



**WORKING PAPER**

**SEVENTH WORLDWIDE AIR TRANSPORT CONFERENCE  
(ATCONF/7)**

**Montréal, HQ, 16 to 20 November 2026**

**Agenda Item 3: Strengthening regulatory and institutional frameworks**

**3.3: Strengthening emergency planning mechanism and consumer protection for a resilient aviation system**

**REVIEW OF THE INTERNATIONAL CIVIL AVIATION  
ORGANIZATION (ICAO) CORE PRINCIPLES ON CONSUMER  
PROTECTION**

(Presented by Ireland on behalf of the European Union, its Member States<sup>1</sup>  
and the other Member States of the European Civil Aviation Conference<sup>2</sup>)

**EXECUTIVE SUMMARY**

The review of the Core Principles on Consumer Protection, as requested at the 42nd International Civil Aviation Organization (ICAO) Assembly in 2025, offers a valuable opportunity to examine the state of consumer protection in the air transport sector, more than 10 years after their adoption. This paper presents a number of topics which could be usefully examined in the relevant ICAO fora. These topics reflect the evolution of the air transport sector in the period since the Core Principles were adopted, including: the increased role of intermediaries; various issues concerning accessibility, transparency and terms and conditions for ticketing; and the availability and pricing of fares during crisis situations impacting the air transport sector. ICAO is encouraged to conduct such a review in order to explore how emerging issues, such as those examined in this paper, can be taken into account in order to ensure that the Core Principles remain fit for purpose in the coming years.

**Action:** The conference is invited to:

- recognise the value of the Core Principles on Consumer Protection and the role of ICAO in promoting best practices and dialogue on such matters;
- conduct a review of the Core Principles as requested at the 42nd ICAO Assembly; and
- consider, in the course of the review, the issues discussed in this working paper.

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| <i>Strategic Goals:</i>        | This working paper relates to Strategic Goal - <i>The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All.</i> |
| <i>Financial implications:</i> | Negligible as this work can be developed within existing ICAO working bodies.                                                                                                |

<sup>1</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

<sup>2</sup> Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Monaco, Montenegro, North Macedonia, Norway, Republic of Moldova, San Marino, Serbia, Switzerland, Türkiye, Ukraine and United Kingdom.

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| References: | <i>Convention for the Unification of Certain Rules for International Carriage by Air</i><br><i>ICAO Core Principles on Consumer Protection -</i><br><a href="https://www.icao.int/sustainability/Documents/ConsumerProtection/CorePrinciples.pdf">https://www.icao.int/sustainability/Documents/ConsumerProtection/CorePrinciples.pdf</a> |
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## 1. INTRODUCTION

1.1 Consumer rights regulation has been on the agenda of the International Civil Aviation Organization (ICAO) since the Fifth Worldwide Air Transport Conference (ATConf/5) in 2003, while at the Sixth Worldwide Air Transport Conference (ATConf/6) in 2013, ICAO acknowledged that an increasing number of States were enacting consumer regulations in the field of air transport and that a coordinated approach was needed.

1.2 In this context, and following the 38th ICAO Assembly in 2013, the ICAO Council adopted a set of *Core Principles on Consumer Protection* (“the Core Principles”) in 2015, as a response to the growing number of national and regional consumer regulations in the field of air transport. These Core Principles comprise high-level recommendations of relevance to passengers, before, during and after travel.

1.3 The air transport sector has witnessed substantial changes since 2013. Generally speaking, air connectivity worldwide has increased considerably since 2013, from 15,774 unique city pairs growing to some 22,000 in 2023, according to the International Air Transport Association (IATA). Airline consolidation, the growth of low-cost carriers, digitalisation, environmental initiatives, and the recovery from the COVID-19 pandemic have all had profound impacts on both the sector as a whole and passengers’ typical travel experiences. Lower fares and low-cost carriers have made air travel more accessible and affordable for the consumers through a general increase in competition. At the same time, digital tools have streamlined booking, check-in, travel management and market access for greater convenience, enhanced passenger rights and fare transparency.

1.4 The growth in connectivity, together with increased choice of air carriers and fares, has on the whole been to the benefit of consumers and businesses alike. At the same time, increased attention has been paid to the need for effective protection for consumers given the international nature of air transport and increased social awareness on consumer rights. Therefore, the protection and improvement of air passenger rights has gained importance at the international, regional and national levels. This positive development has prompted further regulatory initiatives worldwide, which have in turn led to a variety of enforcement and implementation challenges across jurisdictions, as the multitude of legal frameworks are not necessarily mutually recognised and/or coordinated.

1.5 Against this backdrop, the 42nd ICAO Assembly supported reviewing the Core Principles to ensure that they remain relevant. While recognising the high-level, non-binding and non-prescriptive nature of the Core Principles, Europe supports drawing on acquired experience and the evolution of the air transport sector over recent years, to consider additional topics in consumer protection, responsive to contemporary realities and sufficiently robust to remain pertinent in the years ahead. Given the time which has passed since the Core Principles were adopted, this working paper presents some important aspects which could be covered by such a review.

## **2. DISCUSSION**

### **2.1 Intermediaries**

2.1.1 Digitalisation and technological developments have led to an increased use of intermediaries in air transport, including (online) travel agencies and metasearch platforms. Whilst such intermediaries have increased market access and consumers choice, this trend has raised also some issues regarding the allocation of responsibilities and the protection of passenger rights. The need for greater clarity regarding the roles and responsibilities of intermediaries was identified at the 42nd ICAO Assembly as an area where additional guidance may be beneficial. At present, consumers purchasing tickets through intermediaries may face a number of challenges. These include a lack of clear and transparent information on the nature of the product purchased and the responsibilities of intermediaries, for example in cases involving virtual interlining, and the risks associated with such arrangements, as well as lack of clarity of reimbursement procedures, e.g. when a flight is cancelled.

