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Answer given by Mr Tzitzikostas
on behalf of the European Commission
(16.6.2026)

The Commission presents in the Guidance a strict interpretation of ‘extraordinary circumstances’ limiting such circumstances to documented local fuel shortages and also making clear that high fuel prices alone do not qualify as such as extraordinary circumstances for the purposes of Regulation (EC) No 261/2004¹.

The Commission would also emphasise that if an air carrier seeks to rely on ‘extraordinary circumstances’ in order to be exempted from the obligation to pay compensation in such cases of cancellation, it must provide specific, clear, and verifiable evidence that would demonstrate that the local fuel shortage was not inherent in the normal exercise of its activity, and outside its control, and that cancellation was unavoidable even if all reasonable measures had been taken. The air carrier must also demonstrate a direct causal link between the cancellation and the local fuel shortage for each cancelled flight. If it cannot do so, passengers whose flight is cancelled less than 14 days before departure remain entitled to compensation, unless a valid re-routing exception applies.

In terms of monitoring compliance, in case of infringements of Regulation (EC) No 261/2004, the national enforcement bodies of the Member States are required to take the measures necessary to ensure that the rights of passengers are respected. The Commission cooperates with these bodies and supports their work. It would also note that the national enforcement bodies can support investigations in specific cases by cross-checking cancellations against objective data.

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