

○ The failure of airlines to honour their legal obligations to passengers in the early stages of the Covid-19 crisis was “by far” the biggest issue that European Consumer Centres across the European Union had to contend with and they accounted for two-thirds of all complaints handled by the Irish unit.

The European Court of Auditors recently published a special report titled [Air passenger rights during the COVID-19 pandemic](#) and it found that “key passenger rights were not protected in this unprecedented crisis, in particular in the early stages of the Covid-19 pandemic”.

The report said that reimbursements to air passengers for cancelled flights were put on hold, and passengers were treated differently across the EU. “At the same time, member states provided unprecedented amounts of state-aid support for airlines and package organisers”.

Package organisers

The court noted that member states never linked this aid to the reimbursement of passengers for airlines, but most countries did so for package organisers. It said “member states took these decisions for airlines despite the fact that the [European] Commission had made it clear that under state-aid rules they could do so”.

According to the ECC, the commission made efforts to protect air-passenger rights and took action to mitigate the effects of the crisis on passengers, but the legal framework means that the commission had limited power to ensure that member states enforce these rights.

“During the first months of the crisis, many passengers were not reimbursed; many others had no choice but to accept vouchers. As of June 2020, many airlines started reimbursing, albeit with significant delays.

“However, the passengers’ ability to secure reimbursement remains limited both when intermediaries (eg travel agencies) are involved and when vouchers were imposed on passengers. Furthermore, most tickets and vouchers of passengers are not protected against airline insolvency.”

Since the beginning of the Covid-19 pandemic in early 2020, through its 30 centres across the EU and the EEA, ECC Ireland's parent organisation, the European Consumer Centres' Network (ECC-Net), secured cancelled flights reimbursements totalling more than €2.5 million on behalf of passengers using its services.

It said that 75 per cent of a total of 6,000 flight-cancellation complaints received by the network were successfully resolved following its direct intervention. Air passenger issues accounted for 64 per cent of the total number of complaints received by ECC Ireland in 2020, of which 76 per cent were, it said, resolved successfully through its dispute-resolution service.