

Royal Schiphol Group

Attention Mrs. Patricia Vitalis
Director Airport Operations & Aviation Partnerships
P.O. Box 7501
1118 ZG Schiphol

Subject: Request to cancel bookings as per your letter dated 28 April 2022

Schiphol, 28 April 2022

Dear Patricia,

We have taken notice of your letter which you sent to the airlines on the above-mentioned subject.

We do understand the cause of the capacity issues at Security Service Providers and Kmar. We also appreciate that Schiphol is trying to find solutions to guarantee a safe environment for passengers. You state in your letter that

“As the airport operator it is our responsibility to ensure passenger wellbeing, public order and safety.”

At the same time, we conclude that as an airport it is also your responsibility to ensure that you can render the services the airlines are paying for. Schiphol is the contractor of the Security Services and such responsible for this process to be executed in a safe, secure and swift way.

As we mentioned in our 1-on-1 call this morning as well as our statement in the OSO-meeting of this morning and in our email of 10:54 this morning, we advised Schiphol to proactively mention the fact that Schiphol is liable for costs made by the airlines. No doubt passengers whose booking will be cancelled will file claims at the airlines under EU261/2004 legislation. Compensation amounts will have to be paid if no force majeure can be proven by the airlines. A ‘request’ to cancel bookings cannot be seen as a force majeure. Hence, the airlines will have no other choice than to hold Schiphol liable for the costs incurred (whether they are claims under EU261/2004 or costs for additional hotel-nights etc.) and reclaim these from Schiphol.

In your letter we find some inconsistencies.

1. We are under the impression that a problem needs to be solved which is occurring on Saturday 30 April and Sunday 01 May as you show in your graphs. So, let’s get that problem solved. We see no reason to cancel bookings in the period 02-08 May.

2. Furthermore, it cannot be requested from the airlines to have a stop-sale right now. As you are well aware (due to the volumes you know) that passenger loads are heavy and the few remaining seats left to be sold bring the highest revenues. That's how Revenue Management Systems work!

As we have mentioned in our meeting "Regie op de zomer" dated 26th April, BARIN is more than willing to continue discussing options to reduce staff shortages at the airport, however the responsibility for this continues to lie with Schiphol. We understand that for the upcoming weekend this will not be of any help.

Anticipating your understanding for our position, we remain

With kind regards



Joost Hasperhoven
BARIN Secretary General