Help and advice for consumers in Europe
ECC-Net
European Consumer Centre Luxembourg

Press release
European Consumer Centre Luxembourg

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Proposed EU Air Passenger Rights Reform: What It Could Mean for Passengers

In view of the 2025 Consumer Summit - an annual forum where policymakers, consumer organisations, businesses, and other stakeholders come together to discuss current and emerging challenges in consumer protection - the European Consumer Centre Luxembourg (ECC Luxembourg) is sharing the perspective of the European Consumer Centres Network (ECC-Net) on the proposed reform of Regulation (EC) No 261/2004, which governs air passenger rights, and will soon be discussed again at the EU level.

Regulation (EC) No 261/2004 is widely recognised as a key pillar of consumer protection within the European Union, providing essential rights to air passengers in cases of delays, cancellations, and denied boarding. The proposal to revise the regulation seeks to improve legal clarity and adapt the rules to a changing aviation landscape. While the European Consumer Centres Network (ECC-Net) supports the aim of modernising the framework, it also raises concerns that certain proposed changes could weaken existing passenger protections.

Key concerns raised by the ECC-Net regarding new proposal

- **Increased thresholds for delay compensation**

Under the current regulation, passengers are entitled to financial compensation for delays of three hours or more. The proposed changes would significantly raise these thresholds for compensation, introducing the following compensation structure:

  - €250 for delays of 5 hours or more (for all intra-Community journeys and for journeys to/from third countries up to 3,500 km),
  - €400 for delays of 9 hours or more (for journeys to/from third countries between 3,500 and 6,000 kilometres),
  - €600 only for delays of 12 hours or more (for journeys to/from third countries of 6,000 km or more).

ECC-Net notes that the proposed increase in compensation thresholds could result in up to 85% of passengers currently entitled to compensation losing this entitlement, reducing the incentive for airlines to avoid delays and potentially reducing the punctuality of flights.

- **Extended timeframe for re-routing**

The draft reform provides for airlines to have up to 12 hours to organise alternative travel options for disrupted passengers. This could result in passengers not finding timely solutions and potentially incurring additional costs.

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- **Legal certainty and judicial precedents**

Over the past 20 years, rulings by the European Court of Justice have played a crucial role in shaping the interpretation and enforcement of passenger rights. ECC-Net expresses concern that the current draft does not fully reflect this body of case law, potentially creating legal uncertainty for both passengers and airlines.

- **Broader definition of 'extraordinary circumstances'**

The reform introduces a non-exhaustive list of extraordinary circumstances that could exempt airlines from paying compensation. ECC-Net cautions that this may lead to more disputes and potentially weaken passengers' ability to claim compensation.

Recommendations for Strengthening Passenger Rights

ECC-Net supports the aim of updating the Regulation but emphasises that the reforms must not come at the expense of existing consumer protection. Based on more than 20 years of experience in supporting air passengers across Europe, ECC-Net recommends the following improvements to strengthen the proposed framework:

- **Stricter regulation of online ticket platforms:**

Ensure transparent information and streamline refund processes, allowing passengers to claim their rights directly from airlines.

- **Ban on "no-show" clauses:**

Prevent airlines from cancelling entire bookings if a passenger misses one leg of a journey.

- **Prompt rebooking obligations:**

Require airlines to rebook passengers on the next available flight, including with other carriers if necessary.

- **Airline insolvency protection:**

Introduce mechanisms to safeguard passenger rights in the event of airline bankruptcy.

- **Clear rules for baggage handling:**

Establish uniform and transparent compensation standards for lost or damaged luggage and define rules for hand luggage to prevent hidden fees.

- **Mandatory participation in alternative dispute resolution:**

Require airlines to engage in out-of-court settlement procedures to resolve passenger complaints.

- **Stronger enforcement by national authorities:**

Ensure effective oversight and implementation of air passenger rights across all EU member states.

For more detailed analysis and recommendations, please refer to the full ECC-Net position paper (PDF download).

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About us – www.cecluxembourg.lu

The European Consumer Centre GIE Luxemburg (ECC Luxembourg) is part of a network of 29 European Consumer Centres in the European Union, as well as in Iceland and Norway. The ECC-Net also cooperates with the International Consumer Centre in the UK. We inform consumers about European consumer law and assist them in the settlement of cross-border consumer matters.

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