

7th February, 2022

PRESS RELEASE

UNFAIR CONDUCT AGAINST CONSUMERS BY AIRLINES

The COMESA Competition Commission ('the Commission') notes with concern the rising number of complaints on the conduct of Airlines operating in the COMESA Region. The Commission has received several complaints which include:

- I. Airlines refusing to reschedule passengers at no additional cost, even after the rescheduling is necessitated by cancellation, diversion, overbooking, or any other circumstance not resulting from the passenger's fault;
- II. Failure to compensate passengers for loss/damage of luggage;
- III. Long delays in delivery of missing luggage;
- IV. Failure to refund cancelled tickets in accordance with laid out procedures; and
- V. Unexplained delays and cancellations.

The conduct of the Airlines of forcing passengers to comply with unfair terms and conditions is an abuse of their rights, and does not comply with the consumer protection laws of the COMESA Region or with international conventions. The Commission would like to express its disapproval of such conduct, especially during this Covid 19 pandemic period when economic conditions are not favourable for most consumers. It is intolerable that some Airlines should exploit vulnerable passengers and erode them of their economic and financial welfare, in addition to the economic devastation occasioned by the pandemic.

The Commission wishes to advise the Airlines operating within the Region to refrain from such conduct as it is contrary to the COMESA Competition Regulations ('the Regulations'). If any such Airlines are found fallible, the Commission will not hesitate to invoke the provisions of the Regulations which include a penalty of up to 10% of the total turnover of the Airline generated in the COMESA Region.



Further, the Commission has since instituted investigations against some Airlines for violation of consumer rights under the Regulations, and the general public shall be informed of the outcome of these investigations in due course.

Therefore passengers in the COMESA Region are advised to be on the lookout for such conduct and report any suspicions to the Commission using the address below, or through any Consumer Protection Agency in their country of residence.



Willard Mwemba (PhD)
Director and Chief Executive Officer
COMESA Competition Commission
5th Floor, Kang'ombe House
P.O Box 30742
Lilongwe 3, Malawi
Office Phone: +265(0)1 772466
Email: compcom@comesa.int or skamukama@comesa.int
www.comesacompetition.org