

ANNEX I

The myth of Increased Cancellations Dispelled: Three Case Studies (NL, DE, UK)

	Flights 2012/2014	Claimable incidents	Claimable cancellations	Claimable delays (+3h)
Netherlands	+ 1.12%	- 3.66%	- 5.68%	+ 0,22%
Germany	- 7.35%	- 9.79%	- 15.82%	+ 5.86%
United Kingdom	- 2.58%	- 14.99%	- 16.81	- 13.00%

The Netherlands

The number of flights has increased in the Netherlands in the last two years, while the claimable incidents have decreased. Specifically the number of claimable cancellations is decreasing. The Netherlands does show a slight growth in the number of delays, but when put into perspective of the overall increase in number of flights the airlines have improved their operations.

Germany

The total number of flights in Germany has decreased, but the decrease of number of cancellations is even higher. When placed in perspective the airlines in Germany have improved their overall operations and have shown a systematic decrease in the number of overall claimable incidents in the past two years.

United Kingdom

Airlines operating from and to the UK are improving their performance from all perspectives.

Conclusion:

Airlines operating from and to the UK are improving their performance from all perspectives.

The data above show that the Nelson judgement as published 23 October 2012 and the subsequent mandatory financial compensation by airlines in the case of delay, did not result in an increase of the number of cancellations.

However, the numbers above exclude major incidents such as strikes, extreme weather, ATC strikes or major incidents on airports. About 40% of all incidents are the result of 'extraordinary circumstances', which exempt airlines from financial compensation as set out in Article 7 of the EC Regulation 261/2004.

The highest financial impact placed on the airline industry is caused by pilot- and industrial strikes, which are considered extraordinary within the meaning of the

Regulation. In 2014 the systematic strikes by Lufthansa pilots resulted in at least 6427 cancellations in Germany within a time frame of only 12 days. This is almost as much as all claimable cancellations in Germany within a time frame of 365 days.

When looking at all the strikes that occurred in that same year the number of cancellations only gets worse:

1. ATC strikes France
2. ATC strikes Italy
3. Security staff strikes in Germany
4. Lufthansa pilot strike
5. Germanwings pilot strikes
6. Air France pilot strikes
7. Italian Easyjet cabin crew strikes

We refer to our striking calendar, which we published at the end of 2014.

APRA strongly suggests for the Institutions to focus their efforts on the reduction of strikes, rather than changing a well functioning Regulation.