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Agenda Item 3: Strengthening regulatory and institutional frameworks

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

BRAZIL'S INITIATIVES TO ADDRESS EXCESSIVE LITIGATION IN CIVIL AVIATION

(Presented by Brazil)

EXECUTIVE SUMMARY

This paper presents Brazil's initiatives to address excessive litigation practices in civil aviation through digital consumer protection and institutional cooperation. It describes Brazilian National Civil Aviation Agency (ANAC) Passenger ([ANAC Passageiro](#)), a platform through which passengers submit complaints directly and ANAC monitors dispute resolution and market-wide complaint trends, and InfoVoo, which supports the Brazilian Judiciary with access to operational flight information relevant to individual claims. Together, these tools promote early conflict resolution, evidence-based adjudication and more effective regulatory oversight.

1. INTRODUCTION

1.1 The growth of consumer litigation in air transport has highlighted the need to distinguish legitimate claims, which must remain fully protected, from abusive or predatory litigation practices that can generate unnecessary costs, legal uncertainty and inefficient use of judicial resources. Brazil's approach seeks to preserve access to justice while improving the channels available for resolving passenger disputes and the quality of information available to public authorities.

1.2 The Brazilian National Civil Aviation Agency (ANAC) has pursued two complementary lines of action. The first encourages direct resolution of consumer complaints and produces regulatory intelligence from aggregated complaint data. The second strengthens cooperation with the Judiciary by making reliable operational flight information available for the assessment of individual cases.

2. DISCUSSION

2.1 ANAC Passenger ([ANAC Passageiro](#)) is a digital channel through which a passenger may submit a complaint concerning an airline and seek a direct response to the problem from the airline. ANAC monitors the handling and resolution of these complaints collectively. The complaints recorded on the platform are also aggregated to identify the main problems faced by passengers and to assess the quality of airline customer service, supporting improvements in regulatory and oversight actions.

2.2 This mechanism serves both consumer protection and regulatory purposes. By providing a traceable path for direct engagement between passengers and airlines, it can facilitate resolution before a dispute escalates. At the same time, the resulting dataset allows ANAC to identify recurring issues and prioritize regulatory attention on problems that affect passengers systematically.

2.3 A second initiative is InfoVoo, used in cooperation with Brazil's Judiciary through institutional collaboration with the National Council of Justice (CNJ). When a court receives a claim related to an air service, authorized judicial users can consult operational data concerning the flight at issue. The information can include the flight itinerary and intermediate stops, the duration of a delay and the recorded circumstances associated with the operation.

2.4 Access to standardized operational information helps courts assess the factual circumstances of a case with greater precision. It reduces information asymmetry, supports evidence-based decisions and makes it easier to compare allegations with the operational history of the flight concerned. This is particularly relevant where large numbers of similar claims are filed or where the factual basis of a claim requires independent verification.

2.5 The two initiatives are complementary. ANAC Passenger focuses on accessible dispute resolution and regulatory monitoring, while InfoVoo supports institutional cooperation and informed adjudication. Together, they illustrate a data-driven model in which consumer protection, regulatory oversight and the integrity of the judicial process reinforce one another without limiting the right of passengers to pursue legitimate claims.

3. CONCLUSION

3.1 Brazil's experience indicates that addressing excessive litigation in civil aviation is compatible with strong passenger protection. Accessible complaint channels, systematic regulatory monitoring and cooperation between aviation authorities and the Judiciary can improve early dispute resolution and the factual basis of judicial decisions. ANAC Passenger and InfoVoo provide examples of how digital tools and inter-institutional cooperation can contribute to a more efficient, transparent and resilient consumer protection environment in air transport.