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13493/25
PV CONS 47
COMPET 958
IND 396
MI 726
RECH 423
ESPACE 63
PARLNAT

DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Competitiveness (Internal Market, Industry, Research and Space))
29 and 30 September 2025

MEETING ON MONDAY 29 SEPTEMBER 2025 (9:30)

1. Adoption of the agenda

The Council adopted the agenda set out in document 12940/25. At the request of Germany, France and Italy, the Council agreed to add another “any other business” item on the Commission announcement of the Industrial Decarbonisation Accelerator Act (IDAA), in public session. At the request of the Commission, the Council agreed to add another “any other business” item on the 2025 Annual Progress Report on Simplification, Implementation and Enforcement, in public session.

2. Approval of "A" items

a) Non-legislative list

13120/25

The Council adopted all "A" items listed in the document above, including all linguistic COR and REV documents presented for adoption.

Statements on these items are set out in the Addendum.

b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

13121/25

Economic and Financial Affairs


- 1. Regulation amending Regulation (EU) 909/2014 as regards a shorter settlement cycle in the Union**
Adoption of the legislative act
approved by Coreper, Part 2, on 24.09.2025



12840/25
PE-CONS 23/25
EF


The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 114 TFEU).

General Affairs

2. **Regulation amending Regulation (EU) 2023/956 as regards simplifying and strengthening the carbon border adjustment mechanism**  12818/25
PE-CONS 21/25
SIMPL
Adoption of the legislative act
approved by Coreper, Part 2, on 24.09.2025

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 192(1) TFEU).

Justice and Home Affairs



3. **Regulation amending Article 80(9) of Eurojust Regulation (EU) 2018/1727**  12846/25
PE-CONS 33/25
COPEN
Adoption of the legislative act
approved by Coreper, Part 2, on 24.09.2025

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 85 TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark and Ireland did not participate in the vote.

4. **Regulation on insolvency proceedings to replace its Annexes A and B**  12845/25
PE-CONS 30/25
JUSTCIV
Adoption of the legislative act
approved by Coreper, Part 2, on 24.09.2025

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 81(2), points (a), (c) and (f) TFEU). In accordance with the relevant Protocols annexed to the Treaties, Denmark did not participate in the vote.



Employment and Social Policy

- 5. Regulation on European statistics on population and housing**   12843/1/25 REV 1
Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 1, on 24.09.2025
+ 12843/25 ADD 1
9858/25
+ **COR 1 (hr)**
+ ADD 1 REV 1
SOC

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Belgium, Italy and Finland abstaining (legal basis: Article 338(1) TFEU).

Statements on this item are set out in the Annex.

Transport

- 6. Directive on driving licences, amending Directive (EU) 2022/2561, Regulation (EU) 2018/1724 and repealing Directive 2006/126/EC and Regulation (EU) No 383/2012**   12678/25 + ADD 1
Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 1, on 24.09.2025
8353/25
+ ADD 1 REV 1
TRANS

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Croatia and Malta voting against and Bulgaria and Austria abstaining (legal basis: Article 91(1) TFEU).

Statements on this item are set out in the Annex.

7. Directive on driving disqualifications

Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 1, on 24.09.2025

IC 12679/25
8351/25
+ **COR 1 (fr)**
+ ADD 1
TRANS

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Austria abstaining (legal basis: Article 91(1), point (c) TFEU).

8. Regulation on air passengers rights

Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 1, on 24.09.2025

IC 12909/25 + ADD 1
10015/25
+ **COR 1 (fi)**
+ **COR 2 (nl)**
+ ADD 1
+ **ADD 1 COR 2 (es)**
+ **ADD 1 COR 3 (fi)**
AVIATION

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Germany, Spain, Portugal, and Slovenia voting against and Estonia and Austria abstaining (legal basis: Article 100(2) TFEU).

Statements on this item are set out in the Annex.

Environment

9. Soil Monitoring Law

Adoption of the Council's position at first reading and of the statement of the Council's reasons
approved by Coreper, Part 1, on 24.09.2025

IC 12910/1/25 REV 1
12910/25 ADD 1
REV 1
9474/25 + COR 1
+ ADD 1
ENV

The Council adopted its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons, with Germany voting against and Austria abstaining (legal basis: Article 192(1) TFEU).

