

WRITTEN QUESTION E-2857/09
by Raúl Romeva i Rueda (Verts/ALE)
to the Commission

Subject: Infringement of immigrant passengers' rights by Ryanair

At Girona Airport on Wednesday, 1 April 2009 Ryanair barred an Argentine passenger, María Delfina Rossi, from boarding the flight to Granada. The reason for its refusal was that, when she was asked for proof of identity, the passenger, who is an Argentine national but holds a Spanish residence permit – and is in the process of completing the procedure for acquiring Spanish citizenship – produced her resident's card, which, moreover, specifies that she is related to a Community citizen as well as being valid until 2012. The card is thus a perfectly good document, that is to say, an official document issued by the state, and satisfactory for the purpose of identifying the holder as and when required in airports. Ms Rossi, however, was told that she would be forbidden to board unless she could show her passport, a document which she did not happen to have with her at that moment, since the flight concerned was a domestic flight. Despite her insistence that she was entitled to prove her identity and travel on the strength of her resident's card, she was not allowed into the aircraft and had to stay on the ground. It is important to point out that this case might constitute fraud, given that Ms Rossi's resident's card was accepted as valid when she checked in at the airport (Ryanair charges a special fee for that check-in procedure). In addition to the implications that such humiliating, unfair treatment entails from an economic perspective – the fare will not be refunded – and in professional, time, and emotional terms, Ms Rossi's case amounts to a serious infringement of fundamental rights recognised in the EU. As well as infringing the Spanish Aliens Act (Organic Law 4/2000), which guarantees the right to move freely throughout Spanish territory, it might even violate the Constitution, given that a private company is presuming to extend its scrutiny beyond what is spelt out in the law.

Bearing in mind that the company in question is an airline which has its head office in a Member State, operates in most EU countries, and uses European airspace, how does the Commission view the incident described above? Will it take any action? Does it have evidence of the abuses and infringements of rights to which consumers who fly Ryanair are repeatedly subjected because the airline is able to some extent to exploit monopoly power? Does it have any evidence to suggest that Ryanair has broken Community law? If so, has it taken any form of action?