



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

**STRENGTHENING CONSUMER PROTECTION IN AIR TRANSPORT SERVICES IN AFRICA:
TOWARDS A HARMONIZED, PASSENGER-CENTRED AND RESILIENT AVIATION MARKET**

(Presented by Nigeria on behalf of 54 Member States of the African Civil Aviation Commission (AFCAC)²)

EXECUTIVE SUMMARY

Liberalization under the Single African Air Transport Market (SAATM) and related regional initiatives offers Africa major opportunities for connectivity, trade, tourism and economic integration. However, the benefits of liberalization and increased connectivity will not be fully realized unless passengers have confidence that their rights and legitimate interests are adequately protected. Consumer protection is therefore not only a social and regulatory issue; it is an essential component of a competitive, sustainable, resilient and passenger-centred air transport market.

African States have adopted different approaches to consumer protection in air transport. Some have established aviation-specific passenger rights regimes, while others rely primarily on general consumer protection legislation, aviation regulations or contractual arrangements. This diversity can result in inconsistencies concerning passenger rights, denied boarding, flight cancellations and delays, baggage, refunds, compensation, assistance, disability and reduced mobility, complaints handling, information disclosure and enforcement.

Africa therefore requires a stronger and more coordinated consumer protection framework that supports, rather than undermines, market liberalization. Harmonization should not necessarily mean identical legislation in every State. Instead, it should establish common minimum principles, rights, responsibilities, enforcement mechanisms, data systems and dispute-resolution procedures, supported by effective regulatory institutions and coordinated regional implementation, while allowing States sufficient flexibility to reflect national circumstances.

Action: The conference is invited to:

- a) recognize consumer protection as an integral component of a resilient, competitive and sustainable international air transport system;
- b) urge Member States, including through regional organizations, to develop common minimum passenger protection mechanisms for regulatory convergence; and

¹ English and French versions provided by AFCAC.

² Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

c)	request the International Civil Aviation Organization (ICAO), in cooperation with regional organizations and other relevant stakeholders, to update global guidance, analytical tools and common indicators, and to support capacity-building and the exchange of best practices in consumer protection, service-quality monitoring, enforcement and dispute resolution.
<i>Strategic Goal:</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>	The activities proposed for ICAO may require resources within its Regular Programme and/or voluntary contributions. States may also require resources for national implementation and capacity-building.
<i>References:</i>	International Civil Aviation Organization (ICAO), <i>Core Principles on Consumer Protection</i> ATConf6-WP/47 Revised, <i>Air Transport and the Protection of the Consumer</i> Annex 6 to the Yamoussoukro Decision (YD), {Assembly/AU/Dec 676 (XXX) - Decision on Legal Instruments} and SAATM implementation roadmap Doc 9587, <i>Policy and Guidance Material on the Economic Regulation of International Air Transport</i> <i>Convention for the Unification of Certain Rules for International Carriage by Air</i> (Montreal Convention, 1999).

1. INTRODUCTION

1.1 Air transport has become an essential component of Africa's economic and social development. It facilitates movement of people and goods, supports tourism and trade, connects geographically remote communities and contributes to regional integration.

1.2 The African aviation market is also undergoing significant structural change. The implementation of Single African Air Transport Market (SAATM) seeks to liberalize intra-African air transport and create a more integrated aviation market. Increased market access is expected to stimulate competition, expand route networks, improve connectivity and contribute to economic development.

1.3 However, liberalization must be accompanied by effective mechanisms that protect passengers and promote confidence in the air transport system. Consumer protection is particularly important because air transport involves a complex relationship between passengers, airlines, airports, ground handlers, travel agents, tour operators, payment providers, governments and other service providers. A passenger disruption may therefore involve several actors and jurisdictions.

1.4 The increasing complexity of the air transport value chain, combined with digital ticketing, online travel platforms, code-sharing, interlining and cross-border operations, has made effective passenger protection increasingly important.

2. DISCUSSION

Liberalization and the growth of the African aviation market

2.1 The Yamoussoukro Decision (YD) and SAATM provide important foundations for the liberalization and integration of African air transport markets. Liberalization has the potential to provide passengers with more destinations, increased flight frequencies, greater airline choice, improved service quality, competitive fares, better connectivity, greater access to tourism and business opportunities.

2.2 However, increased competition does not automatically guarantee effective consumer protection. A competitive aviation market requires passengers to have access to reliable information, predictable rights,

transparent pricing, effective complaints mechanisms and appropriate remedies when services fail to meet established standards. Consumer protection should therefore be viewed as a complement to liberalization rather than a constraint on liberalization.

Current Consumer Protection Challenges in Africa

2.3 African States have made progress in establishing consumer protection measures. Nevertheless, implementation remains uneven with fragmentation of regulatory frameworks. Consumer protection may be governed by civil aviation legislation, aviation economic regulations, general consumer protection legislation, competition legislation, airline conditions of carriage, bilateral or regional arrangements and international conventions.