Statements on this item are set out in the Annex.

INTERNAL MARKET AND INDUSTRY

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

3. Competitiveness Fund

Presentation by the Commission
Policy debate

IC 12723/25

The Council took note of the presentation by the Commission and held a policy debate.

Non-legislative activities

4. Simplification, including the 2025 Annual Progress Report on Simplification, Implementation and Enforcement – progress towards the 25 % reduction of burdens for businesses
Presentation by the Presidency and the Commission
Exchange of views

12704/25
+ COR 1 REV 1

Any other business

5. a) **Bringing an end to unjustified territorial supply constraints** [2] 13010/1/25 REV 1
Information from Austria, Belgium, Czechia, Croatia, Greece, Luxembourg, the Netherlands and Slovenia

The Council took note of the information provided by Austria, Belgium, Czechia, Croatia, Greece, Luxembourg, the Netherlands and Slovenia.

- b) **Declaration of the Semicon Coalition calling for a revised EU Chips Act in order to strengthen and revitalize Europe's position in the global semiconductor industry** [2] 12898/25
Information from the Netherlands on behalf of all Member States

The Council took note of the information provided by the Netherlands on behalf of all Member States.

- c) **Third Strategic Dialogue with the European Automotive Industry (Brussels, 12 September 2025)** [2] 13007/25
Information from the Commission

The Council took note of the information provided by the Commission.

- d) **Current legislative proposals (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)** [1] [C]

- i) **State of play of the Omnibus packages** 6595/25
Information from the Presidency 6596/25
9317/1/25 REV 1
(en)
9318/25 + ADD 1
9327/25 + ADD 1


The Council took note of the information provided by the Presidency.

- ii) **Reconciling the 2040 climate target with
European industrial competitiveness**
Information from France

13193/25

The Council took note of the information provided by France.

- e) **Joint Trilateral Non-Paper by Germany, France and
Italy on the Commission announcement of the
Industrial Decarbonisation Accelerator Act (IDAA)**
Information from Germany, France and Italy

 13273/25

The Council took note of the information provided by Germany, France and Italy.

RESEARCH

Non-legislative activities

6. **Conclusions on the importance of research and innovation for the EU Startup and Scaleup Strategy** 12821/25
Approval

The Council approved the text of conclusions as set out in the document above.

7. **Conclusions on a call for action on life sciences for the Union's competitiveness** 12838/25
Approval

The Council approved the text of conclusions as set out in the document above.

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

8. **Horizon Europe Package: Framework Programme for Research and Innovation 2028-2034** 12800/25

a) **Framework Programme and its rules for participation and dissemination** 1C

b) **Specific programme implementing Horizon Europe** SC
Policy debate

The Council held a policy debate.

Any other business

9. a) **A European strategy on research and technology infrastructures** [2] 12895/25
Information from the Commission

The Council took note of the information provided by the Commission.

- b) **2025 Annual Progress Report on Simplification, Implementation and Enforcement** [2] 13280/25
Information from the Commission

The Council took note of the information provided by the Commission.

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- [1] First reading
[S] Special legislative procedure
[2] Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
[C] Item based on a Commission proposal
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Statements to the legislative "A" items set out in doc. 13121/25**Ad "A" item 5:****Regulation on European statistics on population and housing***Adoption of the Council's position at first reading and of the statement of the Council's reasons***STATEMENT BY BULGARIA**

“The Republic of Bulgaria supports the added value of the Regulation on European statistics on population and housing in establishing a common legal framework for the development, production and dissemination of European statistics on population and housing and on modernising social statistics, with a view to better supporting EU policies related to demographic change, social cohesion and sustainable development.

The Republic of Bulgaria attaches great importance to the promotion and protection of fundamental rights, an important part of which is equality between men and women. We are and will remain committed to the principles and values of the European Union, as enshrined in the Treaties.

In this regard, Bulgaria notes the 2018 decision of the Constitutional Court of the Republic of Bulgaria, stating that the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence (‘Istanbul Convention’) promotes legal concepts related to the notion of gender that are incompatible with the main principles of the Constitution of the Republic of Bulgaria.

