

AIRPORTS & ACCESSIBILITY

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Why Accessibility is Essential for Air Travel

In recent years, air travel has experienced significant growth, making it accessible to an increasingly broad range of people.

This broader access to air travel has included groups that historically faced major barriers to flying—such as individuals with physical, sensory, or cognitive disabilities, older adults, families with young children, and those with specific medical needs.

Ensuring the freedom to travel for persons with disabilities has become a legal imperative, prompting a wave of international, European and national regulations—as well as court decisions—designed to guarantee accessible and dignified air travel for all.

Why accessibility matters *



15%

of worldwide population (1 billion people) lives with some form of disability

Only US+EU represent a **\$70 bln market**

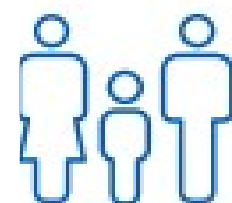
20%+

of the global population will be over 65 by 2050



50%+

will be likely to have some form of disability



Baby boomer generation in US controls

60%

of the net wealth

40%

of the spending

***Source: World Health Organisation**

Accessible and inclusive aviation is not just about people with disabilities or older people, **it is about everyone.**

Bringing the **freedom to travel** to more people.



International Accessibility Framework



— UN Convention (2006)

At the global level, the key reference is the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), adopted in 2006. Article 9 of the Convention explicitly calls for accessibility in all areas of life, including transportation.



— ICAO Guidelines

To support progress towards this goal, the ICAO Council has approved Standards concerning the air transport of passengers with disabilities. These become binding on ICAO's 193 Member States, by virtue of their insertion into Annex 9 – Facilitation to the Convention on International Civil Aviation. The standards oblige governments to ensure that persons with disabilities are provided with special assistance in order to ensure that they receive the same services customarily available to the general public when travelling, and that this assistance shall be provided in a manner that respects the dignity of the individual.



— National Progress

Countries like Canada and the United States serve as leading examples. In the U.S., the Air Carrier Access Act (ACAA) prohibits discrimination on the basis of disability in air travel and has been in place since 1986.

Examples of national progress:

- Canada: Accessibility regulations now require both website and kiosk compliance with Canadian design standards.
- EU: The European Accessibility Act mandates all new airport facilities and digital services be universally accessible by June 2025 (see next slide)

European Accessibility Legislation

The European Union has constructed a robust legal framework ensuring accessibility across all sectors, particularly in air transport. This legislation represents a shift from compliance-based models to rights-based approaches. Accessibility is now viewed as a prerequisite in transport policy rather than an afterthought.

The cornerstone of this framework is the **European Accessibility Act (EAA)**, a directive aiming to ensure that key products and services are accessible to people with disabilities. The EAA covers a broad range of areas, including: Websites and mobile applications; Ticketing and check-in machines; E-commerce and electronic communications; Banking services and transport-related services.

Timeline

Key steps towards a more accessible EU market



Almost all EU Member States have transposed the European Accessibility Act (EAA) into national law — including Italy, which implemented it through **Legislative Decree No. 82/2022**.

Businesses are actively preparing to meet the upcoming compliance deadlines, reflecting a growing commitment to accessibility as a structural and strategic priority.

European Accessibility Legislation

In the aviation sector, the EAA complements existing regulations such as **Regulation (EC) No 1107/2006**, which defines the rights of persons with reduced mobility when travelling by air. This regulation mandates that airports and airlines:

- Provide assistance without additional cost to the passenger.
- Ensure appropriate boarding and seating arrangements.
- Respect the dignity of disabled passengers.

Together, the **EAA and Regulation 1107/2006** represent a shift from a **compliance-based model to a rights-based approach**, reinforcing the idea that **accessibility is a prerequisite**, not an afterthought, in transport policy

Interpretative Guidelines on Regulation (EC) No 1107/2006 of 4 October 2024

The 2024 European Commission guidelines update Regulation (EC) No 1107/2006 to align with the European Accessibility Act (EAA) and strengthen a rights-based approach:

- **Equal access:** No unjustified denial of boarding due to disability, except for safety or aircraft size.
- **Free assistance:** Support at airports and on board must be provided at no extra cost.
- **Accessible information:** Websites, apps, ticket machines, and real-time info must be accessible (in line with the EAA by June 2025).
- **Trained staff:** Personnel must be properly trained to assist with dignity and respect.
- **User involvement:** Service design and quality standards should involve disability organisations.
- **Quality standards:** Airports must set, monitor, and publish service standards.
- **Disruption support:** Priority help and accessible info during delays or cancellations.

