

EN

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Answer given by Mr Tzitzikostas
on behalf of the European Commission
(14.2.2025)

1. There can be many reasons why an air carrier refuses carriage to passengers, such as reasons of health, safety or security, inadequate travel documentation or late arrival at the gate. These situations do not constitute ‘denied boarding’ pursuant to Regulation (EC) No 261/2004¹ and need to be distinguished from cases where an operating air carrier denies boarding to passengers due to overbooking or for operational reasons, such as the last minute switch to a smaller aircraft.

2. Regulation (EC) No 261/2004 provides for a comprehensive set of rights for passengers who are denied boarding. If an operating air carrier expects to deny boarding to passengers, it has to call for volunteers who surrender their reservation in exchange for benefits to be agreed between them and the carrier. If an insufficient number of volunteers comes forward the operating air carrier may then deny boarding to passengers against their will under the condition that these passengers are immediately compensated and are either re-routed or reimbursed and offered assistance (food and accommodation) while waiting for the departure of their new flights. The website Your Europe and the passenger rights app provide this information in all official EU languages².

In view of the effective protection of passengers in case of denied boarding against their will provided by the EU rules on air passenger rights and given the results of previous studies on the topic of overbooking and denied boarding³ the Commission does not consider it necessary to assess further the impact of overbooking on passengers.

¹ <https://eur-lex.europa.eu/eli/reg/2004/261/oj/eng>

² https://europa.eu/youreurope/citizens/travel/passenger-rights/index_en.htm

³ See for example https://transport.ec.europa.eu/news-events/news/study-protection-eu-air-passenger-rights-2020-09-04_en