In 2021, the Constitutional Court further clarified that the term ‘sex’ used in the Constitution, should, in the context of the national legal order, be understood in its biological sense only (men and women). In line with these decisions, the Republic of Bulgaria declares that it cannot accept concepts that aim to distinguish ‘sex’ as a biological category (men and women) from ‘gender’ as a social category and that it will interpret the use of the term ‘gender’ in the Regulation only in its biological sense.

Finally, in the text of the Regulation, the Republic of Bulgaria will accept the translation of the term ‘gender’ into Bulgarian only as ‘sex’ (‘пол’ in Bulgarian).”

STATEMENT BY CZECHIA

“The Czech Republic supports the general principles of the ESOP and welcomes a number of aspects of the compromise text. However, it is negatively affected by the speed of the end of negotiation process.

The Czech Republic remains convinced that the proposed wording of Articles 3, 5 and 11 are problematic for their future implementation in statistical practice.

The main concern of the Czech Republic is the application of population definition and modelling of unregistered part of the population without any reliable data sources. It is of the utmost importance to use administrative data sources centred around population register for producing timely statistics in line with the quality standards for the European official statistics. The challenging deadlines for providing data specified in the annex of this regulation can only be achieved if these can be based on sound and comprehensive administrative data sources.”

The Czech Republic is of the opinion that the safeguard limiting the scope of this Regulation and setting its relation to the Regulation (EU) 2019/1700 of the European Parliament and of the Council establishing a common framework for European statistics relating to persons and households based on data at individual level collected from samples is formulated in the final compromise text only in relation to the existing content of the data collected under this Regulation and not generally to data collected based on samples of persons and households. This may lead to the future increase in burden for Member States and respondents.

Concerning ad-hoc data collections under Article 5, the Czech Republic believes that these will not pose extraordinary burden on Member States and that they will focus only on the use of existing administrative data sources.

The Czech Republic can support the final compromise text but with certain reservations stated above.”

STATEMENT BY HUNGARY

“Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as a reference to ‘sex’ and the concept of ‘gender equality’ as ‘providing equal chances and opportunities for women and men’ in the *Draft Regulation (EU) .../... of the European Parliament and of the Council on European statistics on population and housing, amending Regulation (EC) No 862/2007 and repealing Regulations (EC) No 763/2008 and (EU) No 1260/2013.*”

Ad "A" item 6: **Directive on driving licences, amending Directive (EU) 2022/2561, Regulation (EU) 2018/1724 and repealing Directive 2006/126/EC and Regulation (EU) No 383/2012**
Adoption of the Council's position at first reading and of the statement of the Council's reasons

STATEMENT BY CROATIA

“The Republic of Croatia reiterates the importance of three main elements that the Directive aims to take into account: improvement of road safety, simplicity of application, and general framework.

At the same time, national circumstances should be considered and current good practices at national level should be preserved, while ensuring a high level of road safety.

The Republic of Croatia could not support the following elements of the proposed text:

1. Article 17, which introduces the obligation for Member States to issue driving licences for categories B and C to applicants aged 17 (with the EU code 98.02) under an accompanied driving scheme.

Driving at the age of 17, even under supervision, lowers the minimum age threshold currently applied in Croatia and creates significant challenges in terms of law enforcement, control and road safety. The introduction of such a scheme should therefore remain optional, as it is closely linked to national traffic conditions, existing safety policies and enforcement capacities.

In addition to safety concerns, the implementation of this system would impose considerable administrative and financial burdens on competent authorities. Monitoring compliance with the conditions for accompanied driving (eligibility of accompanying persons, limitations on driving, identification procedures) would be complex, resource-intensive and difficult to enforce effectively in practice.

We are therefore concerned that the mandatory implementation of the accompanied driving scheme could negatively affect road safety, create disproportionate administrative costs, and result in unforeseeable consequences.

2. The provision introducing a mandatory three-week deadline for the issuance of the physical driving licence (Recital 11).

