification about the whole issue.

Furthermore, the Care Team currently constitutes an external committee which will consist of four professional persons, namely a financial expert, a legal advisor, a communication expert and an organisational expert. This committee will work on investigating possible legal implications for ESN, analysing the gathered information and giving advise on how to avoid such situations in the future.

In the meantime, the ESNtrain Board has set up a forum (<http://forum.esntrain.org>) where participants can register in order to inform themselves about various ESN events that are still going to happen. Currently, we have limited information from the Platform GmbH about when and how the ESNtrain travellers will be reimbursed.



### **What to do next as an ESN section?**

Please check if you have any information or promotion of the ESNtrain on your website. We advise you to add the following disclaimer together with information that the ESNtrain was cancelled:

*"ESN AISBL and its sections were in no way responsible for the organisational or financial matters of the ESNtrain, nor did the ESN AISBL or its sections have any say in the organisation of the aforementioned project. All these matters are the sole responsibility of Platform GmbH.*

*The only contribution of ESN AISBL or its sections to the ESNtrain project was arranging activities for its participants, as well as allowing the ESNtrain Board to use the network for social and promotional purposes. Furthermore, at the time ESN had no policy concerning the use of its logo by external partners. Therefore the name and logo of ESN AISBL in relation to the ESNtrain in no way convey responsibility for, or influence in the ESNtrain Board and/or Platform GmbH.*

*Due to the above mentioned matters ESN AISBL and its sections are not legally liable for the damages caused by the cancellation of the project. If you are an affected participant of the ESNtrain, please contact the ESNtrain Board at [team@esntrain.org](mailto:team@esntrain.org).*"

In case your section has any problem because of the organization of an event linked to the ESNtrain, please contact us at [care\\_team@esn.org](mailto:care_team@esn.org).

For any other question or comment, also feel free to contact us!

All the best,  
Mathias  
on behalf of the ESN Care Team

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Patrick Jörg - Jorik van der Veen - Christophe Andrey - Mathias Kissig  
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