

European Aviation Club & International Institute of Air & Space
Law, University of Leiden

Brussels, 15thth June 2012

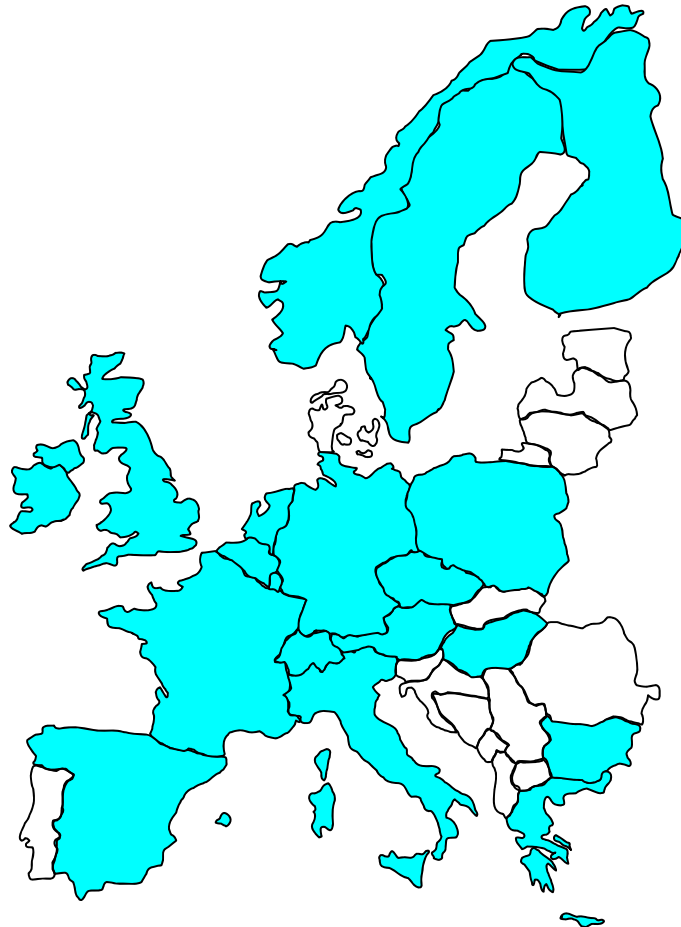
Conference on the Revision of EU Regulation 261/2004

Stakeholders set the scene: the passenger view

Christopher Irwin
European Passengers' Federation

www.epf.eu

EPF
members
April 2012



33 member
associations in 19
states

EPF's purposes

An international non-profit organisation :

- Promoting public transport users' interests at European level
- Committed to sustainable mobility and improved standards of service provision

