

	To: Mr. Michael McGrath European Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection. Mr. Apostolos Tzitzikostas European Commissioner for Sustainable Transport and Tourism. Ms. Anna Cavazzini Chair of the European Parliament Committee on the Internal Market and Consumer Protection (IMCO) Mr. Alex Agius Saliba European Parliament rapporteur on the revision of the Package Travel Directive. Ms. Elissavet Vozemberg-Vrionidi Chair of the European Parliament Committee on Transport and Tourism (TRAN) Ms Ana Gallego Torres - DG JUST – European Commission Justice and Consumers Directorate-General, led DG MOVE – European Commission Directorate-General for Mobility and Transport
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	Portugal's Permanent Representation to the EU (REPER)
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April 28th, 2026

Subject: Request for the effective application of the principle of proportionality in the revised Package Travel Directive, particularly in relation to airlines

**To the attention of the European Commission and the relevant institutions
of the European Union,**

On behalf of ANAV – the Portuguese National Association of Travel Agencies – we wish to express our support for a strong European framework for consumer protection in the travel sector. We fully endorse the objective of ensuring that travelers enjoy clear rights, rapid assistance, and effective remedies when disruption occurs. At the same time, we respectfully submit that the effective implementation of the revised Package Travel Directive must be guided by a fundamental principle: **consumer protection must remain robust, but the allocation of legal and financial responsibility across the travel value chain must also be proportionate.**

Travel agencies and package organizers play an essential role in protecting consumers. They are often the first point of contact for travelers, the parties expected to provide solutions under significant time pressure, and the businesses that carry the commercial and reputational burden when disruption arises. However, where the root cause of the disruption lies with an airline, it is neither proportionate nor sustainable for agencies and organizers to bear, in practice, the principal financial burden of that failure. This is especially true in cases of flight cancellation, major schedule disruption, failure to operate, or delayed reimbursement by the carrier. This concern is directly linked to the revised directive's treatment of refunds, insolvency protection and clearer organizer obligations.

ANAV therefore calls on the European Union to ensure that the implementation of the revised Directive reflects a clear and operational principle of proportionality, namely that **where the principal failure is caused by the airline, the principal financial responsibility should rest with the airline**. In practical terms, this should mean that organizers and intermediaries are not turned into involuntary financiers of failures caused upstream by transport providers.

In this respect, we respectfully ask the European institutions to give priority to the following points:

First, airlines should be subject to an effective and enforceable obligation to reimburse organizers and intermediaries rapidly where the organizer has refund obligations towards the traveler arising from an air transport failure. A reimbursement chain that works only in theory is insufficient; it must function in practice, within clear deadlines and with real enforcement consequences in the event of non-compliance. The revised Package Travel Directive was expressly presented as clarifying organizers' obligations on refunds and reducing burdens for operators; this objective can only be achieved if reimbursement from upstream suppliers is equally effective.

Second, the organizer's right of redress against the service provider must be made genuinely effective. Rights of recourse that are slow, uncertain, fragmented across jurisdictions, or excessively costly do not provide real proportionality. ANAV asks the European Union to promote a simplified, harmonized and fast redress mechanism for claims by organizers and intermediaries against airlines. The existing Package Travel Directive framework protects the traveler, but its practical balance depends on whether redress against suppliers can be exercised in a real and timely manner.

Third, the implementation of the revised rules should avoid any interpretation whereby the airline's economic risk is effectively transferred to agencies or organizers. Consumer protection should not mean that the financially weakest or most

operationally exposed actor in the chain becomes the default bearer of the cash-flow shock. A fair and sustainable travel market requires alignment between the source of the disruption and the allocation of the financial burden.

Fourth, the interaction between the Package Travel Directive and EU passenger rights rules should be interpreted and enforced coherently. The organizer's obligations toward the traveler should not create practical safe harbors for airlines, nor should parallel regimes result in uncertainty, duplication, or an imbalanced distribution of responsibility. The European Commission's own consumer enforcement work in the air travel sector shows the importance of ensuring that airlines comply in practice with consumer and passenger rights obligations.

Fifth, ANAV encourages the European Union to consider, in implementation practice and in any future review of the framework, additional safeguards to ensure symmetry of responsibility across the value chain. Where organizers are required to maintain strong insolvency and refund protection for consumers, it is reasonable to consider whether equivalent financial safeguards should exist, in appropriate form, for carriers whose failures trigger major refund obligations downstream. The recent revision of the directive was motivated in part by lessons from the pandemic and major bankruptcies; those lessons should now be carried through into balanced implementation.

ANAV wishes to underline that this request is not aimed at weakening consumer rights. On the contrary, our position is that **consumer protection is stronger when legal duties are matched by a proportionate and enforceable allocation of responsibility across all actors involved**. A system in which travel agencies must solve the consumer problem but cannot recover efficiently from the airline that caused it is neither fair nor resilient.

For these reasons, we respectfully invite the European Commission, the European Parliament, the Council and the competent national authorities to ensure that the

revised Package Travel Directive is implemented in a manner that gives full effect to proportionality, legal certainty and fairness across the travel chain.

We would welcome the opportunity to contribute constructively to this discussion and to provide the perspective of travel agencies operating daily on the front line of consumer service across Europe.

Yours faithfully,

Miguel Quintas

President

ANAV – Associação Nacional de Agências de Viagens

Portugal