



Complaint

to the Advertising ombudsman of Sweden
regarding IATA's "Fly Net Zero"

May 2022

Summary



IATA has pledged to achieve "net zero carbon emissions by 2050". This is not equivalent to flying net zero and not in line with the 1.5°C target.

New Weather Institute is filing a complaint against the International Air Transport Association (IATA) to the Advertising ombudsman in Sweden (Reklamombudsmannen). The complaint concerns three claims made by IATA in reference to a commitment made at the General Assembly in October 2021 to *"achieve net zero carbon emissions by 2050"*.

On the homepage of IATA's global website, iata.org, the pledge is presented with a symbol or logo with the text *"Fly net zero"*. Clicking on the image takes the user to the Program page where the organisation declares that Fly net zero is *"Our Commitment to Fly Net Zero by 2050"*. Additionally the copy declares that *"this pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"*.

While it is true that IATA has pledged to *"achieve net zero carbon emissions by 2050"* through offsets and a switch to biofuels, this is by no means equivalent to flying *"net zero"* or being *"in line with"* the 1.5°C target of the Paris agreement. Science is conclusive on the fact that aviation causes non-CO2 effects that are similar in size to emissions of carbon, but these are excluded from the pledge.

Thus, half of aviation's climate impact will remain. With the growth that IATA envisions, a doubling by 2050, the impact will be the same as today, taking up a huge part of the global carbon budget for this century.

Decarbonising aviation simply does not lead to flying *"net zero"*, it leads to status quo at best. That is not in line with the 1.5°C target from the Paris Agreement.

Basis for the complaint

We strongly believe that the three statements *"Fly Net Zero"*, *"Our commitment to fly net zero"* and *"being in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* are in breach of the Advertising and Marketing Communications Code of the International Chamber of Commerce (the ICC code). The reasons are outlined in this document.

Does the ICC code cover online publishing?

Yes. The ICC code covers all forms of online marketing and has a dedicated chapter (Chapter C) covering digital marketing communication and *"setting standards of ethical conduct to be followed by all parties"*. The chapter applies to *"all participants in the direct marketing and digital marketing eco-system and their marketing communications activities, whether digital or non-digital, whatever their form, medium or content."*

Additionally, the European Advertising Standards Alliance (EASA) has published *"Best practice recommendations on online behavioural advertising"*, guidelines covering online marketing for its members, e.g. Reklamombudsmannen, based on the ICC code.

Is it marketing?

Yes. The ICC code is clear about the definition of marketing: *"The term 'marketing communications' includes advertising as well as other techniques, such as promotions, sponsorships and direct marketing, and should be interpreted broadly to mean any communications produced directly by or on behalf of marketers in-*

tended primarily to promote products or to influence consumer behaviour.” Again, the EASA Best practice recommendations follows the ICC code.

By publishing the Fly Net Zero campaign materials on its website, IATA is clearly publishing communication intended to influence consumer behaviour, which means it is covered by the ICC code as well as EASA Best practice recommendations.

As presented in this document, New Weather Institute believes that the following announcements and claims by IATA are in breach of several of the guidelines in the ICC code and EASA Best practice recommendations:

- *“Fly net zero”*
- *“Our Commitment to Fly Net Zero by 2050”*
- *“This pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C.”*

Is Reklamombudsmannen the relevant authority?

Yes. New Weather Institute has communicated with ICC headquarters in Paris regarding where and how we should file a complaint against IATA's claims. ICC has recommended us to contact the Swedish advertising self-regulatory organisation Reklamombudsmannen with our complaint.

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Complaint

On the homepage of its global website, the International Aviation Trade Association (IATA) announces “Fly net zero” (figure 1, appendix). Activating the link by clicking on the image leads to “Programs, where the organisation declares that Fly net zero is “Our Commitment to Fly Net Zero by 2050”. The copy below the headline declares that “this pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C” (figure 2).

An examination of the background to these three claims reveals that:

1. The announcement “**Fly Net Zero**” on the homepage and “*Our Commitment to fly net zero by 2050*” on the program page refer to a commitment by IATA to “achieve net zero carbon emissions by 2050 in support of the Paris Agreement goal” of 1.5°C. As such, it is only an ambition and a draft plan to decarbonise aviation by 2050, not something that exists or is being implemented.
2. The headline “**Our Commitment to Fly Net Zero by 2050**” implies that IATA has committed to eliminate or compensate for the entire climate impact of aviation by 2050. This is not true since the commitment and the plan only concern carbon dioxide (CO₂) emissions, while crucially excluding non-CO₂ effects of the same or similar magnitude.
3. The claim that “**the pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C**” seems extremely unlikely and is not verified or qualified by any independent or scientific source.

