

# Public consultation: Better protection for passengers and their rights

Fields marked with \* are mandatory.

## Introduction

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Passenger rights are at the heart of the EU's transport and consumer policy. Passengers on all collective modes of transport are protected before, during and after their journey by a comprehensive regulatory framework. In particular, passenger rights provide a solution to passengers when they are faced with journey disruptions throughout the various modes of transport (air, rail, bus and ship). Despite significant progress made in the last 18 years, major challenges still remain to be tackled, as further demonstrated during the COVID-19 pandemic and during the summer of 2022.

The objective of this public consultation is to allow the general public and stakeholders to express their views on the current state of play and on the need for additional policy action at European level. Under this initiative, the Commission is considering policy measures covering the following aspects:

1. improved financial protection for air passengers against the risk of a liquidity crisis or an insolvency regarding the reimbursement of tickets and if needed their repatriation
2. reimbursement of air passengers in case of a booking via an intermediary ticket vendor
3. reimbursement in case of cancellation by air passengers in the event of major crisis such as a pandemic or a natural disaster
4. passenger rights for multimodal journeys
5. improved enforcement of passenger rights in all transport modes

The first three issues concern [air passenger rights only](#). The fourth topic, 'passenger rights for multimodal journeys', concerns the combinations of [bus and coach](#), [rail](#) and [waterborne](#) transport, and in some cases also air. The fifth topic, better enforcement, concerns all modes of transport.

Other issues relating to air tickets are dealt with already in the proposal of the European Commission COM (2013)130 final, which is a priority pending file according to an agreement between the Commission, the European Parliament and the Council of 2022 (see the joint declaration [here](#)). Other aspects relating to bus and coach and waterborne tickets will be dealt with by additional actions. Concerning other aspects regarding rail passenger rights, the new [rail passenger Regulation \(EU\) 2021/782](#) will be applicable as of 7 June 2023 (you can see what will change in more detail under [this link](#)).

The initiative also takes into account the 2021 [special report](#) from the European Court of Auditors on air passenger rights during the COVID-19 pandemic.

## About you

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\* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
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- Polish
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\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation

- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

\* First name

Dario

\* Surname

Bazargan

\* Email (this won't be published)

d.bazargan@assarmatori.eu

\* Country of origin

Please add your country of origin, or that of your organisation.

*This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.*

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| <input type="radio"/> Democratic<br>Republic of the<br>Congo | <input type="radio"/> Lesotho | <input type="radio"/> Saint Kitts and<br>Nevis                          | <input type="radio"/> Zimbabwe |
| <input type="radio"/> Denmark                                | <input type="radio"/> Liberia | <input type="radio"/> Saint Lucia                                       |                                |

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association', 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

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## Views on the problems

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The present initiative aims at addressing five distinct sets of problems, which are described below. The Commission intends to assess the appropriateness of various measures that address the problems identified.

### Problem 1:

The air passenger rights [Regulation \(EC\) 261/2004](#) provides for the reimbursement of the ticket price, among others, in case of cancellation of the flight by the air carrier. However, in situations where a carrier becomes insolvent or faces a liquidity crisis, passengers might not be reimbursed and, in addition, might be stranded abroad and have difficulties to be repatriated.

### Problem 2:

The air passenger rights [Regulation](#) provides for the reimbursement of the ticket price within 7 days in case of cancellation of the flight by the air carrier.

There are no specific provisions under this Regulation ensuring the reimbursement of passengers where they booked their ticket with a ticket vendor (e.g. travel agent, online booking platform) acting as an intermediary between the passenger and the airline.

### Problem 3:

The air passenger rights [Regulation](#) does not give passengers a right to receive reimbursement of the ticket price in case passengers choose to cancel the ticket themselves due to a major crisis at the place of departure or destination.

### Problem 4:

A multimodal journey is a journey where at least two different transport modes are combined, e.g. a train journey combined with a flight, or a rail with a bus or coach service. There are currently no EU rules on the protection of passengers who undertake multimodal journeys and experience travel disruptions when switching between different transport modes (for example on receiving appropriate information or re-routing in the event of a missed connection).