Italy rhymes with Accessibility

Among the European countries aligning with this framework, Italy has taken significant steps to ensure accessibility in line with EU and international obligations. The national authority, **ENAC (Italian Civil Aviation Authority)**, has issued detailed guidelines to enforce **Regulation (EC) No 1107/2006**, which governs the rights of passengers with reduced mobility.

ENAC's Initiatives:

- **Regulatory Framework:** ENAC enforces Regulation (EC) No 1107/2006, ensuring the rights of PRMs in air travel.
- **Assistance Animals:** ENAC issued **Circular GEN 02A (2018)** providing detailed procedures for the carriage of assistance dogs onboard, aligning with EU standards and ICAO recommendations.
- **Expanded Pet Cabin Access (May 2025):** New guidelines permit pets over 8–10 kg to travel in the cabin, subject to specific safety and welfare conditions.
- **Priority Procedures:** Established protocols for priority access and tailored support for PRMs.
- **Staff Training:** Mandatory training programs for airport and airline personnel to ensure appropriate assistance
- **Seat Allocation Rules** (ENAC Provision No. 63/2021 – upheld by the judgement of Council of State no. 7206/2024)
 - ✓ Passengers with reduced mobility and children aged 2–12 must be seated next to their companion at no extra cost.
 - ✓ Airlines may be fined if they charge extra for seat selection in these cases.

Accessibility in Air Travel is an Ecosystem of shared responsibilities

The travel experience for a passenger with a disability depends on the coordination of multiple parties

The sole responsibility to provide assistance to passengers with disabilities throughout the airport is not limited to the airlines; depending on national regulations, airports may be responsible for providing assistance to passengers with disabilities directly, or via third-party service providers.

As not all passenger processes at an airport fall under the airlines' responsibility (i.e. security screening, exit immigration, customs, etc.) airlines need to work collaboratively with airports, regulators and other stakeholders in order to provide a safe and satisfying travel experience to all passengers.



Challenges & liabilities

The growing inclusion of passengers with disabilities has brought several operational challenges for airports and air carriers. Among the most common issues:

- Damage to personal mobility devices, such as wheelchairs, often during baggage handling;
- Challenges in managing assistance;
- Inconsistent staff training, which can impact service quality and safety.

These practical concerns have led to customer complaints, litigation, and calls for clearer accountability and process improvements.

STAGE	RESPONSIBLE PARTY	POTENTIAL LIABILITY
Booking and pre-notification	Airline	Failure to accommodate needs or notify airport
At airport check-in	Handler	Delay or failure in providing assistance
Security screening	Airport (in coordination with authorities)	Discrimination or mishandling
Boarding and cabin	Airline	Inadequate seating, denial of boarding
In-flight assistance	Airline	Inadequate access to facilities, mistreatment
Disembarkation and baggage	Airport	Delay in retrieving mobility aids

Assistance to passengers at the airports

Court of Florence, Judgment No. 1625/2020

The passenger, who suffers from quadriplegia, sued the airline and the airport, claiming damages as a result of the lack of assistance that the boarding operations.

The Judge qualified the relationship that exists between the airline, the airport and the passenger, holding that ***“although in the absence of a specific contractual link, they have come into contact as a result of the contract of carriage concluded between the passenger and the airline operating at the Airport, with the result that it is objectively illogical to define the subjects involved as strangers (...) We are therefore in the presence of a hypothesis in which the obligatory relationship finds its foundations in a specific relationship that exists between specific parties, which although not formally having a contractual source, is capable”***. According to the Court of Florence, the inconveniences complained by the passenger fall under the competence of the airport operator, which is responsible for managing the operations of boarding and accompanying the disabled to their seat.

