

Van: 10.2.e
Aan: 10.2.e)-DGMI 10.2.e)-BSK; 10.2.e)-HDJZ;
 10.2.e)-HBJZ
Cc: 10.2.e)-DGMI; 10.2.e)-DGMI
Onderwerp: FW: POLITICO Pro Morning Mobility: 261
Datum: woensdag 15 april 2020 12:35:24

Beste Collega's

Zie bijgevoegd het bericht van politico m.b.t. vouchers n.a.v. de brief van de Duitsers over dit onderwerp. 11.1

[Redacted]

Ben met 10.2 in gesprek om vandaag nog contact op te nemen met Politico en EurActiv om wat nadere duiding vanuit ons te geven.

Groet,

10.2.e

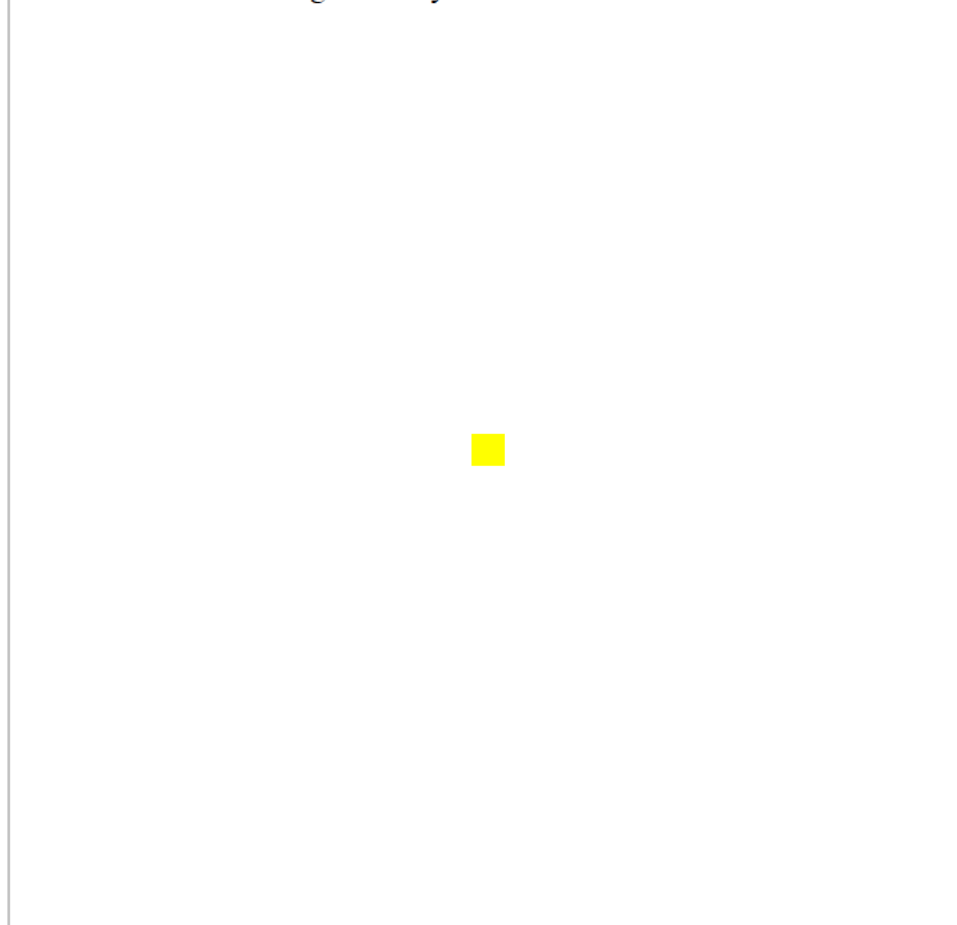
From: Morning Mobility Europe

Sent: woensdag 15 april 2020 06:56

To: 10.2.e

Subject: POLITICO Pro Morning Mobility: Travel ban not going anywhere — Airline damage revised — Reopening German auto

POLITICO Pro Morning Mobility



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RENEWED PASSENGER RIGHTS BATTLE: We got a look at letters that Germany

sent to the Commission calling on Transport Commissioner Adina Valean and Justice Commissioner Didier Reynders to amend EU passenger rights legislation to make it easier for airlines and travel agencies to remain solvent even as air travel comes to a halt. Berlin wants to tweak the language in package travel and air passenger rights regulation that would remove the choice for the passenger to choose between a rebooking or a refund until the end of 2021. “Otherwise, under the current circumstances, the reimbursement claims in question are in danger of becoming economically worthless: If carriers are driven into insolvency as the result of mass reimbursements, their customers too will be among the losers,” the letter reasoned.

