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AIRLINE ENVIRONMENTAL CLAIMS: NAVIGATING THE NEW ERA OF REGULATORY SCRUTINY

The aviation industry has long operated within a turbulent regulatory environment, but the landscape is shifting fundamentally. On 6 November 2025, 21 major airlines – including Air France, KLM, Lufthansa, easyJet, Vueling, Wizz Air and Ryanair – reached a landmark agreement with the EU Consumer Protection Cooperation Network¹ (“CPC Network”) to overhaul how they communicate their climate initiatives.

This was in response to a coordinated complaint in June 2023 by various national consumer authorities alleging that the airlines breached Articles 5, 6 and 7 of the Unfair Commercial Practices [Directive 2005/29/EC](#), and engaged in unfair commercial practices by creating a misleading impression of aviation’s true environmental impact. Further information regarding the basis of the complaint can be found in our previous article: [Greenwashing in Aviation](#).²

The agreement marks a transition from “green” as a marketing aspiration to “green” as a strictly regulated legal requirement. The CPC Network established that phrases like “green flying,” “eco-friendly airline,” “climate neutral,” or “zero emissions flight”, in the absence of any robust or scientific evidence, are misleading. Furthermore, framing optional carbon offset payments as a way to “cancel” or “neutralise” a flight’s emissions misleads passengers, as these payments do not prevent the actual emissions from the flight itself.

KEY NEW COMMITMENTS

Under the new agreement, the 21 airlines³ have committed to:

- + **Clarification in offsetting:** make clear that the CO₂ emissions of a specific flight cannot be neutralised, offset, or directly reduced by contributions to climate protection projects or alternative aviation fuels;
- + **Substantiate SAF:** use the term “sustainable aviation fuels” (“SAF”), only with clear supporting evidence;

¹ The CPC Network is a pan-European network established to enforce consumer protection laws across the EU and EEA. It is empowered by the Consumer Protection Cooperation Regulation (EU) 2017/2394 which enables national authorities to collaborate with the CPC Network to take collective enforcement measures when cross-border consumer issues arise. In this instance, the CPC Network has acted in response to a coordinated complaint from consumer authorities across a range of jurisdictions.

² Please also listen to our podcast setting out our five tips to consider when preparing a campaign to avoid any accusations of greenwashing: [Putting it Planely](#).

³ Air Baltic, Air Dolomiti, Air France, Austrian Airlines, Brussels Airlines, Eurowings, easyJet, Finnair, KLM, Lufthansa, Luxair, Norwegian, Ryanair, SAS, SWISS, TAP, Transavia France, Transavia CV, Volotea, Vueling, and Wizz Air.



- + **Avoid using vague “green” language:** refrain from using phrases like “green”, “sustainable”, “responsible”, “environmentally friendly” or “climate neutral” without specific substantiation (i.e. scientific evidence and information to support the claim);
- + **Clear timelines:** provide clear, achievable steps and timelines for future targets, such as achieving net-zero greenhouse gas emissions; and
- + **Transparent data:** ensure that any CO₂ emissions calculations and scientific evidence are displayed in a clear and transparent way.



The extent to which these commitments have been given practical effect presently differs between the 21 airlines, as shown by the [“Table of the commitments of airlines”](#) published by the European Commission on 7 November 2025.

Nonetheless, it is now widely agreed that airlines can no longer present themselves as sustainable in general terms without tying the relevant claim to something specific, such as a quantified reduction in emissions per passenger-kilometre against a clear baseline year, or a documented increase in the proportion of SAF in total fuel use. In summary, evidence is key.

SIGNIFICANCE OF RECENT REGULATORY DEVELOPMENTS

This tightening of environmental claims is not confined to the EU. The Digital Markets, Competition and Consumers Act 2024 (“**DMCCA**”), which came into force in early 2025, has transformed the enforcement powers of the UK’s Competition and Markets Authority (“**CMA**”). The CMA now has the power to investigate and act on misleading marketing which breaches consumer law without having to initiate lengthy and expensive court proceedings. Under the DMCCA,

the CMA can now directly levy fines of up to 10% of a business’s global annual turnover in the event of a breach of consumer law.

This poses a real risk for airlines, as the CMA’s Green Claims Code (“**Code**”), is now more than just guidance, but a potential framework for investigations by the CMA. The Code makes clear that breaches of consumer law include greenwashing of the kind described above. The Code relevantly requires “green” claims to be truthful and accurate, clear and unambiguous, comprehensive without omitting key information, based on fair comparisons, properly scoped across the product’s lifecycle where relevant, and substantiated with evidence.

