

EU WANTS TO RESTRICT THE RIGHTS OF AIR PASSENGERS



The governments of the EU Member States currently want to massively restrict the rights of air passengers in the event of delays and cancellations. According to the current bill of the Greek Council Presidency, compensations in case of cancellations and delays - depending on distances flown - will only be due after more than five, nine, or twelve hours. The German Travel Association (VDR) and the Federation of German Consumer Organizations call the federal

government to clearly dissociate itself of these plans and to support the vote of the European Parliament.

Only a few weeks ago on February 5th, the European Parliament voted, with an exceptionally large majority, against the European Commissions planned weakening of the protection of air passengers' rights. According to the vote of Parliament, passengers will already receive compensation for delays of three hours - and not as planned by the Commission only after five hours.

Further restrictions planned

The vast majority of the EU Member States are still in favor for the Commissions proposal that compensations should be due only after five, nine, or twelve hours of delay. In addition, the German Federal Government has not distanced itself from this suggestion - despite the fact they, according to the Coalition agreement, would "support the preservation of the existing level of protection." In addition, the Greek Council Presidency has now proposed that the thresholds of five, nine, and twelve hours should also apply to flight cancellations. This means a further massive restriction of air passengers' rights. According to existing law and even after the Commission's proposal, passengers are entitled to compensation in the event of flight cancellations after two hours of delay.

The Federation of German Consumer Organizations (VZBV) against this background calls on the responsible Federal Ministers Heiko Maas and Alexander Dobrindt, to represent the position of the European Parliament in the negotiations of the Member States. Holger Krawinkel, head of consumer policy department for the VZBV, stated, "As long as the threshold for compensation is not significantly revised downwards, I can only advise the European Parliament, to let the bill fail. From the point of view of the consumer because there is then no need for regulation. The case law of the European Court of Justice has given far reaching rights to the consumers, which should not be abandoned without distress."

Burdens for the economy

The German Business Travel Association (GeschäftsreiseVerband) VDR indicates that delays for the economy will lead to significant economic burdens. "German companies annually spend around 12.5 billion euros on flights to business appointments," VDR-president Dirk Gerdorf says. "The goal of these travels is among other things business deals and acquisitions. Flight cancellations or delays lead to expensive loss of working hours - and the subsequent costs for the economy by ruined deals, and later dates cannot be quantified."

If the European Commission can carry on with its plans, according to the calculations of the VZBV,

in the future, only 1 out of 700 flights will meet the thresholds. Holger Krawinkel says, "If the delay is due to 'exceptional circumstance,' they wouldn't even have to compensate passengers of these massively delayed flights, giving the airlines very few incentives to better meet their schedules." The thresholds, according to the vote of the European Parliament, would mean the compensation scheme would apply to less than 0.5 percent of all flights or less than 1 out of 200 flights. The financial burden on airlines is justified by the legitimate interest of the passengers to receive a financial compensation in the event of serious deficiencies.

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