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Member of the European Commission
Transport

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Member of the European Commission
Equality

Brussels, 18/10/2023

Dear Dr Mollenkopf, Messrs Vardakastanis and Quidort,

Thank you for your joint letter calling on the European Commission to amend Regulation (EC) No 1107/2006 on the rights of persons with disabilities and persons with reduced mobility when using air transport (the Regulation) as part of the ongoing review of the EU passenger rights legislation.

We understand the serious difficulties and financial burden that denying boarding at the last minute, not paying full compensation for lost or damaged mobility equipment, or requiring a person with a disability to travel accompanied and charging for the second ticket, may cause for persons with a disability. We also recognise that high-quality assistance is essential to guarantee that persons with disabilities and persons with reduced mobility have comparable opportunities to travel by air on an equal basis with others.

Addressing these obstacles and ensuring that persons with disabilities are guaranteed their right to non-discrimination in accessing transport are objectives of the Sustainable and Smart Mobility Strategy and the Strategy for the Rights of Persons with Disabilities 2021-2030 with a view to ensuring that legislation at EU level gives full effect to the rights enshrined in the UN Convention on the Rights of Persons with Disabilities to which the EU as well as all Member States are parties.

The evaluation of the Regulation published in December 2021 concluded that all the problems mentioned in your letter exist, however, very few complaints have been submitted to national enforcement bodies in that regard.

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Mr Yannis Vardakastanis President of the European Disability Forum
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Mr Michel Quidort – President of the European Passenger Federation
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As part of the ongoing review of passenger rights ⁽¹⁾, the Commission is looking into ways to better enforce passenger rights, including those for persons with disabilities and persons with reduced mobility, for all modes of transport, and for multimodal journeys.

We would recall that as regards compensation for lost or damaged mobility equipment, the Commission put forward a solution already in 2013 but that deliberation in Council is still pending. We can assure you that this is a priority-pending proposal for the Commission as well as for the European Parliament and the Council ⁽²⁾, and we are in touch with the current and the incoming Presidencies of the Council with the hope that deliberations in the Council will resume soon.

In the meantime, we can confirm that the Commission also plans to revise its interpretative guidelines for the Regulation and we are counting on the input of stakeholders in that process before adoption by the Commission. We will reach out to you in due time in that regard.

We thank you for your valuable and very helpful contributions to enhancing the full enjoyment of rights by persons with disabilities, and look forward to our future exchanges.

Yours sincerely,



Adina Vălean



Dr. Helena Dalli

¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13290-Travel-better-protection-for-passengers-and-their-rights_en

² The three EU institutions established common legislative priorities for 2023 and 2024, on which they want to ensure substantial progress. The joint declaration lists also the proposal (COM(2013)130final): <https://oeil.secure.europarl.europa.eu/oeil/popups/thematicnote.do?id=41380&l=en>