

Mr Michael O'Leary
Ryanair Ltd
Airsides Business Park
Swords

IE -Co. Dublin

Ref.: BEUC-X-2017-103

3 October 2017

Subject: Ryanair flight cancellations – consumer detriment

Dear Mr O'Leary,

I am writing to you on behalf of BEUC, The European Consumer Organisation, which represents 43 national consumer organisations from 31 European countries. I am aware that you may already have been contacted by some of our member associations, working at a national level.

Your announcement to proceed with mass flight cancellations over the period of 7 months has led to millions of passengers suffering damage and emotional stress.

In this difficult situation, instead of doing your utmost to address consumer concerns in accordance with your legal obligations to professional diligence, you have aggravated the situation by using misleading and unfair practices when dealing with passengers affected by the cancellations.

We call on you now to remedy the situation and to comply in full with EU and national legislation as quickly as possible. We have set out below the main problems that European consumers are facing:

In your communication with passengers you did not correctly inform them from the start about their rights in case of a flight cancellation. Because of these omissions, over the past two weeks passengers faced chaos in terms of information provision and an obstacle course when trying to understand and make use of their rights.

In the initial emails that you sent to passengers after the first wave of cancellations, Ryanair failed to include clear information about consumers' potential right to compensation. The practice to include a link at the bottom of an email sent to passengers with an information note on air passenger rights, is insufficient to comply with the requirement set out in article 14 (2) of Regulation 261/2004¹. In our view the text of the email misled consumers into believing that only two options were available to them: refund or rerouting.

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¹ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 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 repealing Regulation (EEC) No 295/91.

Secondly, during the first two weeks passengers were wrongly informed by Ryanair that they could only choose an alternative flight with your airline. This infringes the provisions of Regulation 261/2004, which requires the airline to offer rerouting with other carriers if needed, "under comparable transport conditions" and "at the earliest opportunity". Despite your latest announcement² many passengers have probably suffered damages due to incorrect communication. These passengers should be proactively compensated by Ryanair.

The commitments you made recently in reaction to the demands by consumer organisations need to be expanded to all European consumers affected by your cancellations.

We therefore call on Ryanair to do the following:

- Contact all those consumers and inform them of their right to compensation and an explanation of the procedure which will be followed by Ryanair to reimburse consumers;
- Offer automatic compensation to all passengers who have been notified about their flight cancellation less than 2 weeks in advance; provide re-routing for passengers with other airlines and reimburse the reasonable expenses due to cancellations;
- Improve the very narrow restrictions (timewise and scope wise) that you put on the use of the vouchers that you offer for rerouted or reimbursed flights;
- Clearly inform passengers that accepting the voucher that you offer to consumers affected by the cancellations does not preclude them from claiming the compensation they are entitled to in accordance with the provisions of the Regulation 261/2004.
- Reimburse all passengers for the price difference between the original Ryanair flight and the flight consumers book(ed) with another airline after the Ryanair cancellation, if consumers opted for a refund instead of re-routing after being wrongly informed about its conditions.

We very much hope that Ryanair takes the action required to resolve these issues.

We are also available for a meeting in case you would like to discuss our demands in more detail. We expect to hear back from you **by October 20 at the very latest.**

Yours sincerely,

Monique Goyens
Director General

²<http://corporate.ryanair.com/news/ryanair-explains-how-and-when-it-will-re-route-customers-affected-by-flight-cancellations/>