Our assessment¹ of the commitment adopted at the General Assembly and the plan outlining how to reach the goal, shows that if the plan is implemented in its entirety, the climate impact of aviation will be the same in 2050 as it is today. This is clearly not in line with the 1.5°C target from the Paris agreement.

This is due to the fact that IATA insists on huge growth of global aviation while ignoring the non-CO₂ effects of aviation, equal or similar in climate impact to those from carbon emissions. Decarbonising aviation simply does not lead to flying “net zero”.

New Weather Institute therefore believes the title “Fly net zero” on the homepage as well as the headline “Our Commitment to Fly Net Zero” and the claim that “*This pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C*” on the program page are in breach of the following guidelines in the International Chamber of Commerce (ICC) Advertising and Marketing Communication Code:

Article 1, Basic principles; Article 4, Honesty; Article 5, Truthfulness; Article 9, Use of technical/scientific data and terminology; Article 22, Environmental behaviour; Article D1, Honest and truthful presentation; Article D2, Scientific research; and Article D4: Product life-cycle, components and elements.

¹ New Weather Institute (2022). Pie in the Sky – How IATA’s Fly Net Zero does nothing to save the climate

Claim 1

New Weather Institute believes that the use of the phrase "*Fly Net Zero*" breaches the ICC code in the following ways:

Article 1. Basic principles

The article states that all marketing communications should be legal, decent, honest and truthful.

The phrase "*Fly Net Zero*" is not honest or truthful. There is no commitment by IATA to reduce aviation's climate impact to net zero; only to achieve net zero carbon while non-CO2 effects are excluded from the resolution and the plan. Thus there is no intention from IATA to enable "*net zero*" flying.

Article 4. Honesty

The article states that marketing communications should be so framed as not to abuse the trust of consumers or exploit their lack of experience or knowledge.

The claim "*Fly Net Zero*" abuses the trust of consumers and exploits their lack of knowledge since there is no commitment by IATA to enable flying with net zero climate impact, only to achieve net zero carbon emissions. Most consumers are unaware of aviation's non-CO2 effects and the fact that decarbonising is not a solution, leaving roughly half of aviation's climate impact unaddressed.

Additionally the article states that relevant factors likely to affect consumers' decisions should be communicated in such a way and at such a time that consumers can take them into account.

IATA withholds the crucial fact that significant non-CO2 effects will be unabated. Non-CO2 effects are not mentioned at all on the entire website in spite of having the same or similar climate impact as CO2 emissions and will increase with growth of aviation.

Article 5. Truthfulness

According to the ICC guidelines marketing communications should be truthful and not misleading.

The phrase "*Fly Net Zero*" is misleading and untruthful since there is no commitment by IATA to reduce aviation's climate impact to net zero; only to achieve net zero carbon emissions, while non-CO2 effects will increase. The commitment and plan ignore the important climate impact of non-CO2 effects from aviation.

The article also states that marketing communications should not contain any statement, claim or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead the consumer, in particular, but not exclusively, with regard to:

– characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as: nature, composition, method and date of manufacture, range of use, efficiency and performance, quantity, commercial or geographical origin or environmental impact.

The phrase "*Fly Net Zero*" exaggerates the commitment made by IATA as well as the effect of the plan, neglecting to mention that non-CO2 effects with severe climate impact have been excluded and will increase.

Article 22. Environmental behaviour

The article states that marketing communications should not appear to condone or encourage actions which contravene the law, self-regulatory codes or generally accepted standards of environmentally responsible behaviour. They should respect the principles set out in chapter D, Environmental Claims in Marketing Communications.

The phrase "*Fly Net Zero*" does not respect the principles set out in chapter D, as outlined below.

Chapter D, Environmental claims in marketing communications

Article D1. Honest and truthful presentation

To be in line with the ICC guidelines, this article states: Marketing communication should be so framed as not to abuse consumers' concern for the environment, or exploit their possible lack of environmental knowledge.

The phrase "*Fly Net Zero*" abuses consumers' concern for the environment by giving the untrue impression that IATA has committed to net zero aviation, which is not the case.

The article also states that marketing communication should not contain any statement or visual treatment likely to mislead consumers in any way about the environmental aspects or advantages of products, or about actions being taken by the marketer in favour of the environment.

