



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MOBILITY AND TRANSPORT

Directorate B: Investments, innovative and sustainable transport
Unit B.5 : Social aspects, passenger rights & equal opportunities

Brussels
MOVE.B.5

Dear petitioners,

Your emails to Commission Vice-President Jourová regarding the practice of airlines to issue vouchers to passengers for cancelled flights were forwarded to our service in charge of passenger rights within the European Commission's Directorate-General for Mobility and Transport.

The European Commission has been clear throughout the crisis that passenger and traveller rights to reimbursement must not be limited due to COVID-19 pandemic.

In fact, as early as 18 March 2020 the Commission adopted [Interpretative Guidelines](#) on the EU passenger rights Regulations in the context of the developing situation with COVID-19, which recalled that passengers have the choice between cash reimbursement and reimbursement in the form of a voucher.

The Commission has underlined this position also in the European Parliament and in the Council of the European Union.

In addition, on 13 May 2020 the Commission adopted a [Recommendation on vouchers](#) offered to passengers and travellers as an alternative to reimbursement for cancelled package travel and transport services in the context of the COVID-19 pandemic. Again, it recalls that under the EU passenger rights Regulations, passengers have the right to choose between reimbursement in money and other forms of refund, such as a voucher. If passengers are offered vouchers, they have to agree to this solution.

Furthermore, the Commission wrote to all 27 Member States drawing their attention to the Recommendation. It called on them to implement it and ensure that EU law is respected.

As several of you complained about the practices of KLM, we would like to inform you that, after the Commission adopted the above mentioned Recommendation, the Netherlands withdrew in May 2020 the instruction to the national enforcement body (NEB) to refrain from enforcement when airlines offer only vouchers for flight cancellations in the light of COVID-19. Since then the Dutch NEB enforces the passengers' choice to opt for vouchers instead of reimbursement in the form of money. As the NEB has informed, four air carriers (KLM, Cordon, Transavia and TUI) were subject to an intervention dialogue and have now until 1 October 2020 to remedy the

situation, i.e. ask passengers with vouchers retroactively for their consent or reimburse the ticket price, otherwise they will be sanctioned.¹

On 2 July 2020, the European Commission launched infringement proceedings by sending letters of formal notice to Greece and Italy for potentially being in violation of EU rules protecting rights of passengers. While the European Commission is also assessing the situation in other Member States by requesting further information on the application of the rules, Greece and Italy have adopted legislation allowing carriers to offer vouchers as the only form of reimbursement. Meanwhile Italy and Greece have informed the Commission that they amended their laws to bring them in conformity with EU rules. The Commission is currently assessing these laws.

The Commission is continuously monitoring the situation and provides ample information to passengers and travellers on its dedicated websites. You can find practical information on your air passenger rights [here](#). Moreover, information on how to claim these rights can be found [here](#). Specific information on these rights in the context of the COVID-19 outbreak in our recent [FAQ](#), which are updated regularly.

Elisabeth KOTTHAUS
(e-signed)

¹ <https://www.ilent.nl/onderwerpen/passagiersrechten/luchtvaart/coronavirus-en-passagiersrechten-luchtvaart/vouchers-en-terugbetaling-van-vliegticket>