The UK’s Advertising Standards Authority (“**ASA**”) has also recently tightened its oversight of environmental advertising, and on 24 October 2025 updated its Guidance document: [“The environment: misleading claims and social responsibility in advertising”](#). The ASA has become particularly proactive in the aviation sector of late, for example with its ruling on [Virgin Atlantic’s](#) Flight 100. Virgin marketed that this would be the first 100% SAF flight, which the ASA determined to be misleading as it omitted key information, such as the fact that the flight only saved 64% of greenhouse gas emissions compared to the same flight with standard jet fuel. These exclusions meant the campaign exaggerated and misled consumers as to the actual environmental impact of SAF. Similarly, the ASA has ruled against adverts released by [Lufthansa](#), [Air France-KLM](#) and [Etihad](#); their respective wording of “Green Fares”, “travel better and sustainably” and “total peace of mind”, was found to have misled consumers in relation to environmental concerns, with the ASA demanding the airlines remove or substantiate the comments.

The key for the ASA is the overall impression created by an advert: an airline that highlights a small SAF trial, for example, must ensure that consumers are not left with the impression that a large portion of its flights are run on SAF. The ASA in its Guidance also draws a clear distinction between:

- + **absolute claims** - terms like “zero emission flight” or “fully carbon neutral” imply no net environmental harm and are therefore extremely difficult to justify, and



- + **qualified / comparative claims** - terms like “20% lower CO₂ per seat than our 2010 fleet” can be acceptable when well-substantiated and clearly framed. Beyond the UK, it is also worth being aware of the Empowering Consumers for the Green Transition Directive (“ECGTD”) ([Directive \(EU\) 2024/825](#)). The ECGTD is to be transposed into EU national laws by 27 March 2026 and is aimed at combatting greenwashing through stronger transparency requirements, mandating commitments and increasing enforcement across the EU.



PRACTICAL IMPLICATIONS AND RECOMMENDATIONS FOR AIRLINE PRACTICE

The combined impact of the agreement with the CPC Network, the DMCCA, updated ASA Guidelines and the ECGTD is stricter regulation of environmental claims. Misleading environmental claims are no longer merely a reputational issue for airlines: they are a matter of law, and regulators (in the UK especially) are able to impose substantial penalties for any breaches.

Where the evidential basis of an environmental claim is weak, the airline's safest option is to avoid the claim in its entirety. This also tends to explain why airlines have in recent years repositioned their climate strategies around company-led initiatives such as SAF investment, fleet renewal and operational efficiency.

For airlines operating across multiple jurisdictions, the best course of action is to adopt a single, more cautious global standard for environmental marketing which can survive scrutiny in both the UK and EU. This includes:

- + **Establishing a governance process:** Build a formal review group comprising members from legal, sustainability, marketing and compliance teams to overhaul and monitor all consumer communications for signs of greenwashing, including app flows, in-flight materials and loyalty communications.
- + **Training and accountability:** Integrate environmental compliance into performance objectives. Roll out targeted training and implement internal compliance processes which enable staff to report potentially problematic behaviours or claims, possibly anonymously.
- + **Maintaining an evidence base:** Define baselines for emissions and ensure these are used consistently – this can include age of aircraft or fleet composition, and how these are aligned with the market and regulatory standards. Ensure all data sources, calculations, assumptions are retained and can be evidenced if required. Ensure there is no automatic deletion of data by electronic systems.
- + **Tightening language and imagery:** Replace generic and feel-good language with realistic outcomes. Avoid imagery and design choices which may exaggerate impact such as green landscapes.
- + **Reframing or retiring carbon offset products:** Conduct a risk assessment of existing offset schemes. Shift focus on current schemes so they are presented as a contribution to climate projects, as opposed to an absolute neutralisation of flight emissions, and explain limitations and uncertainties.

The path to net-zero is a long-haul journey, and there is a genuine, commercial need to market sustainability efforts; indeed, passengers increasingly want to know what is being done to mitigate the industry's carbon footprint. While factual, data-heavy transparency might make marketing less eye-catching, it is the only way to ensure an airline's brand remains both credible and legally protected in an increasingly unforgiving regulatory climate.



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