2.1.2 Intermediaries in air transport can add convenience and price competition: but they can also create confusion over passenger rights, because it might be unclear to the passenger whether the airline or the booking agent is responsible for the processing of compensation, refunds, or providing information to the passenger. Compensation and reimbursement processes can thus be slowed down and effective enforcement of consumer protection regulations undermined. Problems may for instance arise when the intermediary has not passed on the passenger's contact details to the airline, so that the airline cannot inform the passenger of flight changes, and when the intermediary has not promptly passed on airline information to passengers, leading to missed rebooking opportunities. Lack of contact information can also be an issue in the event that contact tracing is required in a public health emergency.

2.1.3 In addition, consumers may face difficulties in obtaining accurate information regarding their rights in the event of disruption, as well as challenges in receiving reimbursement within a reasonable timeframe, as funds are processed through the intermediary rather than directly by the airline and as passengers can experience being bounced back and forth between the airline and the intermediary. Overall, this can weaken the effective enforcement of passenger rights and make it harder for passengers to resolve issues quickly.

2.1.4 The need for a clearer delineation of the roles and responsibilities of intermediaries and airlines could usefully be examined, as well as increased transparency and the provision of information to consumers when the ticket has been bought via an intermediary. In this regard, special attention should be paid to complex products such as virtual interlining, as well as the communication of passenger rights and the possibility for the airline to inform the passenger, e.g. of flight changes. Moreover, a discussion should be initiated on evolving distribution channels, including AI-enabled interfaces, and their implication for air travel distribution models.

### **2.2 Ticketing**

2.2.1 There is increasing use of ancillary charges for supplementary services, such as priority boarding, seat selection and baggage allowances, which increasingly are being unbundled from the basic ticket price by airlines and intermediaries. This can be beneficial for passengers to be able to choose the options that are best for them, rather than being required to purchase tickets that include all additional services which could result in higher air fares. However, it can make it more difficult for passengers to determine the complete cost of a flight at the start of the booking process, and to compare the various offers in a transparent and efficient manner and to reach an informed purchasing decision. When it comes to a reimbursement of the ticket price (e.g. due to a flight cancellation), it can be unclear to the passenger what the reimbursement will cover, i.e. whether it would include only what the airline received for the flight, or

also, where the flight was booked by an intermediary, the intermediary's intermediation fee, if any. Moreover, airlines' and intermediaries' websites and apps, which have become essential sales channels, might not be designed and maintained in accordance with internationally recognised accessibility standards, which undermines equal access to information.

2.2.2 In parallel with the evolution of distribution channels, consumers have faced problems whereby air travel itineraries that are broken down into separate tickets by the airlines are sometimes combined by intermediaries without authorisation from the airline and sold to passengers as one ticket. In such cases, consumers may not benefit from the protections typically associated with a single, continuous contract of carriage. As a result, passengers may face situations where they are unable to rely on established passenger rights in the event of disruption. In some cases, this has also resulted in unforeseen requirements related to immigration or visa regimes and consequences in case of delays and cancellations where a journey is treated as separate segments rather than as a single itinerary.

2.2.3 Furthermore, passenger issues concerning advance notice or clarity of terms and conditions may arise. Airlines sometimes deny boarding to passengers on a flight or flights of the return journey on the grounds that they did not take one or more flights of the outbound journey under the same ticket, ('no-show policies'). Airlines might also charge fees to passengers on the grounds that they have not taken one or several flights of the outbound journey. Such terms and conditions might not always have been made clear to the passenger in advance.

2.2.4 In the context of a review of the Core Principles, a discussion on the implications of the ticketing practices mentioned above would be useful. This should include the question as to whether there is sufficient transparency with regard to separate tickets and specific cases where it should be discouraged. It is also necessary to evaluate the extent to which passengers are sufficiently informed by airlines and intermediaries on the protections available to them in general as well as critical terms and conditions such as 'no-show' policies in operation.

## 2.3 Crisis situations

2.3.1 During periods of disruption or instability, caused for example by geopolitical crises or climate events, the supply of air capacity on specific routes may decrease significantly or disappear - for example, where passengers (en masse) seek to return home or reach a place of safety. In other cases the demand for seats on air services may increase when other transport modes are severely impacted by supply disruptions. In such circumstances, normal pricing mechanisms may result in substantially increased fares. While such outcomes may reflect underlying market dynamics, they may also affect accessibility and fairness for passengers, particularly where travel is undertaken under urgent or distressing conditions.

2.3.2 The application of pricing practices in crisis situations could be explored, including how airlines could act in a responsible manner, in order to ensure that air transport remains accessible to the extent possible during a crisis and does not become prohibitively expensive for passengers seeking to return home or reach a place of safety. In order not to interfere with the principle of pricing freedom, which is a cornerstone of a competitive and efficient air transport market, consideration could be given to the role of industry initiatives or agreements in such situations.

## 3. CONCLUSION

3.1 As discussed in this paper, the air transport sector has undergone changes in recent years, meaning that the time is ripe for the review of the Core Principles on Consumer Protection. Changes resulting from the evolution of the market have undoubtedly yielded benefits to consumers, but attention needs to be paid to ensure that consumer protection continues to be upheld since this makes an important

contribution to an efficient air transport sector overall. The sector has also been impacted by external shocks, such as the COVID-19 pandemic, which might not have been foreseeable when the Core Principles were adopted in 2015. Experience derived from these major disruptions also needs to be addressed in the review.

3.2           The conference is asked to agree the actions presented above.

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