

Question for written answer E-004102/2021
to the Commission
Rule 138
Traian Băsescu (PPE)

Subject: Respect for passenger rights as a condition for granting State aid in the aviation sector

It has emerged from European Court of Auditors' Special Report No 15/2021 on Air passenger rights during the COVID-19 pandemic that 'Member States provided support for airlines and travel operators but in the case of airlines did not link this to the reimbursement of passengers'. The report highlights that, despite the Commission's efforts, passenger rights were violated during the COVID-19 pandemic.

Owing to the limitations imposed in Article 107(1) TFEU, the Commission cannot, on the basis of the principle of passenger rights, approve or reject any State aid measures.

This is a systemic problem, which predates the COVID-19 pandemic and continues to affect passengers – support can be granted to all airline companies, regardless of how they treat their passengers.

In the context of a possible reform of the State aid framework through potential amendments to Regulation 1367/2006, and also through the proposed Climate, Energy and Environmental State aid Guidelines, we cannot allow climate and environmental factors to be a criterion for granting State aid while continuing to ignore passenger rights.

In view of this:

what legal measures could the Commission adopt to enhance the protection of passenger rights in a State aid context, during and after the COVID-19 pandemic?