

E.Coli Compensation Highlights EU Anti-Airline Bias



E. Coli and volcanic eruptions are both natural phenomena, yet the difference in the way in which each impacts a particular industry and is handled by European legislators, is striking, and perhaps indicative of a mind-set that has now become entrenched in European policy, claims the European Regions Airline Association (ERA).

Commenting on the €210m compensation package that has been offered by EU Ministers of Agriculture to assist the agricultural industry, Mike Ambrose, ERA Director General said: “Without any explanation or clarification, the way in which the European political institution has treated agriculture compared to air transport, appears to defy logic and consistency.”

During the 2010 volcanic ash crisis, ERA airlines alone faced unanticipated additional costs in excess of €250m. Most of this cost was a result of the unlimited liability for passenger care and assistance, which airlines were legally obliged to fund (Regulation 261/2004 on Passenger Compensation & Assistance), in spite of the closure of airspace being due to a natural phenomenon which was beyond the airlines’ control.

“It would be wrong to argue that the EU should not assist the sectors of agriculture, and the livelihood of the persons and families that depend on successful farming”, said Ambrose. “However, if compensation for a consumer response to uncertainty over the health attributes of a salad vegetable can precipitate such an expeditious response from the EU, why do the EU and the European Commission continue to deny compensation to the EU’s airlines for the devastating additional costs associated with volcanic eruptions, particularly when they are exacerbated by inappropriate legislation? Airlines and airports need to be economically viable and their personnel have families too!”

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