Under the current national legislation, a driving licence in Croatia is issued within 30 days in the regular procedure. Shorter deadlines exist only in accelerated and urgent procedures, which are more expensive and therefore rarely used.

Introducing a binding three-week deadline at EU level would shorten the existing regular procedure in Croatia and require a systemic adjustment of administrative processes. This would create additional organisational and financial burdens for competent authorities, increase the overall costs of the procedure, and ultimately be transferred to citizens.

For these reasons, Croatia believes that the deadline for issuing physical driving licences should remain within the competence of Member States, allowing flexibility to adapt to national administrative capacities and cost structures.

As the final text does not adequately address the concerns mentioned above, the Republic of Croatia cannot support it.

The Republic of Croatia remains committed to implementation of the EU-wide harmonized legislative framework that will ensure the enforcement of the highest road safety standards.”

STATEMENT BY MALTA

“Malta has positively welcomed the Commission’s Proposals within the Road Safety Package, recognising their importance in advancing road safety across the EU, fostering safer and smarter transport systems. These objectives set out in this Package are well aligned with Malta’s national vision and commitments.

Malta acknowledges that the final compromise reached with the European Parliament contains several constructive amendments aimed at improving and strengthening the text substantially, especially from the perspective of road safety.

The flexibility for Member States to continue to mandate medical assessments for first-time applicants of a driving licence and for elderly drivers when renewing their licences is well received. Additionally, Malta supports the retention of the minimum age for full driving rights of Category B holders at 18 years of age as per Article 7. However, Malta remains unable to express similar support for the Accompanied Driving Scheme. Whilst Malta welcomes the voluntary nature of this Scheme for Category C Licences, we maintain our serious reservations regarding its mandatory application to Category B Licence, especially since this does not align with the specific realities and challenges of Malta’s road infrastructure. In view of our limited and highly urbanised road network, a Category B licence to the demographic targeted by the Accompanied Driving Scheme does not align with our objective of enhancing road safety. Such a scheme will place additional pressures on Malta’s road networks while restraining the Government’s efforts to encourage a modal shift among this same demographic.

To this effect, whilst Malta remains fully committed to improving road safety and achieving our Vision Zero objectives, we are unable to support the provisional agreement reached between the Council and the Parliament on 24 March 2025.”

STATEMENT BY ESTONIA

“Estonia expresses its appreciation for the great efforts of the Polish Presidency in leading the discussions on the proposal for the revision of Regulation (EC) No 261/2004 on air passenger rights and its efforts to build a compromise among the Member States. Estonia remains committed to establishing clear and straightforward rules that guarantee adequate care and assistance for passengers. At the same time, it is important to maintain a balanced approach that takes into account the obligations of air carriers, thereby supporting the sustainability of the aviation sector.

The Regulation shall primarily ensure that passengers receive appropriate care and assistance and are able to reach their destination as soon as reasonably possible. A clear and straightforward compensation system is essential to minimize inconvenience during disruptions and to incentivise carriers to operate delayed flights rather than cancel them.

During the negotiations, various delay thresholds were proposed. Estonia supports the introduction of a uniform five-hour delay threshold for all flights, regardless of journey length, under article 7 of the Regulation 261 /2004. Our detailed reasoning is as follows:

1. The use of a single threshold simplifies the Regulation, makes calculations of compensation simpler and clarifies compensation rules for passengers.
2. From the passenger's perspective, the impact of flight delays is fundamentally the same, regardless of the distance of the journey. Therefore, there is no need to distinguish compensation thresholds based on distance, as the experience of inconvenience due to delays does not vary.
3. In most cases five hours is sufficient time for air companies to repair the plane, find another aircraft or to provide alternative flights.

Given these considerations, the six-hour threshold proposed by the Presidency in the compromise proposal is unacceptable to us. Estonia finds that delays of five hours or more result in considerable inconvenience for passengers and should be compensated for.

In view of the significance of this issue, Estonia is not in a position to endorse the political agreement on the Air Passenger Rights Regulation and will therefore abstain.”

STATEMENT BY HUNGARY

“As underlined by Member States during the policy debate organised by the Hungarian Presidency in 2024, the main purpose of the amendment of the air passenger rights Regulation, among others, is the simplification of measures and to strike a balance between the interests of passengers and those of the industry.