The role of Aviation Authorities



The U.S. Department of Transportation (DOT) has imposed a historic \$50 million penalty on American Airlines for violations against passengers with disabilities between 2019 and 2023. The airline failed to provide safe and timely wheelchair assistance, and often damaged or delayed the return of wheelchairs. **The penalty is 25 times higher than any previous fine for similar violations.**

DOT found numerous cases of unsafe or undignified treatment, including mishandling of wheelchairs and poor service. The investigation was supported by the Department of Justice. Half of the penalty must be paid as a fine to the U.S. Treasury, while the other half may be credited if American invests in improving wheelchair handling and assistance systems. **This action marks a new standard for holding airlines accountable for civil rights violations affecting disabled passengers.**

Legal Brief: Air Canada v. Tim Rose et al. – Federal Court of Appeal Upholds Accessibility Ruling

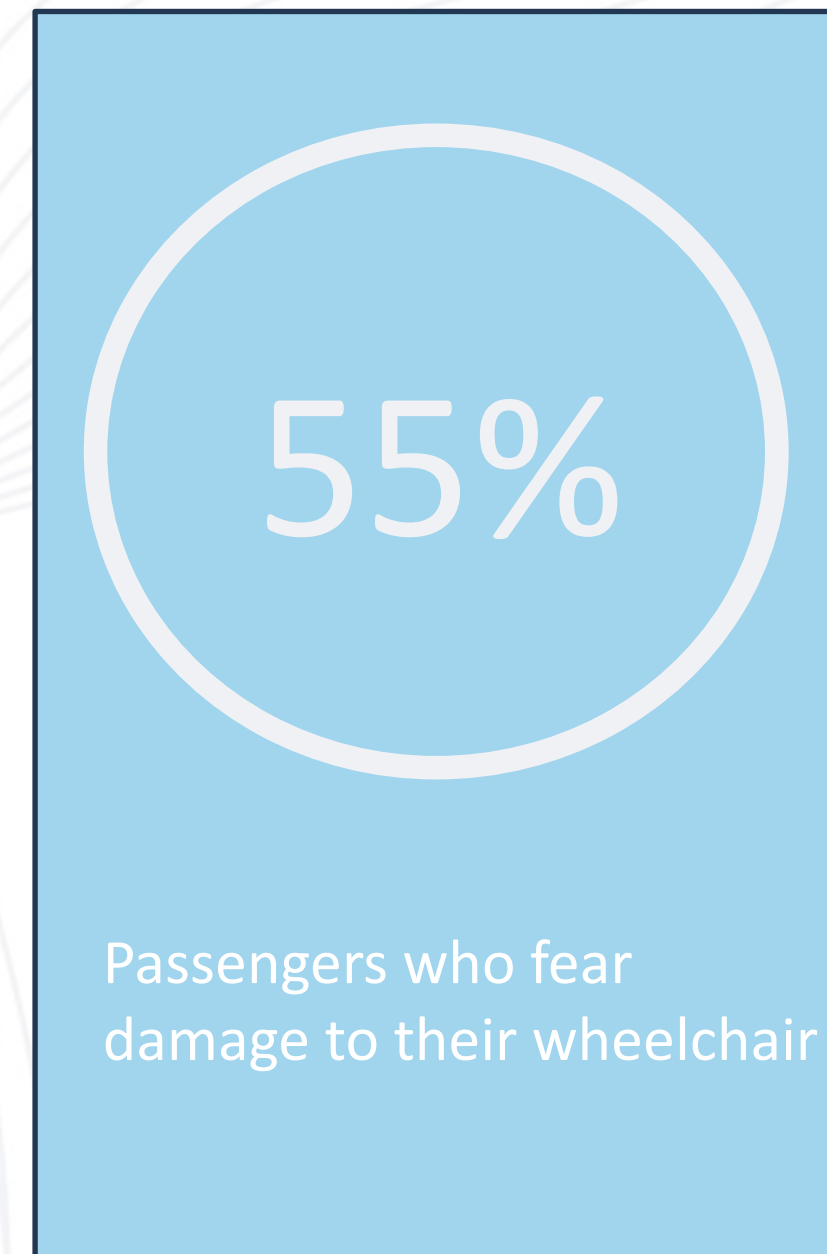
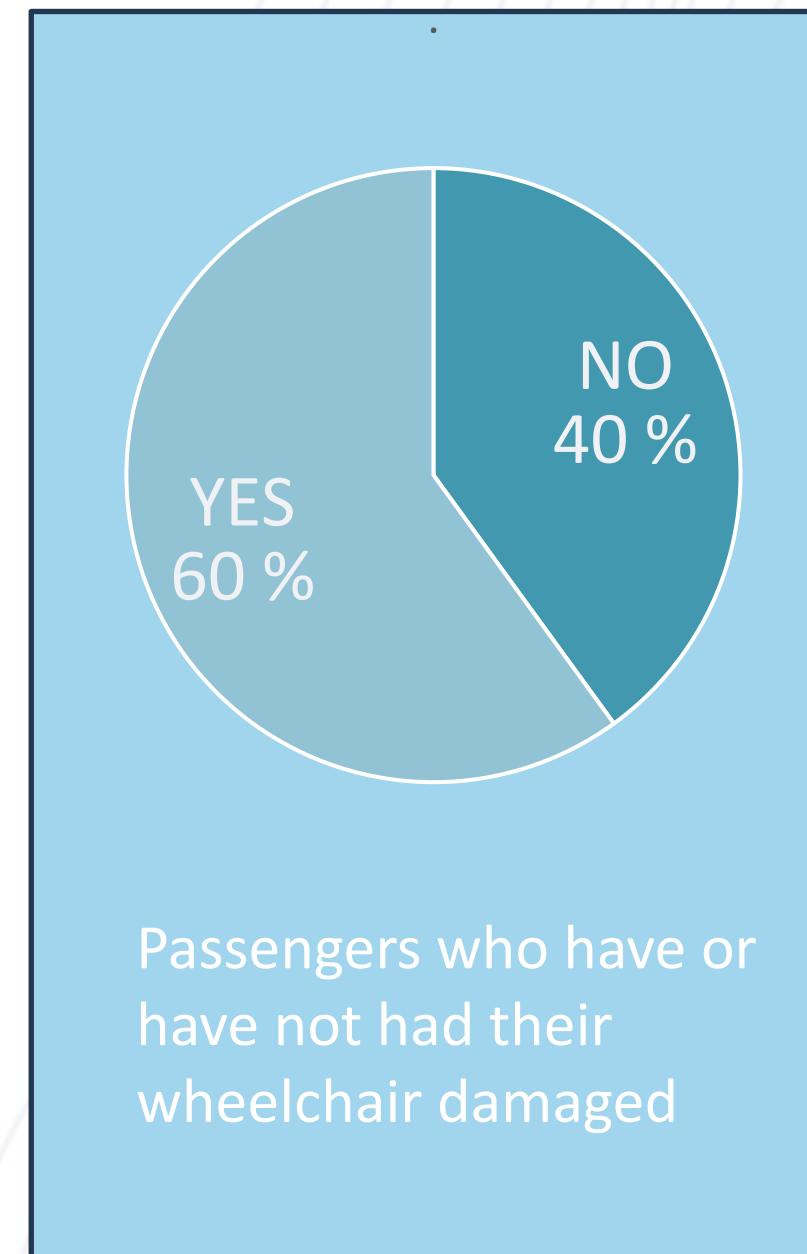
In a landmark decision, the Federal Court of Appeal upheld a Canadian Transportation Agency (CTA) order requiring Air Canada to accommodate passengers using power wheelchairs, provided that they make the request at least 21 days in advance. The case began in 2016 when a passenger was denied boarding due to the aircraft's inaccessibility.

