AIR PASSENGER RIGHTS REFORM: AS EUROPEAN NEGOTIATIONS NEARING CONCLUSION, UP TO 60% OF TRAVELERS COULD LOSE THEIR RIGHT TO COMPENSATION

News / Airlines

Air passenger rights in Europe are at a critical crossroads. On June 2, the European Union's Conciliation Committee will meet for a final round of negotiations on the revision of the European regulation governing air passenger rights. This meeting will mark the conclusion of the trilogue between the European Parliament, the Council of the European Union, and the European Commission, paving the way for the adoption of a final text that will be put to a vote by member states on June 15.

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As this deadline approaches, Flightright, the leading platform for passenger rights, is warning of the risk of a significant weakening of the protections currently available to passengers in the event of flight delays or cancellations. According to the company's estimates, up to 60% of passengers currently eligible for compensation could lose this right if the proposals currently under discussion were adopted. After several months of discussions, the European Parliament and the Council of the European Union have yet to reach agreement on several key points:

- the timeframe after which a passenger is entitled to compensation in the event of a delay
- the amount of financial compensation
- the conditions under which airlines may invoke "extraordinary circumstances" to avoid their obligations.

The European Parliament advocates maintaining the current three-hour delay threshold for compensation. The Council, on the other hand, is calling for higher thresholds, ranging from four to six hours depending on the flight. Since 2005, the European regulation has guaranteed travelers compensation ranging from 250 to 600 euros in the event of a significant delay or flight cancellation. However, 45% of passengers did not receive compensation when their flight was canceled, even though they were entitled to it. Among the changes currently being considered are:

- raising the threshold for compensation eligibility
- a reduction in compensation amounts, with compensation potentially capped at 300 euros instead of the current 250 or 400 euros, depending on the flight
- a reduction in the maximum compensation for long-haul flights to 500 euros, down from 600 euros today
- a broadening of the definition of "extraordinary circumstances," allowing airlines to more easily avoid their compensation obligations
- a cap on reimbursement for alternative flights at 400% of the original ticket price, compared to the current unlimited reimbursement
- a new definition of arrival time, which would now be set as the moment the aircraft reaches its parking position rather than when the aircraft's doors open

According to Flightright's calculations, these changes could lead to a **decrease of approximately 25% in the compensation amounts** paid to passengers and **exclude nearly 60% of travelers** currently covered by the European system. Flightright believes that the measures currently under consideration would primarily benefit airlines, at the expense of European consumers.

Dr. Jan-Frederik Arnold, CEO of Flightright commented: "The negotiations have reached a critical juncture. While the European Parliament is simply trying to maintain the current level of protection for passengers, the Council continues to push for significant restrictions on essential air passenger rights. Under these circumstances, what lies ahead is not a balanced compromise, but a reform that will harm consumers. Europe should protect passengers, not give airlines a handout. Any reform that reduces existing rights must not be adopted. In that case, the failure of the procedure would be better news for millions of passengers."

The company also points out that an independent study shows a reduction of approximately 70% in delays of more than three hours on flights subject to current European regulations, thereby challenging the arguments put forward by some airlines in favor of relaxing the rules.

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With just a few days left before the end of the trilogue and ahead of the final vote on June 15, Flightright is calling on European institutions to preserve the achievements of the current regulation.

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