From the outset, Hungary has raised the issue of lack of sufficient data and analysis confirming the effectiveness of the proposed measures and the balance between passenger and industry interests. We also raised concerns about the introduction of delay compensation obligation in the Regulation without the necessary background studies analysing its effectiveness and possible different policy options.

Hungary does not per se oppose the introduction of delay compensation. However, we think that further considerations are needed in order to be able to set the right balance between industry interests and passenger protection. This is the reason why at the Transport Council of June 2025 we only supported the start of the negotiations with the European Parliament on the condition that the European Commission prepares for the upcoming interinstitutional negotiations an analysis which contains more detailed data than what we have received previously. According to our request this analysis should include up-to-date information from both passengers and the industry, describing and assessing the expected impacts of the Regulation.

The „technical input” submitted by the Commission fails to provide any substantiated evidence confirming that the delay compensation obligation will effectively reduce the number of flight delays and that this measure is best suited to achieve that result. The Commission still points mainly to old and outdated studies, uses assumptions („delays that could be assumed to be attributable to airlines”) instead of real data and analysis and provides delay data only for the month of July 2025 which is clearly insufficient to serve as a basis of any substantive measure. Furthermore, the Commission finds that the measures may put European airlines in a competitive disadvantage and acknowledges that at the moment there is no data on further factors which may have an impact on relative competitiveness. The Commission also notes the increasing burden on NEBs. It „assumes” that listing extraordinary circumstances may alleviate this burden, but the situation is in fact much more complex than that, given that delays are not caused by a single factor, therefore the existence of extraordinary circumstances must still be determined on a case-by-case basis.

Last but not least the text, in our view, is not simplifying but further complicating measures, making it very difficult for the traveling public to understand their rights.

With this background, we would like to underline, once again, that we will not be in the position to support the agreement to be made with the European Parliament unless clear evidence is shown on the effectiveness of the measures and on the achievement of a balance between passenger and industry interests.

For a more detailed explanation of our position, please refer to the Annex.

Annex

The 2001 Commission proposal

Obliging carriers to compensate passengers for delay was not the original intent of the Commission. In its original Proposal, the Commission stated that „Although passengers suffer similar inconvenience and frustration from delays as from denied boarding or cancellation, there is a difference in that an operator is responsible for denied boarding and cancellation (unless for reasons beyond its responsibility) but not always for delays. Other common causes are air traffic management systems and limits to airport capacity. As stated in its communication on the protection of air passengers, the Commission considers that in present circumstances operators should not be obliged to compensate delayed passengers.”¹

CJEU decisions

Although according to the – highly controversial – interpretation of the Court of Justice, airlines are required to compensate passengers for long delays, our understanding is that there is no obligation to codify CJEU decisions.

Even the Commission’s proposal for delay compensation diverts from the exact decision of the CJEU.

¹ COM(2001) 784 final, at para 23

Lack of data and analysis

We would like to reiterate that at the moment there is no sufficient evidence to support that obliging airlines to pay compensation for delays will achieve the desired objective of reducing the number of delayed flights.

If the purpose of introducing delay compensation is only to ensure the high level of protection of passengers (and not to reduce the number of delayed flights), it should be thoroughly assessed whether it is fair to place all burden on air carriers, whether air carriers can claim the amounts paid as delay compensation from third parties causing or contributing to the delay and whether there are viable alternative solutions. Such analysis have not been carried out so far.

Before introducing the obligation for delay compensation, it should be investigated to what extent the factors mentioned in the 2001 Commission proposal have changed. The introduction of a new obligation in the Regulation requires analysis regarding its effectiveness to reach the desired objectives and its impact on stakeholders.

More specifically, we wish to refer to the Commission Guidelines on Better Regulation² according to which impact assessments collect evidence (including evaluation results) to assess whether future legislative or non-legislative EU action is justified and, if so, how it can best be designed to achieve relevant policy objectives. They must identify and describe the problem to be tackled; establish objectives for the EU action; formulate policy options, assess their potential impacts and, where appropriate, identify a preferred option; and set out how the expected results will be monitored and evaluated. Impact assessment is about gathering and analysing evidence to support policymaking. It involves verifying the existence of a problem, identifying its underlying causes, assessing whether EU action is needed, and analysing the advantages and disadvantages of available solutions.