The phrase "*Fly Net Zero*" misleads consumers by giving the impression that flying has, or will have in the future, net zero impact on the climate.

Additionally the article says that vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If this is not the case, general environmental claims should either be qualified or avoided.

The phrase "*Fly Net Zero*" is vague and conveys a range of meanings to consumers, including the impression that flying in a near or distant future will have no net zero climate impact. This is not valid since they disregard severe climate impacts from non-CO2 effects. This fact is not stated anywhere on the website.

Finally the article states that, in particular, claims such as "*environmentally friendly*," "*ecologically safe*," "*green*," "*sustainable*," "*carbon friendly*" or any other claim implying that a product or an activity has no impact—or only a positive impact—on the environment, should not be used without qualification unless a very high standard of proof is available. As long as there are no definitive, generally accepted methods for measuring sustainability or confirming its accomplishment, no claim to have achieved it should be made.

The phrase "*Fly Net Zero*" is not qualified and IATA does not provide any proof of the claim. On the contrary, IATA subsequently states that the pledge only concerns "net zero carbon" and withholds important scientific facts concerning non-CO2 effects that rebut the claim.

Article D2. Scientific research

Marketing communications should use technical demonstrations or scientific findings about environmental impact only when they are backed by reliable scientific evidence.

The phrase "*Fly Net Zero*" is a sweeping and far-reaching claim that is not backed by reliable scientific evidence. On the contrary, IATA withholds crucial scientific evidence concerning non-CO2 effects.

The article also states that environmental jargon or scientific terminology is acceptable provided it is relevant and used in a way that can be readily understood by those to whom the message is directed. (See also article 9 of the Code—Use of technical/scientific data and terminology).

Environmental jargon (Net Zero) is used in a way that is not relevant and misleads those to whom the message is directed (see Article 9 above).

Article D4: Product life-cycle, components and elements

According to this article environmental claims should not be presented in such a way as to imply that they relate to more stages of a product's life-cycle, or to more of its properties, than is justified by the evidence; it should always be clear to which stage or which property a claim refers. A life-cycle benefits claim should be substantiated by a life cycle analysis.

The phrase "*Fly Net Zero*" implies that the IATA commitment relates to the entire climate footprint of aviation while only carbon emissions are included, leaving out serious climate impact from non-CO2 effects.

Claim 2

New Weather Institute believes the claim *"our commitment to fly net zero by 2050"* breaches the ICC code in the following ways:

Article 1. Basic Principles

The article states that all marketing communications should be legal, decent, honest and truthful.

The claim that aviation has made a *"commitment to fly net zero 2050"* is not honest or truthful. There is no commitment by IATA to reduce aviation's climate impact to net zero; only to achieve net zero carbon while non-CO2 effects are excluded from the resolution and the plan.

Article 4. Honesty

The article states that all marketing communications should be so framed as not to abuse the trust of consumers or exploit their lack of experience or knowledge.

IATA's claim that aviation has made a *"commitment to fly net zero 2050"* abuses the trust of consumers and exploits their lack of knowledge since there is no commitment by IATA to fly net zero by 2050, only to achieve net zero carbon. Most consumers are unaware of aviation's non-co2 effects and the fact that decarbonising is no solution, leaving half of aviation climate impact unabated.

The article also states that relevant factors likely to affect consumers' decisions should be communicated in such a way and at such a time that consumers can take them into account.

The claim that aviation has made a *"commitment to fly net zero 2050"* ignores the crucial fact that significant non-CO2 effects will be unabated. Non-CO2 effects are in fact not mentioned at all on the entire website.

Article 5. Truthfulness

The article states that marketing communications should be truthful and not misleading.

The claim that aviation has made a *"commitment to fly net zero 2050"* is misleading and untruthful since there is no commitment by IATA to reduce aviation's climate impact to net zero; only to achieve net zero carbon, while non-CO2 effects are excluded from the resolution and the plan.

The article also states that marketing communications should not contain any statement, claim or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead the consumer, in particular, but not exclusively, with regard to:

– characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as: nature, composition, method and date of manufacture, range of use, efficiency and performance, quantity, commercial or geographical origin or environmental impact.

The claim that aviation has made a *"commitment to fly net zero 2050"* exaggerates the commitment made by IATA as well as the effect of the plan, neglecting to mention that non-CO2 effects with severe climate impact have been excluded.

Article 22. Environmental behaviour

The article states that marketing communications should not appear to condone or encourage actions which contravene the law, self-regulatory codes or generally accepted standards of environmentally responsible behaviour. They should respect the principles set out in chapter D, Environmental Claims in Marketing Communications. (See below.)