**Problem 5:**

Enforcement across the EU is insufficiently effective and uniform.

**1. To what extent do you agree that the following are important problems?**

**Improved financial protection for air passengers against the risk of a liquidity crisis or an insolvency regarding the reimbursement of tickets and if needed their repatriation:**

	Fully agree	Somewhat agree	Neutral	Disagree somewhat	Disagree fully	No opinion
Air passengers are currently not effectively protected when the airline goes bankrupt or faces a liquidity crisis, meaning that they will not receive a refund from the airline with which they booked their flight.	<input type="radio"/>					
When passengers are stranded abroad because their airline went bankrupt or faces a liquidity crisis, they have difficulties to be repatriated.	<input type="radio"/>					

**Reimbursement of air passengers in case of a booking via an intermediary ticket vendor:**

	Fully agree	Somewhat agree	Neutral	Disagree somewhat	Disagree fully	No opinion
When passengers book their flight via an intermediary ticket vendor (travel agent, online booking platform, ...) and the flight is cancelled, the reimbursement takes longer than seven days.	<input type="radio"/>					
Air carriers cannot always respect the obligation to reimburse passengers within						

seven days following the cancellation when the flight was booked via an intermediary ticket vendor (for example if the carriers do not have the payment data to make payments to the passenger directly).	<input type="radio"/>					
Intermediary ticket vendors are not obliged to reimburse passengers who booked with them when the flight was cancelled by the air carrier.	<input type="radio"/>					
Where intermediary ticket vendors reimburse passengers, but have not yet received the money from the air carrier, they have no effective right to obtain the relevant amount from air carriers.	<input type="radio"/>					

**Reimbursement in case of cancellation by air passengers in the event of major crisis such as a pandemic or a natural disaster:**

	Fully agree	Somewhat agree	Neutral	Disagree somewhat	Disagree fully	No opinion
Air passengers have no right to be reimbursed in case they cancel the ticket themselves in the event of a major crisis.	<input type="radio"/>					

**Passenger rights for multimodal journeys:**

	Fully agree	Somewhat agree	Neutral	Disagree somewhat	Disagree fully	No opinion
Passengers are not protected by the existing passenger rights rules when switching between different transport modes.	<input type="radio"/>					
Persons with disabilities and persons with reduced mobility receive no assistance when switching between transport modes.	<input type="radio"/>					

## Improved enforcement of passenger rights in all transport modes:

	Fully agree	Somewhat agree	Neutral	Disagree somewhat	Disagree fully	No opinion
The enforcement of passenger rights varies greatly across the EU.	<input type="radio"/>					
The enforcement of passenger rights is not effective enough.	<input type="radio"/>					

### 2. Please explain your answers to the problem statements (optional):

#### Free Text Question

### 3. Are there any other problems not mentioned here which you think should be addressed? (optional)

#### Free Text Question

## Views on objectives and possible policy measures

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The general objective of this initiative is to ensure a better protection of passengers and their rights, to enhance the crisis resilience of passenger rights and to improve their effective enforcement across all transport modes, in line with the [Sustainable and Smart Mobility Strategy](#).

### 4. Please indicate your level of agreement with this general objective:

- Fully agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Fully disagree
- No opinion

The specific objectives of the initiative are intended to respond in more detail to the problems described above, and will guide the choice of policy measures. Five possible specific objectives have been identified.

### 5. Please rate the relevance of the objectives below, from 1 (low relevance) to 5 (high relevance). More than one objective can be given the same rating. Not

**all of them need to be rated:**

Objectives:	1	2	3	4	5	No opinion
Improved financial protection for air passengers against the risk of a liquidity crisis or an insolvency regarding the reimbursement of tickets and if needed their repatriation.	<input type="radio"/>					
Reimbursement of air passengers in case of a booking via an intermediary ticket vendor.	<input type="radio"/>					
Reimbursement in case of cancellation by air passengers in the event of major crisis such as a pandemic or a natural disaster.	<input type="radio"/>					
Passenger rights for multimodal journeys.	<input type="radio"/>					
Improved enforcement of passenger rights in all transport modes.	<input type="radio"/>					