Such assessments for delay compensation are missing.

It is somewhat unusual that the Commission proposes the introduction of new legislative measures without having gathered and studied the necessary underlying data.

² https://commission.europa.eu/law/law-making-process/planning-and-proposing-law/better-regulation/better-regulation-guidelines-and-toolbox_en.

Findings of the 2012 and 2020 Studies regarding delays

In its reply to our concerns, the Commission referred to the 2020 study³ and the 2013 Impact Assessment⁴ (which is based on the 2012 Study⁵), highlighting that the number of delays attributable to airlines decreased from 80% to 70% and that the effect of compensation on the reduction of airline attributable delays is hard to analyse.

The 2020 Study confirms that the “the overall number of delayed flights has increased significantly in recent years and has almost doubled between 2014 and 2018”⁶. The statement referred to by the Commission⁷ (i.e. „Based on the delay data provided by CODA, the proportion of delays attributable to airlines, between 2011 and 2018, was between approximately 70% and 80%. Airline-attributable delay has decreased from approximately 80% in 2011 to approximately 70% in 2018, reflecting an increase in delays classed as extraordinary circumstances – such as ATC delays”) only shows that airline attributable delays are lower in comparison to higher number of ATC delays, but it is not known whether they decreased compared to earlier numbers of airline attributable delays. Figure 2.6 of this Study clearly shows the increase in airline attributable delays.

The Study finds that “While it is possible that Regulation 261/2004 has a marginal impact on the proportion of flights delayed, it does not appear to be significant compared to other factors.”⁸

Moreover, it confirms that it is not easy to precisely pinpoint the responsibilities for delay⁹ and regards all delays that are not caused by extraordinary circumstances as airline attributable¹⁰.

The 2012 Study confirms that there is a significant disagreement between stakeholders on the interpretation of extraordinary circumstances¹¹.

³ <https://op.europa.eu/en/publication-detail/-/publication/f03df002-335c-11ea-ba6e-01aa75ed71a1>.

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013SC0062>.

⁵ https://transport.ec.europa.eu/document/download/4d457d44-253a-4efd-810c-a55fb248f09d_en?filename=2012-07-exploratory-study-on-the-application-and-possible-revision-of-regulation-261-2004.pdf.

⁶ point 2.31.

⁷ point 2.45.

⁸ point 2.37.

⁹ point 2.46, Note.

¹⁰ point 2.43.

¹¹ point 7.41.

As per delay compensation costs, the 2012 Study has already shown a significant increase¹². In this respect, we would like to note that passenger's awareness on their rights may have increased significantly since 2012, leading to even higher compensation costs for airlines.

Essential questions

In our view, the following issues require further consideration:

1. whether there exists any type of delay that serves airlines' interest;
2. whether it is desirable to oblige airlines to pay compensation for delays that are not caused due to their commercial interests and that they are not responsible for, bearing in mind that the airlines are de facto unable to claim these amounts from responsible parties¹³;
3. whether the balance between passenger protection and industry interests would be achieved with the introduction of delay compensation, bearing in mind that airlines cannot even invoke the extraordinary circumstances defence in case of knock-on delays and that the existence of extraordinary circumstances are often hard to establish given the multitude of factors leading to the delay of a single flight¹⁴;
4. whether higher compensation costs for airlines will lead to higher fares, possibly also effecting competitiveness;
5. whether there is a better way to ensure high consumer protection while respecting industry interests;
6. whether the workload of NEBs will increase.

We believe that these considerations necessitate further data collection and analysis.

Furthermore, significant efforts are needed to make the Regulation (i.e. the rights of passengers) easily understandable to the traveling public.

¹² point 7.53, Figure 7.5.

¹³ see 2012 Study, points 7.113 and 7.123.

¹⁴ see 2020 Study, point 2.46, Note.

