

**ASSOCIATION OF ASIA PACIFIC AIRLINES
RESOLUTION NO. 8
Series of 2018**

A RESOLUTION ON PASSENGER RIGHTS

The AAPA ASSEMBLY OF PRESIDENTS, in its 62nd meeting duly assembled,

RECOGNISING THAT:

- I. Air travel is now an essential means of transport with over four billion passengers travelling by air annually;
- II. The air transport industry is extremely complex with multiple stakeholders including governments, regulatory agencies, airlines, infrastructure operators and other service providers working closely together to ensure the smooth functioning of the overall system;
- III. The 39th ICAO Assembly passed a resolution urging States to apply the ICAO high-level, non-binding, non-prescriptive core principles on consumer protection in policy-making and regulatory and operational practices, which strike an appropriate balance between protection of consumers and industry competitiveness;
- IV. AAPA has in the past adopted resolutions calling on governments to refrain from introducing overly-prescriptive passenger protection regulations, including Resolution No. 10, Series of 2015, "A RESOLUTION ON CONSUMER PROTECTION";

NOTING THAT:

- V. Many governments have introduced or are proposing to introduce aviation-specific consumer protection regimes;
- VI. These regimes are often uncoordinated, and may not be consistent with existing international treaty instruments, such as the 1999 Montreal Convention, with extra-territorial impact creating overlapping and conflicting entitlements resulting in confusion for consumers and operational difficulties for airlines;

- VII. The functioning of the global air transport system can on occasion be seriously disrupted by factors beyond the control of the stakeholders, such as major weather-related disturbances, natural disasters and other unpredictable events, but has demonstrated the ability to cope with and recover from various crises;
- VIII. The application and enforcement of passenger protection regulations during crises or periods of mass disruption should take into account the particular circumstances and focus on efforts to restore services to the travelling public;

BELIEVING THAT:

- IX. In preparing for possible situations of mass disruption, airlines, airport operators, and other concerned stakeholders, including government authorities, should work together in advance to develop appropriate contingency plans including efforts to ensure that passengers receive adequate attention and assistance;
- X. Overly strict enforcement of consumer protection regulations during periods of mass disruption to transportation systems caused by factors outside the control of airlines may not serve the best interests of the travelling public;
- XI. Legislation to regulate passenger protection should not reduce the incentive for airlines to innovate and offer customers differentiated service choices;

RESOLVES:

- XII. TO CALL on governments to recognise the responsibilities of multiple stakeholders including regulatory agencies, airports, airlines, ground handlers and other service providers in developing appropriate contingency plans for system recovery following major disruptions;
- XIII. TO CALL on governments to ensure that mandated regulations or measures related to consumer protection are designed from the outset to be non-prescriptive, practical, and cost-effective, in accordance with ICAO's Core Principles on Consumer Protection.

APPROVED this 19th day of October 2018.

Certified correct:

Attested by:



ANDREW HERDMAN
Director General



WALTER CHO
AAPA Chairman – 2018