



Committee on Transport and Tourism  
The Chairwoman

TRAN/D/2024/ 12288

Minister Dariusz Klimczak  
Minister of Infrastructure  
ul. Chałubińskiego 4/6  
00-928 Warszawa  
[dariusz.klimczak@sejm.pl](mailto:dariusz.klimczak@sejm.pl)  
[kancelaria@mi.gov.pl](mailto:kancelaria@mi.gov.pl)

Subject: **Air Passengers' Rights Revision**

Dear Minister,

I am writing regarding the passenger rights package, and in particular the revision of the Air Passenger Rights Regulation (2013/0072(COD)). First of all, I would like to thank the Polish Presidency for its ongoing efforts to reach a common position in the Council on this important file. In particular as this file has been blocked in the Council for far too long, I very much thank you for the Presidency's commitment and imminent success towards breaking the deadlock, in order to quickly start negotiations with Parliament.

However, to our great surprise, Parliament has been informed that the Council may intend to launch the highly unusual procedure to close the first reading of this file in the coming weeks, rather than sticking to the usual practice of pursuing the adoption of a General Approach. Despite the fact that the Treaty provides for this possibility, Council has not closed a first reading on any piece of EU legislation for the last ten years for very good reasons. The TRAN Committee views this possible course of action with serious concern.

European Parliament had adopted its first reading position on this file back in February 2014, in line with the customary practice of finalising mandates before the end of a legislative term when files remain unresolved. This procedural step, standard across numerous files, was never intended to preclude or pre-empt future negotiations and it does not put any procedural pressure on Council. From the outset, it has been expected that this file would be negotiated in an early second reading, within a mutually agreed timeframe.

From Parliament's perspective, Council's possible plans to take the unusual step of closing the first reading at this stage would not only be unjustified but also counterproductive and politically highly sensitive. Such a move would place undue pressure on negotiations concerning a highly significant file and could undermine the overall coherence and quality of the broader Passenger Rights Package, with consequences for citizens and industry and major media attention.

From a procedural standpoint, launching the first reading now would impose strict and compressed deadlines for concluding the second and third readings, leaving very limited time for thorough negotiations to find the best compromises and making it virtually impossible to maintain a coherent approach across the three interlinked proposals in the package. The TRAN Committee is currently working to establish mandates for two additional files—the Enforcement Regulation (2023/0437(COD)) and the Multimodal Regulation (2023/0436(COD))—both of which were published by the Commission in November 2023. This is especially pertinent in relation to the Enforcement proposal, given that Article 16 of the Air Passenger Rights revision directly refers to the enforcement framework for air transport. As a

result, Council's possible decision to close the first reading would most likely lead to lower quality legislation for EU citizens and industries, while refraining from such a move would allow both of our institutions to deliver the best possible results, as per our usual practice across all policy fields.

Parliament is fully committed to the principle of mutual sincere cooperation as laid out in Article 13 of the Treaty on European Union, the Interinstitutional Agreement on Better Law-Making and in the Joint Declaration on Practical Arrangements for the Codecision Procedure, as well as to the principles of transparency, accountability, and efficiency, and intends to advance this legislative package in that spirit. We would warmly welcome the Polish Presidency's support in pursuing this shared approach.

Parliament is confident that a constructive and coordinated solution can be found between our institutions to ensure that the ongoing negotiations result in a coherent and balanced legislative package. I would therefore be grateful for your reassurance that Polish Presidency does not intend to take the very unusual, and in our view institutionally and politically highly problematic step of closing Council's first reading on the Air Passenger Rights Regulation. I am sincerely convinced that together with you we can uphold our partnership approach between our two institutions and deliver the best possible legislation together, during your Presidency and beyond.

I thank you for the excellent cooperation of the Polish Presidency with our Committee so far and remain at your full disposal for any further inquiry.

Yours sincerely,

Elissavet Vozemberg-Vrionidi

Cc.: Mr Apostolos Tzizikostas, Commissioner for Sustainable Transport and Tourism