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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: AOB for the meeting of the Transport, Telecommunications and Energy Council on 8 June 2026
Unruly passengers: sharing of no-fly lists between airlines
- Information from the Netherlands, supported by Estonia, Hungary and Poland

The aviation industry is increasingly confronted with disruptive passenger behaviour, reflecting a broader global trend. The International Civil Aviation Organization (ICAO) has warned of a continued rise in incidents, with situations more frequently escalating into verbal and physical aggression. Such behaviour includes failure to comply with crew instructions, intimidation of staff and fellow passengers, and alcohol-related misconduct.

The Netherlands is also experiencing a concerning development in this regard. On average, 2 to 3 incidents are currently reported each day, amounting to approximately 75 to 100 incidents per month. Airlines report a clear increase over the last few years, as well as a rise in criminal cases and reports submitted to the Dutch aviation authority. Although the situation appears to be stabilising somewhat in 2025, the overall level of incidents remains persistently high.

This trend is unacceptable. Disruptive behaviour jeopardises the safety of passengers and crew and places increasing pressure on aviation personnel, who carry significant responsibilities on a daily basis. Aggression, intimidation, and disregard for safety instructions must never become normalised.

Incidents occur both at airports and on board aircraft. In serious cases, they may result in flight disruptions, emergency landings, or additional deployment of security services, police, and judicial authorities. Every incident is one too many.

An important measure in mitigating disruptive passenger behaviour is the proportionate sharing of no-fly lists between airlines, subject to appropriate safeguards. Such information exchange can help airlines better assess in advance whether a passenger may pose a risk for the safety on board aircraft or at airports, enabling timely and appropriate measures where necessary. In this way, the objective is not only to respond effectively after incidents occur, but also to help prevent new incidents from taking place.

Given the international nature of the aviation industry and the direct applicability of the European General Data Protection Regulation (GDPR), this issue requires a coordinated European approach.

Discussions with the European Commission and the Dutch Data Protection Authority indicate that European privacy legislation, in principle, allows for the sharing of such lists between airlines registered in EU Member States, provided that strict conditions and appropriate safeguards are respected.

1. Against this background, the Netherlands call on the European Commission to provide, at short notice, written confirmation that the GDPR does not constitute an obstacle to the sharing of no-fly lists within the applicable legal framework.
2. The Netherlands also call on Member States and the European Commission to work together to explore how no-fly lists can be shared among EU airlines within the applicable legal frameworks in order to facilitate an effective and carefully balanced implementation.
3. The Netherlands intend to pursue this matter further in close cooperation with the aviation industry and other relevant stakeholders.