**6. Please explain your choice** (optional)

Free Text Question

**7. Should any other specific objectives be considered in response to the problems described above?** (optional)

Free Text Question

**8. The table below contains statements on a number of possible policy measures to address the five problem areas. Please rate the measures below in the table from 1 (least relevant) to 5 (most relevant). Not all of them need to be rated. The policy measures described below are without prejudice to the instrument used, and may entail a mix of legislative and soft law measures (including guidelines). Given the complexity and multifaceted nature of the problems, these approaches are not necessarily mutually exclusive.**

**Improved financial protection for air passengers against the risk of a liquidity crisis or an insolvency regarding the reimbursement of tickets and if needed their repatriation.**

	1	2	3	4	5	No opinion
Passengers should be better informed about airline insolvency insurance available to them and other protection						

against airline insolvency available to them when they pay by credit card (In some Member States purchases made by credit card allow consumers to claim a refund from the card provider when they used the credit card to pay for a service that was not delivered because of the service provider's insolvency.)	<input type="radio"/>					
Insurance against airline insolvency should be widely available to passengers.	<input type="radio"/>					
Passengers should be better protected when they have accepted a travel voucher instead of a refund in money.	<input type="radio"/>					
In each Member State, a public authority should be responsible for coordinating repatriation efforts when passengers are stranded abroad as a result of an airline's bankruptcy.	<input type="radio"/>					

**Reimbursement of air passengers in case of a booking via an intermediary ticket vendor:**

	1	2	3	4	5	No opinion
When passengers booked an air ticket via an intermediary ticket vendor, they should only be entitled to turn to such intermediary to obtain a reimbursement in case of a cancellation, and not to the air carrier.	<input type="radio"/>					
Intermediary ticket vendors should reimburse passengers in the event of a cancellation, also where the air carrier did not provide the amount to be reimbursed to the intermediary ticket vendor first.	<input type="radio"/>					

**Reimbursement in case of cancellation by air passengers in the event of major crisis such as a pandemic or a natural disaster:**

	1	2	3	4	5	No opinion
Passengers should have the right to reimbursement when cancelling their tickets themselves in the event of a major crisis without having to pay a fee.	<input type="radio"/>					
Passengers should have the right to reimbursement when cancelling their tickets themselves in the event of a major crisis (such as pandemic or natural disaster), but the passenger may be asked to pay a termination fee.	<input type="radio"/>					

**Passenger rights for multimodal journeys:**

	1	2	3	4	5	No opinion

When one part of the multimodal journey is delayed or cancelled, passengers should be informed in real-time about the disruption and the possible next connections.	<input type="radio"/>					
Passengers should have the possibility to complain to carriers, ticket vendors and terminal managers about shortcomings which occur during their multimodal journey.	<input type="radio"/>					
Persons with disabilities or with reduced mobility should receive assistance when switching between different transport modes.	<input type="radio"/>					
All passengers who missed a connection to another mode because of the delay or the cancellation of the previous transport service should be offered assistance on how to continue the journey.	<input type="radio"/>					

### Improved enforcement of passenger rights in all transport modes:

	1	2	3	4	5	No opinion
Transport carriers and terminal operators should regularly publish data on how they have complied with EU passenger rights (e.g. data on delays and cancellations of their services, assistance to persons with disabilities and reduced mobility etc.).	<input type="radio"/>					
The Commission should, in cooperation with the national authorities, ensure a more uniform application of EU passenger rights.	<input type="radio"/>					
The Commission should be able to request national enforcement bodies to investigate specific cases of infringements of passenger rights.	<input type="radio"/>					

### 9. Are there any other changes to passenger rights that should be considered? Please elaborate.

#### Free Text Question

### 10. You may also upload any document(s) to provide evidence to support your responses.

The maximum file size is 1 MB

Only files of the type pdf, txt, doc, docx, odt, rtf are allowed

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