The claim that aviation has made a “*commitment to fly net zero 2050*” does not respect the principles set out in chapter D, as outlined below.

Chapter D: Environmental claims in marketing communications

Article D1. Honest and truthful presentation

Marketing communication should be so framed as not to abuse consumers’ concern for the environment, or exploit their possible lack of environmental knowledge.

The claim that aviation has made a “*commitment to fly net zero 2050*” abuses consumers’ concern for the environment by giving the untrue impression that IATA has made such a commitment and that flying is, or will be in the future, free from climate impact.

Further, the article declares that marketing communication should not contain any statement or visual treatment likely to mislead consumers in any way about the environmental aspects or advantages of products, or about actions being taken by the marketer in favour of the environment.

The claim that aviation has made a “*commitment to fly net zero 2050*” misleads consumers by saying IATA has made such a commitment and giving the impression that flying is, or will be in the future, free from climate impact.

Also, vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If this is not the case, general environmental claims should either be qualified or avoided.

The claim that aviation has made a “*commitment to fly net zero 2050*” is vague, conveying a range of meanings to consumers, including the false impression that IATA has committed to net zero aviation in 2050 and will have no climate impact. This is not valid since the pledge disregards severe climate impacts from non-CO2 effects. This fact is not stated anywhere on the website.

The article also states that, in particular, claims such as “*environmentally friendly*,” “*ecologically safe*,” “*green*,” “*sustainable*,” “*carbon friendly*” or any other claim implying that a product or an activity has no impact—or only a positive impact—on the environment, should not be used without qualification unless a very high standard of proof is available. As long as there are no definitive, generally accepted methods for measuring sustainability or confirming its accomplishment, no claim to have achieved it should be made.

The claim that aviation has made a “*commitment to fly net zero 2050*” is not qualified and IATA does not provide any proof of the claim. On the contrary, IATA

withholds important scientific facts concerning non-CO2 effects that rebut the claims.

Article D2. Scientific research

Article D2 states that environmental jargon or scientific terminology is acceptable provided it is relevant and used in a way that can be readily understood by those to whom the message is directed. (See also article 9 of the Code—Use of technical/scientific data and terminology).

Environmental jargon (Fly net zero) is used in a way that is not readily understood or relevant, misleading those to whom the message is directed (see Article 9 above).

Article D4: Product life-cycle, components and elements

The article states that environmental claims should not be presented in such a way as to imply that they relate to more stages of a product's life-cycle, or to more of its properties, than is justified by the evidence; it should always be clear to which stage or which property a claim refers. A life-cycle benefits claim should be substantiated by a life cycle analysis.

The claim that aviation has made a "*commitment to fly net zero 2050*" implies that the commitment relates to the entire climate footprint of aviation while only carbon emissions are included, leaving out serious climate impact from non-CO2 effects. IATA also does not provide any evidence or life-cycle analysis.

Claim 3:

New Weather Institute believes the claim that the IATA pledge *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* breaches the ICC code in the following ways:

Article 1. Basic Principles

The article states that all marketing communications should be legal, decent, honest and truthful.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not decent, honest or truthful since the pledge only covers carbon emission and neglects large non-CO2 effects, leaving half of aviation's climate impact unabated. At the same time, IATA expects global aviation to double by 2050 leading to a climate impact that is at least as big as today. This is not in line with the 1.5°C target of the Paris agreement.

Article 4. Honesty

According to the article marketing communications should be so framed as not to abuse the trust of consumers or exploit their lack of experience or knowledge.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* abuses the trust of consumers and exploits their lack of knowledge since the pledge is only to achieve net zero carbon, ignoring non-CO2 impact. Most consumers are unaware of aviation's non-CO2 effects and the fact that decarbonising does not lead to zero impact, in fact leaving half of aviation's climate impact unabated.

Article 5. Truthfulness

The article states that marketing communications should be truthful and not misleading.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not true and grossly misleading since it ignores non-CO2 effects that are the same or similar in size to carbon emissions.

The article also states that marketing communications should not contain any statement, claim or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead the consumer, in particular, but not exclusively, with regard to:

– characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as: nature, composition, method and date of manufacture, range of use, efficiency and performance, quantity, commercial or geographical origin or environmental impact.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* exaggerates the commitment made by IATA as well as the effect of the plan, neglecting to mention that non-CO2 effects with severe climate impact have been excluded.