Proposal

In our view, approving amendments in a hasty manner may once again lead to the adoption of a malfunctioning Regulation. Therefore, we propose that the issues mentioned in this paper are thoroughly analysed in order to be able to establish the desired balance between passenger protection and industry interests and to adopt a Regulation which stands the test of time.”

STATEMENT BY LITHUANIA

“Lithuania reaffirms its overall support for the objectives of the Air Passenger Rights proposal and acknowledges the continued efforts of the Council Presidency and the Member States to reach an agreement on this important file.

However, while we acknowledge the progress made since the earlier discussions, Lithuania remains concerned that certain key elements of the draft as it stands may still weaken passenger protection compared to the current regulatory framework. The provisions of Article 7 of the proposal continue to pose challenges, as they may reduce the level of protection of passenger rights in the event of a flight being disrupted or delayed at arrival due to re-routing following a cancellation. These changes may lead to longer waiting times and reduced compensation, thus reducing passengers’ legitimate expectations as to the quality of service.

Lithuania stresses that the main objective of the legislation safeguarding air passenger rights should remain the simplification and modernisation of the existing rules, ensuring legal clarity for all parties while also guaranteeing fair and effective protection for passengers. We also note that the European Union has other means to foster the competitiveness of its aviation sector. Nevertheless, that objective cannot be achieved at the expense of passenger rights.

In conclusion, Lithuania maintains the view that the protection of passengers is the cornerstone of this legislative initiative and must remain at its core, to ensure that it has real and lasting value for European society.”

STATEMENT BY PORTUGAL

“Portugal thanks the Polish Presidency and past presidencies for all their work in negotiating amendments to the Air Passenger Rights Regulation.

Portugal has always argued that any revision of the Regulation should not only make it easier to implement, but above all maintain or strengthen passenger rights, allowing passengers to benefit from the protection that has established standards in other regions of the world.

In this regard, the political agreement that was voted for by the majority does not meet passengers’ expectations, particularly in terms of distance thresholds or travel times, with a notable impact on Member States that are geographically further away from the centre of the European continent and on the outermost regions. The approved thresholds represent a step backwards in terms of passenger rights and Portugal is voting against the political agreement.

However, in the ensuing negotiations with the European Parliament, Portugal will express its willingness to continue to constructively advocate for a substantive improvement in European Union legislation that meets the expectations of all stakeholders, with particular emphasis on passengers whose interests this Regulation has protected since 2004.”

Ad "A" item 9:

Soil Monitoring Law

Adoption of the Council's position at first reading and of the statement of the Council's reasons

STATEMENT BY GERMANY

“Germany hereby adds the following statement for the minutes to its objection:

Healthy soils are a prerequisite for many ecosystem services, such as carbon pools and water filtration and storage. They also act as a buffer against contaminants, serve as the basis for an adequate and healthy diet, supply agricultural and forestry biomass and provide natural cooling in urban areas. It is imperative that soil health, including humus content and soil biodiversity, be maintained and, where possible, improved. The local conditions in the individual Member States are a key factor in that regard. In Germany’s view, the proposal for the Soil Monitoring Law, as agreed between the European Parliament and the Council Presidency, does not take sufficient account of the principles of subsidiarity and proportionality and would create additional burdens and duplicate structures.”

STATEMENT BY SWEDEN

“Sweden appreciates that the final compromise text to a large extent safeguards the flexibility and control of Member States. Sweden acknowledges that Article 11 has moved substantially in line with Sweden’s position with the deletion of legally binding common sustainable management principles and with the deletion of Annex III.

Nevertheless, Sweden’s underlying concern with the proposed Directive remains. Sweden still believes the proposal will incur additional costs in relation to its benefits and fails to see a clear added value that justifies the administrative burden of a legally binding common monitoring framework. The cost-efficiency of the monitoring framework is still uncertain and there is a lack of evidence-based quality assurance that the proposed framework will be feasible and properly applicable to different types of soils. The transboundary nature of soil health is limited and adjoins national competence.

The final compromise text results in a Directive that is closer to Sweden’s position compared to the commission proposal and Sweden can therefore, in the spirit of compromise, accept the final compromise text. However, Sweden underlines the concerns stated above, as well as that there is no guarantee that the framework will work in practice.”