The Court ruled that substituting an accessible aircraft upon request with 21 days' notice does not constitute undue hardship, particularly given Air Canada's size. It also upheld the CTA's authority to mandate accessibility planning under the Accessible Canada Act.



Damages: Wheelchair damage or loss during air transportation

While the industry has had standards for persons traveling with disabilities for some time there are still gaps. Damage to mobility aids has been an area that has been identified as a key topic to address from the disability community. Airlines and operators have made efforts to improve, but damage or loss is still occurring.



Source: Ablemove, Survey on Air Travel for Wheelchair customers

Legal Achievements and Remaining Challenges

What has been achieved

- The right to accessible air transport is now formally recognized.
- A solid legal framework is in place.
- Competent authorities are tasked with monitoring compliance and issuing technical guidance, judicial decisions have played a key role in clarifying the division of responsibilities and affirming the binding nature of assistance obligations, even in the absence of direct contractual relationship.

What still needs to be addressed

- Despite legislative progress, significant implementation gaps remain in daily operations including damage to mobility aids, insufficient training, and fragmented responsibilities.
- The principle of accessibility must evolve from a reactive obligation to a proactive and structural priority.
- With the 2025 deadline for full compliance under the European Accessibility Act, the challenge now lies in transforming legal norms into consistent, rights-based practices.

THANK YOU!

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