It’s not that simple: It’s a touchy subject, with consumer groups and lawmakers and even presidents taking hard positions. The Socialist and Democrats and Renew Europe groups in Parliament in principle agree to a change to the rules, but definitely not for a year, they said. The European People’s Party is happy with a two-year suspension of refunds. In the Council, the Netherlands is the other vocal supporter of adopting mandatory vouchers, but the Lithuanian president vetoed a national bill that would allow travel agencies to provide six-month travel vouchers to passengers, arguing that passengers are the weaker party, not companies.

Read more in [my story here](#), and below.

MEA CULPA: Condor is seeking €200 million from the German government for a potential rescue, not billion, as we wrote in yesterday’s newsletter.

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Berlin wants EU passenger rights watered down to keep airlines and travel agencies afloat

— By **10.2.e**

Germany is calling on the European Commission to loosen EU passenger rights legislation in an effort to keep travel agencies and airlines from having to hand out cash refunds for coronavirus cancellations.

In a letter [obtained by POLITICO](#), Germany wrote to the Commission to amend the Package Travel Directive so that passengers can be refunded for a canceled holiday by the end of next year at the latest; current legislation allows for passengers to claim a refund immediately.

In another letter, [also obtained by POLITICO](#), German Transport Minister Andreas Scheuer, Economic Affairs Minister Peter Altmaier and Consumer Protection Minister Christine Lambrecht wrote to Transport Commissioner Adina Valean, calling on her to [amend](#) EU air passenger rights legislation so that a passenger’s consent is not required when airlines offer travel vouchers instead of cash or a rescheduled flight.

Both letters were dated Tuesday, an EU official said.

Global air travel has nosedived since March, when governments announced travel bans and restricted flights. As a result, airline lobby IATA said [airlines around the world owe around \\$34 billion in refunds](#) for canceled flights — money that could help keep carriers from going bust.

The Commission has previously resisted efforts to require passengers to accept vouchers. Valean said earlier this month in an emailed statement that “the law is clear” on the right to a refund. However, countries like the Netherlands have since declined to enforce the regulation due to hardships faced by their travel industries; letters like the ones from Germany are putting immense pressure on the EU’s executive arm to do more.

Travel market collapse

EU travel legislation gives travellers the right to choose between rebooking and a refund, but the German letter said Berlin “no longer considers this approach to be appropriate in the current crisis. In view of the exceptional situation that has now arisen, it believes that arguing solely on the basis of the Directive’s exact wording is no longer a valid alternative.” It argued that passenger rights would be meaningless “if the European travel market collapses.”

The letter recommended that an “exemption from the reimbursement obligation should last until 31 December 2021 at the latest,” and added: “Travellers cannot generally refuse to accept the voucher. But a hardship provision would allow exceptions in individual cases, particularly on economic grounds of an existential nature.”

In the letter on air passenger rights, Germany wrote: “An effective way to curb avoidable liquidity outflows in this situation is to temporarily allow air carriers to honour these passenger reimbursement claims in the form of vouchers, even without the agreement of the passenger.”

The letter proposed applying the amendment “retroactively as of 8 March 2020” and for passengers to be able to refund the value of a voucher if it is not used by December 31, 2021.

The German proposal goes further than some groups in the European Parliament are ready to accept.

[In a Tuesday letter to Valean](#), the Socialists & Democrats and Renew Europe — the second- and third-biggest groups in Parliament — said they are ready to accept travel vouchers as an alternative to refunds, but only as long as planes are grounded.

Travel vouchers applicable for a year are “unacceptable,” the letter said. “We consider it unreasonable and abusive against travellers.”

The more business-friendly European People’s Party — which Germany’s ruling Christian Democratic Union belongs to — [said](#) it is happy with a two-year voucher.

In the Council, not all countries have signed up to Dutch and German-led efforts to amend the rules. Lithuanian President Gitanas Nausėda [vetoed a national bill](#) that would only provide travel vouchers to passengers for six months in case of cancellations. “The risk assumed by a business, even in an emergency situation, cannot be transferred to consumers alone,” Nausėda said.

One EU diplomat said “there is no consensus” in the Council.

Making changes to the two directives requires legislative action, and approval from both the Parliament and member countries.

The Commission said it is “assessing” whether airlines can bear the burden of paying

refunds, “but in the meantime, the law is clear.”

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