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AIR PASSENGERS' RIGHTS AMID COVID-19

Coronavirus has been spreading rapidly across the world affecting more than 175 countries and it has a major impact on airlines and air passengers. Airline companies have canceled a great number of flights since the day COVID-19 has started to spread. As is known to all, most of the countries have shutdown international flights as a precaution.

Several measures have been taken to mitigate the economic impact of the outbreak and within these measures a Provisional Article has been added to the Bylaw on Rights of Air Passengers with an amendment made on 25th of March, 2020. Accordingly for the canceled flights as of 5/2/2020 due to the COVID-19 outbreak, the operator will be exempted from the fundamental rights of passengers provided in Article 8 (Right to compensation), Article 9 (Right to reimbursement or rerouting) and Article 10 (Right to receive service) until the end of two months after the flight bans are lifted.

Article 8 of the Bylaw regulates the amount of compensation to be paid to passengers for cancelled domestic and international flights; Article 9 regulates the rights to choose between reimbursement and re-routing and Article 10 regulates the certain free services to be received by the passengers in mentioned circumstances under the Bylaw.

On the otherhand, according to the second paragraph of the Provisional Article, the passengers whose flight has been cancelled due to the COVID-19, have the right of rerouting at a later time on the will of the passenger depending on the seat availability of the airline company. Furthermore, passengers will have a right to reimbursement two months after the flight bans are lifted if they decide not to use right of rerouting.

Consequentially, Turkish authorities are trying to mitigate the financial burden over the airline companies and also trying to protect the rights of air passengers through Covid-19 disaster.

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