Article 9. Use of technical/scientific data and terminology

The article states that marketing communications should not:

- misuse technical data, e.g. research results or quotations from technical and scientific publications
- present statistics in such a way as to exaggerate the validity of a product claim
- use scientific terminology or vocabulary in such a way as falsely to suggest that a product claim has scientific validity.

Stating that *"this pledge brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* suggests that the commitment has scientific validity, which is not presented. Thus it is an exaggeration of the validity of the commitment.

Article 22. Environmental behaviour

According to the article marketing communications should not appear to condone or encourage actions which contravene the law, self-regulatory codes or generally accepted standards of environmentally responsible behaviour. They should respect the principles set out in chapter D, Environmental Claims in Marketing Communications. (See below.)

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* does not respect the principles set out in chapter D, as outlined below.

Chapter D: Environmental claims in marketing communications

Article D1. Honest and truthful presentation

Article D1 states that marketing communication should be so framed as not to abuse consumers' concern for the environment, or exploit their possible lack of environmental knowledge.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* abuses consumers' concern for the environment by giving the untrue impression that decarbonising aviation will bring air transport in line with the 1.5°C target, while leaving out non-CO₂ effects of the same or similar size as carbon emissions.

It also states that marketing communication should not contain any statement or visual treatment likely to mislead consumers in any way about the environmental aspects or advantages of products, or about actions being taken by the marketer in favour of the environment.

The claim that the pledge *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* misleads consumers that decarbonising aviation will bring air transport in line with the 1.5°C target, while leaving non-CO₂ effects of the same or similar size as carbon emissions.

Further, the article requires that vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If this is not the case, general environmental claims should either be qualified or avoided.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not verified or qualified.

The article then specifies that, in particular, claims such as *"environmentally friendly," "ecologically safe," "green," "sustainable," "carbon friendly"* or any other claim implying that a product or an activity has no impact—or only a positive impact—on the environment, should not be used without qualification unless a very high standard of proof is available. As long as there are no definitive, generally accepted methods for measuring sustainability or confirming its accomplishment, no claim to have achieved it should be made.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not qualified and IATA does not provide any proof of the claims. On the contrary, IATA withholds important scientific facts concerning non-CO2 effects that rebut the claims.

Article D2. Scientific research

The article states that marketing communications should use technical demonstrations or scientific findings about environmental impact only when they are backed by reliable scientific evidence.

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not backed by reliable scientific evidence.

Additionally, the article states that environmental jargon or scientific terminology is acceptable provided it is relevant and used in a way that can be readily understood by those to whom the message is directed. (See also article 9 of the Code—Use of technical/scientific data and terminology).

The claim that the pledge made by IATA *"brings air transport in line with the objectives of the Paris agreement to limit global warming to 1.5°C"* is not relevant and misleads those to whom the message is directed (see Article 9 above).

Appendix

Screenshots of IATA's website, April 15 2022

Figure 1: Homepage

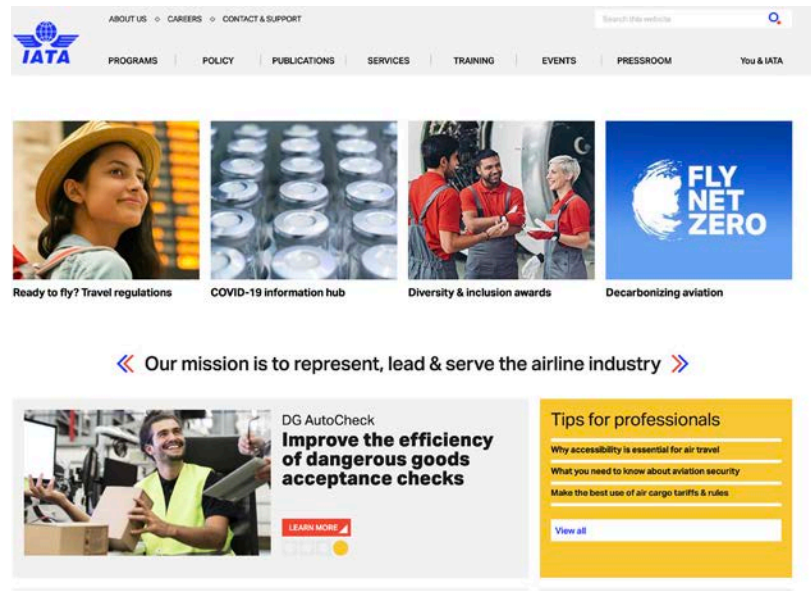


Figure 2: Program page

