

Contact: Sébastien Pant: +32 (0)2 789 24 01
Date: 27/09/2018

Ryanair crew strike: travel plans disrupted again for thousands of consumers across Europe

Planned strikes by Ryanair crew for 28 September in several European countries will make travel plans for an estimated thirty thousand passengers extremely difficult.

But these strikes could also potentially leave many passengers without compensation, given the handling of recent strikes at Ryanair.

When Ryanair suffered a series of strikes this summer, it refused to compensate consumers, as required by EU air passenger rules, claiming that the strikes were an 'extraordinary circumstance' which gave the company a waiver from its obligation.¹ This is despite the European Court of Justice stating clearly² that not all strikes fall under this exception, for which strict conditions have to be met.

Ryanair's past refusal to compensate³ consumers has triggered action from consumer groups. For example, Belgian consumer group, and BEUC member, Test Achats/Test Aankoop has filed claims⁴ on behalf of consumers against Ryanair in August, while Spanish consumer group OCU⁵ is also considering taking legal action against the airline.

In many other countries, particularly where consumer organisations cannot file group actions, consumers would have to go to court individually at their own cost and risk, which is something they usually would not do. For BEUC, this is a clear reason why consumers need to have the right to go to court as a group everywhere in the EU, which is currently far from the case.⁶

¹ The EU Regulation on Air Passenger Rights gives consumers the right to compensation if their flight is cancelled. In the latest strikes, Ryanair claimed the strikes were an 'extraordinary circumstance' and therefore no compensation was due. See [Reuters](#), 15 August 2018 or [The Independent](#), 20 July 2018.

² See the European Court of Justice ruling from April 2018: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-04/cp180049en.pdf>.

³ The EU Regulation on Air Passenger Rights gives consumers the right to compensation if their flight is cancelled. In the latest strikes, Ryanair claimed the strikes were an 'extraordinary circumstance' and therefore no compensation was due. See [Reuters](#), 15 August 2018) or [The Independent](#), 20 July 2018.

⁴ See Test Achats/Test Aankoop press release on 24 August 2018: <https://www.test-achats.be/action/espace-presse/communiqués-de-presse/2018/ryanairdepotdossiers>.

⁵ See OCU press release on 9 August 2018: <https://www.ocu.org/consumo-familia/viajes-vacaciones/noticias/accion-judicial-ryanair>.

⁶ Currently only 5 countries in the EU have an efficient, working system where group actions are allowed. See more about where group actions work in the EU [here](#). The EU Commission has recently proposed to create the

Monique Goyens, Director General of the European Consumer Organisation (BEUC) said:

“We call on Ryanair to compensate consumers caught up in the latest wave of mass cancellations according to EU passenger rights rules. Unfortunately, recent incidents show again that European consumers are too often left without a realistic option to defend their rights. How many consumers will be able to go to court individually, particularly for a relatively low amount of money? This is a clear-cut reason why we need an efficient group action procedure in Europe, to ensure people’s rights can not be trampled on so easily.”

“There is a Commission proposal currently under discussion which would allow group actions in every EU country. If consumers could band together and file a joint claim for example against airlines which do not respect passenger rights, it would only be justice. We call on the European Parliament and Member States to do their utmost to ensure this legislative proposal is turned into law quickly.”

ENDS

If you would like to be removed from our mailing list, please let us know.

possibility for a group of consumers to go to court together against a trader everywhere in the EU. The proposal is currently being scrutinised by the EU Parliament and Member States.

Bureau Européen des Unions de Consommateurs AISBL | Der Europäische Verbraucherverband

Rue d’Arlon 80, B-1040 Brussels • Tel. +32 (0)2 789 24 01 •

press@beuc.eu • www.beuc.eu • www.twitter.com/beuc

TVA: BE 0422 071 051 • EC register for interest representatives: identification number 9505781573-45