



2023/2774(RSP)

3.7.2023

# DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 227(2) of the Rules of Procedure

on standardised dimensions for carry-on luggage  
(2023/2774(RSP))

**Dolors Montserrat**  
on behalf of the Committee on Petitions

**European Parliament resolution on standardised dimensions for carry-on luggage (2023/2774(RSP))**

*The European Parliament,*

- having regard to Articles 24 and 227 of the Treaty on the Functioning of the European Union,
  - having regard to Articles 91 and 100(2) of the Treaty on the Functioning of the European Union,
  - having regard to Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community<sup>1</sup>,
  - having regard to the International Air Transport Association (IATA) passenger baggage rules,
  - having regard to the judgment of the Court of Justice of the European Union (CJEU) of 18 September 2014 in Case C-487/12<sup>2</sup> (hereinafter, the CJEU’s ruling in case C-487/12),
  - having regard to Petition No 0837/2019,
  - having regard to Rule 227(2) of its Rules of Procedure,
- A. whereas airlines individually set the rules for the number of pieces and size of travellers’ carry-on luggage and any applicable charges;
- B. whereas the requirements on the size, weight and type of carry-on and checked-in luggage vary between airlines; whereas luggage size also depends on the aircraft model and its configurations;
- C. whereas Regulation (EC) No 889/2002<sup>3</sup>, implementing the 1999 Montreal Convention, only includes provisions on baggage damage or loss and delay liability issues and not provisions on the size of luggage;
- D. whereas all airlines should have at least a minimum common standard dimension for carry-on luggage;
- E. whereas the Commission communication of 9 December 2020 entitled ‘Sustainable and Smart Mobility Strategy – putting European transport on track for the future’ (COM(2020)0789) includes actions to review Regulation (EC) No 1008/2008, as well

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<sup>1</sup> OJ L 293, 31.10.2008, p. 3.

<sup>2</sup> Judgment of the Court (Fifth Chamber), 18 September 2014, *Vueling Airlines SA v Instituto Galego de Consumo de la Xunta de Galicia*, C-487/12, ECLI:EU:C:2014:2232.

<sup>3</sup> Regulation (EC) No 889/2002 of the European Parliament and of the Council of 13 May 2002 amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents (OJ L 140, 30.5.2002, p. 2).

as to review the passenger rights regulatory framework and the Code of Conduct for computerised reservation systems;

1. Reiterates its support for ensuring the completion of the EU legislation on air passenger rights with the objective of raising standards of protection and of information for passengers, strengthening their rights and ensuring that air carriers operate under harmonised conditions in a liberalised market, thereby facilitating the travel experience;
2. Recalls that, in accordance with the CJEU ruling<sup>4</sup> in case C-487/12, hand baggage (i.e. luggage that is not checked in) must be considered as constituting a ‘necessary aspect’ of the carriage of passengers on condition that such baggage meets ‘reasonable requirements’ in terms of its weight and dimensions, and that its carriage cannot, therefore, be made subject to a price supplement; urges the Member States, therefore, to ensure that this ruling is respected, and, in the meantime, to strive for transparency with regard to the disclosure of any fees charged for carry-on luggage, whenever a flight’s price and schedule information is provided, in order to strengthen consumer protection;
3. Points out that airlines around the world have varying policies and restrictions regarding the size and weight of hand luggage that passengers can bring on board, which often leads to confusion, inconvenience, less comfortable travel experiences, delays and sometimes disputes between passengers and airline staff;
4. Acknowledges that the primary concerns for passengers are the inconsistent policies with respect to hand luggage allowances between different airlines, which might be considered an abusive or unfair practice and which is challenging for travellers who frequently fly with different airlines or take connecting flights with different carriers, as well as the fact that not all carriers comply with the CJEU’s ruling in case C-487/12;
5. Notes that differences in airline rules on the size of carry-on and checked-in luggage and the fees charged to passengers create hidden costs when a passenger uses the services of different airlines or needs to change airlines for unforeseen or practical reasons;
6. Recalls that the ‘pricing freedom’ of air carriers regarding airfares and air rates, recognised in Article 22 of Regulation (EC) No 1008/2008, does not include the pricing of hand luggage;
7. Considers that hidden and additional costs restrict the possibility of comparing the offers made by different airlines, which consequently limits the passenger’s ability to make an informed choice about the best offer;
8. Notes that the on-the-spot checks of the dimensions of the carry-on luggage carried out by airlines’ employees, who sometimes apply the rules in a discretionary and arbitrary manner, show the redundancy of different size allowances;
9. Believes that EU-wide harmonisation of the requirements on the size, weight and type of carry-on and check-in luggage for all airlines operating in the European Union would enhance transparency and consumer protection for all air travellers;

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<sup>4</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0487>.

10. Notes that also when travelling with small pets in the cabin as carry-on baggage, the permitted dimensions of travel bags or carriers also vary slightly between different airlines, which causes similar inconveniences;
11. Takes note of the process of reviewing Regulation (EC) No 1008/2008;
12. Encourages the Commission to present concrete policy measures to integrate the CJEU's ruling in case C-487/12, whereby carry-on luggage must not be subject to a price supplement, and stresses the need to outline the scope and specific requirements of 'reasonable' carry-on baggage weight and dimensions, and to address the complexity of airlines' standards for luggage in the context of the revision of Regulation (EC) No 1008/2008;
13. Calls on the Commission to include in its review of Regulation (EC) No 1008/2008 proposals to address issues that give rise to hidden costs, such as the allocation of seats or the complexity of airline offers in relation to their luggage policy, with the aim of regulating the composition of the final price;
14. Instructs its President to forward this resolution to the Commission, the Council and the governments and parliaments of the Member States.