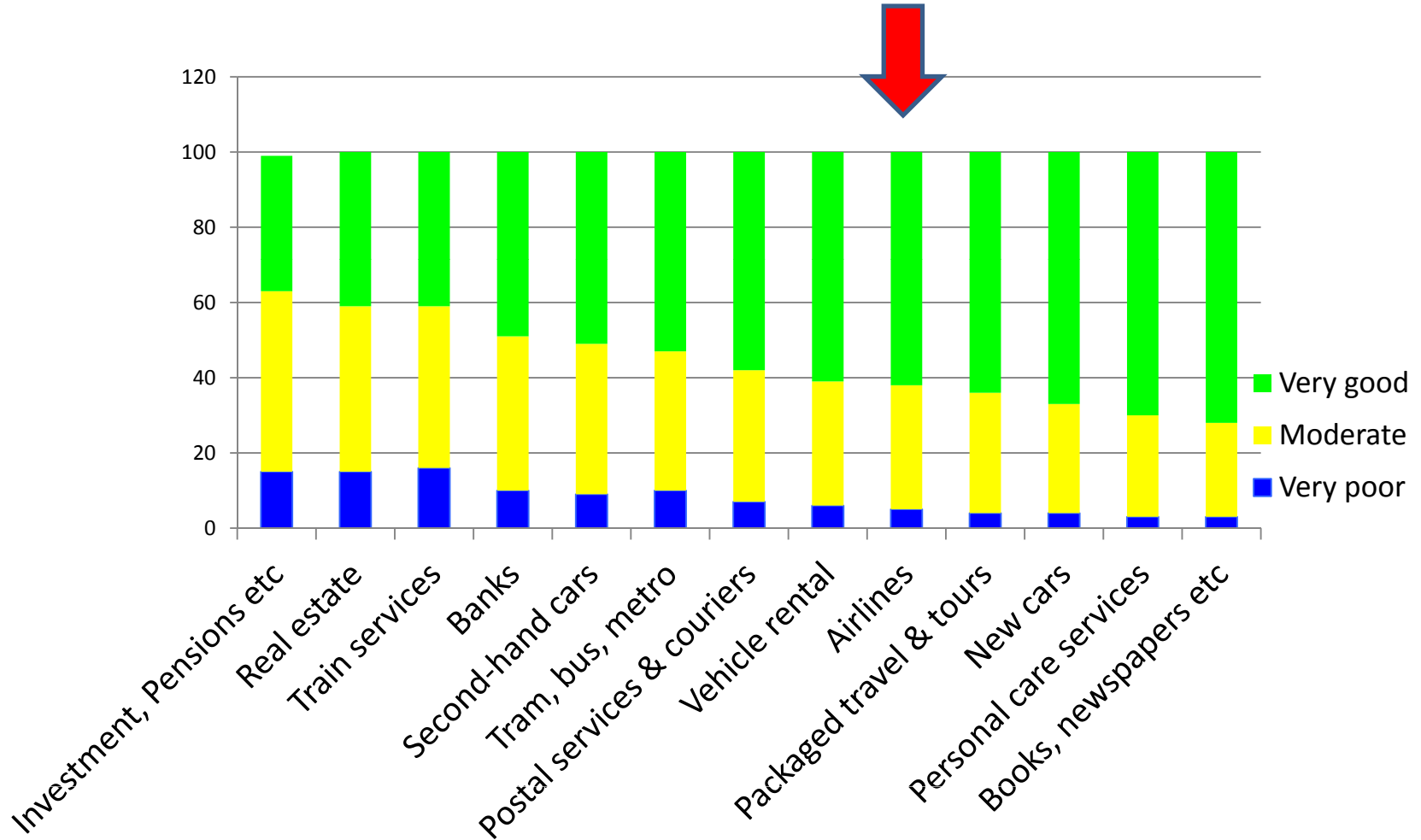
“What’s best for passengers?”

Championing passengers

- **Consumer protection:** Passengers as the ‘weaker party to the transport contract’
- **Market failure:** Compensating for theoretical under-supply
- **Passenger Empowerment:** Informed and active consumers strengthen markets – *European Consumer Agenda 2012*

Not a bad score – the EU Consumer Markets' Scoreboard, 2011 : % overall satisfaction

Source: Consumer Markets Scoreboard – Making Markets Work For Consumers – SEC(2010)1257



So why do anything now?

- Challenges in the courts: discredited by delay
- ECC-Net critique: *rights good, enforcement poor*
- Create level playing field for ‘Effective co-modality’
- New package of US passenger protection rules
- The new European Consumer Agenda
- The fall-out from Eyjafjallajökull

‘Bleeding hearts’ and ‘crocodile tears’

- “Airlines haven’t been so profitable since 1978”
-CNN Money & Fortune, 28.10.10
- IATA records \$18 bln net airline profit in 2010 –IATA press release, 6.6.11