2.4 The resulting regulatory fragmentation can make it difficult for passengers to determine which rights apply to their journey. Passengers travelling between several African States may encounter different requirements concerning compensation, refunds, assistance and complaint procedures. This creates uncertainty and increases compliance costs for airlines operating across multiple jurisdictions.

2.5 Delays and cancellations are among the most common sources of passenger complaints. Key concerns include inconsistent definitions and thresholds, uncertainty regarding compensation, inadequate information during disruptions, insufficient care for stranded passengers and weak coordination among airlines, airports and authorities. A harmonized framework should establish clear minimum requirements while recognizing legitimate operational circumstances and safety considerations.

2.6 Passengers may face difficulties obtaining timely refunds following cancellations or major disruptions, due to lengthy processes, unclear distinction between refunds and compensation, intermediary ticket sales, currency and cross-border payment challenges, uncertainty concerning responsibility between airlines and travel agents. Consumer protection regimes should establish transparent refund procedures and clearly identify the responsibilities of airlines, agents and other relevant actors.

2.7 Consumer protection should include effective protection for persons with disabilities and persons with reduced mobility. Passenger-centred aviation system should ensure accessible airports and aircraft, appropriate assistance, non-discrimination, accessible information, appropriate complaint mechanisms and coordination between airlines, airports and service providers. Accessibility should be treated as an integral part of aviation consumer protection.

2.8 The expansion of ancillary services has increased the complexity of airline pricing leading additional charges for baggage, seat selection, priority services, meals, changes and cancellations, payment methods and other optional services. Consumers should be provided with transparent, accurate and understandable information on the total cost of travel before completing a purchase.

Consumer Protection and Passenger Confidence

2.9 Effective consumer protection can strengthen passenger confidence and satisfaction, thereby supporting demand and sustainable market growth. Consumer protection therefore has economic as well as social value. Passengers are more likely to use air transport when they believe that fares are transparent, airlines are accountable, disruptions will be managed fairly, refunds are accessible, complaints will be addressed, their personal information is protected, persons requiring assistance will be treated appropriately, and effective remedies exist when services fail. Consequently, strengthening consumer protection can contribute to the broader objectives of SAATM by improving public confidence in the liberalized African air transport market.

Consumer Protection and SAATM

2.10 SAATM's success should be measured not only by routes and traffic rights, but also by passengers' confidence that their rights are protected across borders. Consumer protection is already integrated into the YD; the priority is therefore to ensure stronger and more consistent implementation across States through a harmonized framework that reduces regulatory uncertainty, improves service quality and complaint resolution, and supports sustainable liberalization.

Implementation, Enforcement and Regulatory Capacity

2.11 Effective consumer protection depends not only on the existence of passenger rights but also on capable and accountable institutions. States should designate competent authorities with clear mandates and adequate capacity for consumer complaint handling, service-quality monitoring, data analysis, enforcement and dispute resolution.

2.12 National implementation should be supported by transparent procedures, proportionate and effective sanctions, regular reporting of consumer-service indicators, and cooperation among civil aviation authorities, consumer-protection bodies and regional organizations. Regional mechanisms can promote convergence, peer learning and mutual support while avoiding parallel implementation structures.

Lessons from the COVID-19 Pandemic

2.13 The COVID-19 pandemic exposed gaps in conventional consumer protection during systemic aviation disruptions, including cancellations, stranded passengers, refunds, repatriation and assistance to vulnerable travellers. National and regional emergency preparedness frameworks should therefore integrate consumer protection by defining the responsibilities of governments, airlines and airports, together with procedures for passenger assistance, refunds or vouchers, communication, repatriation and emergency complaint handling.

3. CONCLUSION

3.1 The liberalization and integration of African air transport provide an important opportunity to transform connectivity across the continent. However, liberalization must be accompanied by measures that ensure passengers are confident that the aviation system will protect their legitimate interests.

3.2 Effective consumer protection is both a regulatory safeguard and an enabler of passenger confidence, demand and sustainable aviation development.

3.3 Consumer protection must also be integrated into aviation resilience and emergency planning, with clearly defined responsibilities for passenger assistance, information, refunds, repatriation and redress.

3.4 Africa can build on the YD, SAATM, ICAO's Core Principles and existing national and regional initiatives to establish a more coherent passenger protection environment. A harmonized consumer-protection framework can provide a practical pathway toward this objective by combining common minimum standards, national implementation, regional cooperation, effective enforcement, digital tools, passenger awareness and peer review.

3.5 The ultimate objective should be an aviation market in which liberalization, competition, connectivity and consumer protection reinforce one another. A stronger passenger protection system will protect consumers, strengthen confidence in African aviation, support the realization of SAATM and contribute to a more resilient, inclusive and economically sustainable global air transport system.