

Brussels, 24 March 2026

CM 2206/26

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Interinstitutional File:  
2013/0072(COD)

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CODEC  
AVIATION  
CONSOM  
PROCED

### COMMUNICATION

#### WRITTEN PROCEDURE

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Subject: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air (**second reading**)

Outcome of the written procedure initiated by CM 2148/26:

– Non-approval of the European Parliament's amendments

**= END OF WRITTEN PROCEDURE**

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Delegations are informed that the written procedure, opened by CM 2148/26 of 19 March 2026 was completed on 24 March 2026 and that all delegations, except for Portugal that abstained, agreed not to approve the European Parliament's amendments to the Council's position at first reading of 29 September 2025<sup>1</sup>.

The required qualified majority has been reached. Therefore, the European Parliament's amendments are not approved.

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<sup>1</sup> 10015/1/25 REV 1 + ADD 1.

The statement by Portugal is reproduced in the Annex to this CM.

The above statement will be included in the summary of acts adopted by the written procedure as statement to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

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**Portugal has requested that the following statement be entered in the Council minutes**

Portugal appreciates the work of the Cyprus Presidency and its predecessors on furthering the analysis of the Air Passenger Rights Regulation and its contact with the European Parliament.

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

Portugal therefore voted against the Council's political agreement, considering, in particular, that the thresholds adopted constituted a step backwards in terms of protecting passenger rights.

Portugal also stated that it would reserve its position for the subsequent negotiation with the European Parliament and supported the European Parliament's proposals on central elements such as the amounts of compensation and the time threshold after which such compensation is due. It should be noted that passenger rights only apply when there is a flaw in the strict liability of other stakeholders.

On the other hand, elements of the Council's common position deserve to be included in a final agreement, so Portugal **ABSTAINS** in this written procedure, seeking to keep the negotiations offered by the Conciliation Committee open.

However, Portugal reiterates its willingness to continue in the negotiations with the European Parliament 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.