

Solicitud Revisión Condiciones Generales de Emisión *Direct Air Waybill*

Le facilitamos el contenido de *Press Release* de FIATA en el que se informa de que ha solicitado una revisión de un cambio en las condiciones de emisión de los denominados *Direct Air Waybill*.

El debate gira en torno a la evolución de la figura del transitario que ha pasado de ser considerado como un agente de la aerolínea a un comprador de transporte aéreo, adquiriendo capacidad a las aerolíneas y revendiéndola, lo que podría generar problemas al cumplimentar el AWB (por cuestiones de inexactitudes en los datos, emisión del e-AWB y envíos de DGR).

Por ello, IATA quiere establecer cambios en la cumplimentación de los AWB, lo que podría significar, en la práctica, que la compañía aérea considere al transitario responsable de los costes, reclamaciones, sanciones, daños u otras consecuencias derivadas del envío, incluso cuando en la carta de porte aéreo figure el expedidor como parte contratante (más allá de otras implicaciones relevantes).

FIATA Calls for Review of IATA Direct Air Waybill Changes Amid Industry Concerns Over Liability Allocation and Market Stability

Geneva, Switzerland, 28 May 2026 – FIATA today called for a formal review of the proposed changes to the Direct Air Waybill (DAWB) framework adopted at the recent International Air Transport Association (IATA) Cargo Agency Conference (CAC), invoking the IATA-FIATA Consultative Council (IFCC) review mechanism under IATA CAC Resolution 801c, Article 4.2.

Citing insufficient consultation on the legal, operational and insurance implications of the proposed measures, growing legal uncertainty among industry stakeholders, and the need for stability in an already disrupted global air cargo market, FIATA urged a review of the proposed changes, scheduled to become effective on 1 July 2026, in accordance with the IFCC review mechanism. Such a review would enable a structured, industry-wide reassessment, recognising that changes of this magnitude require inclusive and consent-based development among affected stakeholders.

The adopted measures introduce significant changes to the DAWB framework, with important implications for the allocation of contractual responsibilities, liabilities and indemnities across the air cargo supply chain. Based on extensive global consultations conducted by FIATA with freight forwarders, airlines, insurers, legal experts and shipper representatives, including cargo owner perspectives, stakeholders have raised concerns that aspects of the current framework may create legal uncertainty and an unintended misalignment between liability, operational control and insurable risk. These consultations have also enabled FIATA to identify a number of guiding principles and possible pathways towards a more balanced and operationally workable framework capable of addressing the concerns identified by airlines, whilst ensuring alignment between liability, operational control and insurable risk.

While recognising the underlying concerns raised by airlines in areas such as compliance, due diligence and risk visibility, stakeholders consistently emphasised that responsibility should remain aligned with the party exercising actual operational control and performing the relevant functions within the transport chain. Several stakeholders noted that the current proposals may significantly expand liability exposure towards freight forwarders even where they act solely as

agents of the shipper and do not control the underlying cargo information or compliance processes.

Stakeholders have also raised concerns regarding the pace and broader context for introducing changes of such magnitude at this time, noting that proposals of this scale and significance require sufficient opportunity for legal, operational and insurance assessment across affected sectors of the global industry. This comes at a time when the airfreight sector is already facing heightened geopolitical, operational and commercial disruption, and when preserving stability, predictability and legal clarity across global supply chains remains particularly important.

The proposals were communicated by IATA to the freight forwarding community in January 2026 only shortly before Regional Joint Council and IFCC consultations, leaving insufficient time for proper legal, operational and insurance assessment. In this accelerated process, the proposals were subsequently adopted with limited opportunity for broader industry consultation and impact assessment, and without sufficient operational, legal or insurance clarity ahead of the expedited implementation date of 1 July 2026. This has raised significant concerns among freight forwarders, shippers and insurers. Insurers participating in the consultations noted that uncertainty regarding the scope of liability – especially where disconnected from operational control – may have implications for the insurability of risks and the predictability of claims handling.

FIATA further notes that shipper and insurer representatives have expressed concerns regarding the potential impact, underlining the importance of preserving legal clarity, proportionality and established contractual structures. There is a shared view that the proposed changes could disrupt existing recourse and claims handling mechanisms, increase disputes regarding contractual responsibility and liability allocation, and create additional uncertainty across the air cargo chain.

FIATA underlines that structural changes affecting the allocation of rights and liabilities across the air cargo supply chain should be developed on the basis of broad stakeholder consensus and rigorous legal and technical assessment. Frameworks developed without sufficient alignment across stakeholders risk creating imbalances in the allocation of risk and responsibility, with potential consequences for legal certainty, commercial relationships and market functioning.

In this context, FIATA has formally requested a structured review of the proposed changes and their implementation timeline through the IFCC, with further structured consultation with affected stakeholders including shippers and insurers. Such a process is essential to ensure that any revised framework is properly assessed, legally coherent, operationally workable, and that alternative, more balanced approaches are fully considered, while preserving market stability and alignment with established international liability frameworks, including the Montreal Convention.

FIATA remains committed to constructive engagement with IATA and all stakeholders to support the development of balanced and operationally workable solutions that address legitimate industry considerations while reinforcing clarity, predictability and resilience across the global air cargo system.



Secretaría.

Irun, 29 de mayo de 2026