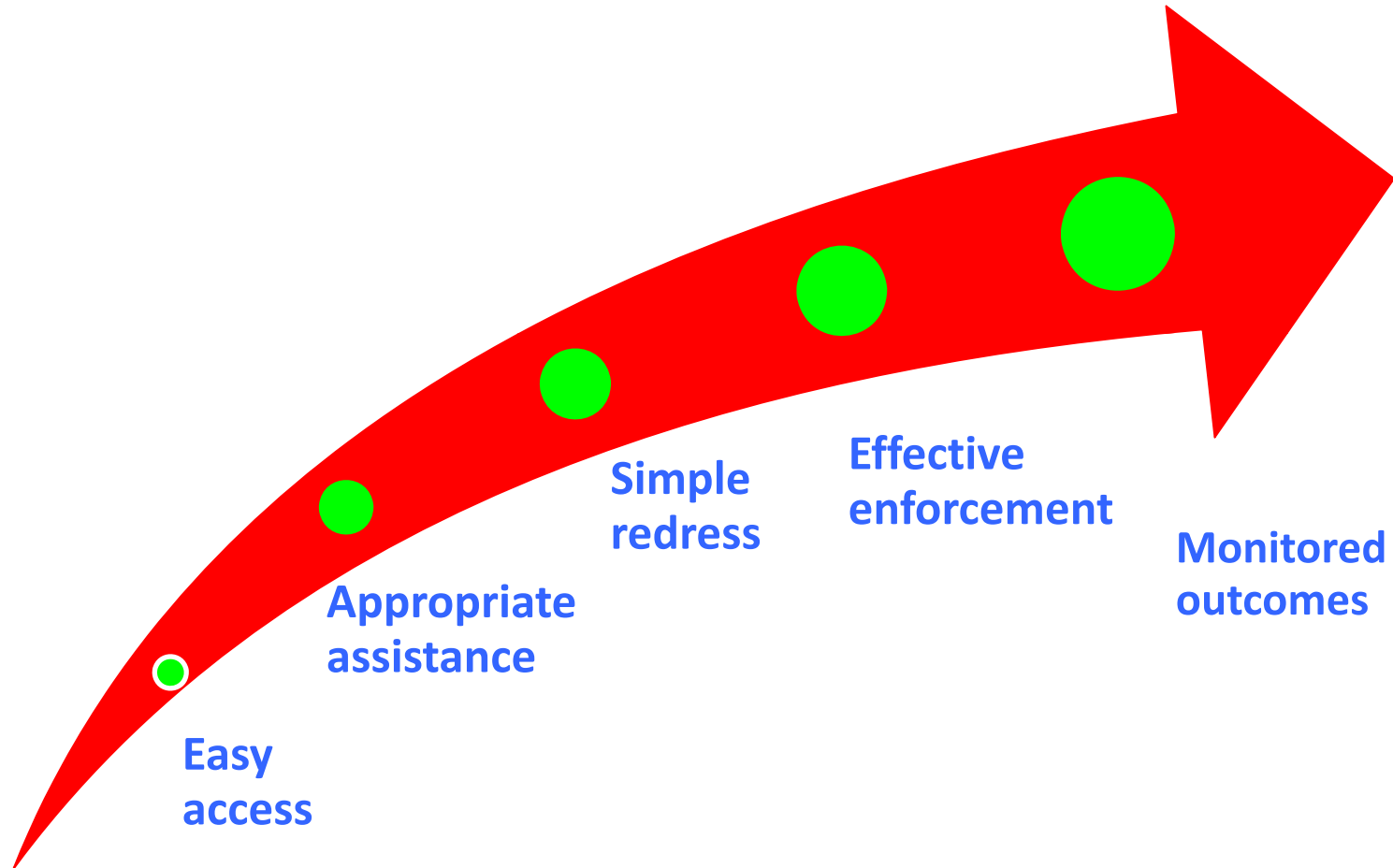


The genius of airline accountants

- Compensation costs pursuant to 261/2004 in y/e 31.03.11 = **€12.4**
- Ryanair passengers, y/e 31.03.11 = **72.1m**
- Ryanair 'EU261 levy' **€2/£2** per passenger
- Contribution to profits = **€150m +**



From despair to satisfaction



Clarifications needed

- ***‘Rights good; enforcement poor’***: stop whingeing
- **Access to rights**: key facts document and 1-stop-shop
- **Assistance**: the circumstances, nature and timeliness
- **Non-compliance**: holding the enforcers to account?
- **Liability**: role of insurers; clarify Article 13
- **ADR**: independence, cost, transparent, consistent?
- **Adapting to co-modality**: a level playing field
- **Consumer satisfaction**: the ultimate bench-mark?

Thank you

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