

# AIR TRAVEL IN EUROPE: PASSENGER RIGHTS WILL BE REINFORCED IN 2025



New Rights for European Air Passengers on the Horizon? It looks promising. European Regulation No. 261/2004, which provides air passenger protection, will be revised in the coming months. Poland, which has held the presidency of the Council of the European Union for six months, has prioritised this revision in its agenda to enhance protection for travellers.

AirHelp experts are calling for improvements to air passenger rights, believing it is time to modernise regulations that have been in place for over 20 years. Since their adoption, numerous cases have emerged and been resolved by the Court of Justice of the European Union. The director of IFURTA (Institute for University Training and Research in Air Transport) submitted a proposal for revising these regulations to the European Commission on May 31, 2024.

A few weeks later, on July 22, the Commission published guidelines incorporating many of these new proposals. However, it is essential to note that these guidelines are not legally binding. If the Council of the European Union adopts these measures as they stand, what benefits will they provide to passengers?

What changes can air passengers expect in the coming months? The 2004 European regulation protects users from denied boarding, [flight cancellations](#), and significant delays. It may also be aligned with more generous and protective laws from Canada, the United States, and Saudi Arabia. According to aviation law specialists, the Commission has considered the decisions of the Court of Justice to ensure consistent implementation of the rules.

## **Cancelled or delayed flights: proposed passenger rights**

According to the EU Commission's guidelines chaired by Ursula von der Leyen, the following criteria will classify flights as cancelled:

- Flights that arrive more than one hour early.
- Flights that return to the original airport of departure.
- Diverted flights, where an aircraft is redirected to a different airport due to weather conditions or mechanical issues.

However, if a flight is diverted to another airport in the same city or region as the departure airport, it will be classified as delayed rather than cancelled. Additionally, the Commission specifies that a delay of more than three hours entitles passengers to the same compensation they would receive for a flight cancellation.

## **Airlines will need to inform passengers better**

The Commission aims to enhance airlines' obligation to provide more precise information to their passengers. In the event of delays exceeding 3 hours or cancellations, airlines must clearly state the name and address of the responsible company where passengers can submit their compensation claims. Additionally, they will be required to provide a "written explanatory notice" outlining passengers' rights.

## **Focus on the right to redirection or refund**

The Commission has recommended another measure to protect air passenger rights before the revision of the EU regulation. If an airline allows you to choose between a refund for your ticket or re-routing, it must provide you with all the necessary information about both options. The Commission's guidelines also reaffirm an essential principle: "Passengers are not required to actively search relevant information themselves." Additionally, if an airline cancels a flight and refunds your original ticket, but you are required to purchase a new ticket at a higher price, the airline is obligated to cover the difference.

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