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Beware of what you post: aviation security assistant licence revoked for extreme political views

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Facts

The plaintiff worked for a ground handling company at an airport. He worked in a secured area, responsible for the screening of airfreight and establishing the security status of consignments for carriage on aircraft in connection with EC Regulation 300/2008 and EU Regulation 185/2010.

The competent local authority (the defendant) determined that the plaintiff was unreliable after it received warnings from the security authorities. The plaintiff had posted extreme political statements on social media, which led the defendant to conclude that he was no longer reliable under aviation law.

The plaintiff filed a lawsuit in an urgent procedure with the Administrative Court of Cologne to secure his job position.

Decision

The Court rejected his motion in a summary proceeding.⁽¹⁾

The information provided by the security authorities and the posts made by the plaintiff raised sufficient concerns that the plaintiff no longer believed in a free and democratic social environment and was against acting such system. Therefore, he was no longer reliable under aviation law.

The Court pointed out that the plaintiff was a member of various social media groups known for extreme political points of view. The plaintiff had also shown sympathy to other extreme political posts via positive comments, sharing or liking such posts. He had also uploaded pictures of himself in typical extremist poses.

Comment

Discussions in this regard are becoming increasingly heated. People are radicalising more quickly and believe they can disappear via the anonymity of the Internet. However, this does not always work. The security authorities know how to keep an eye on people, and employers shall watch carefully if their employees start to move into political extreme positions.

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Endnotes

(1) Decision dated 14 December 2021, court file 18 L 1967/21.