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Sustainable Aviation Fuels (SAF)

Legal Perspective and Emerging Global Challenges under the Framework of the SAF Global Summit 2025

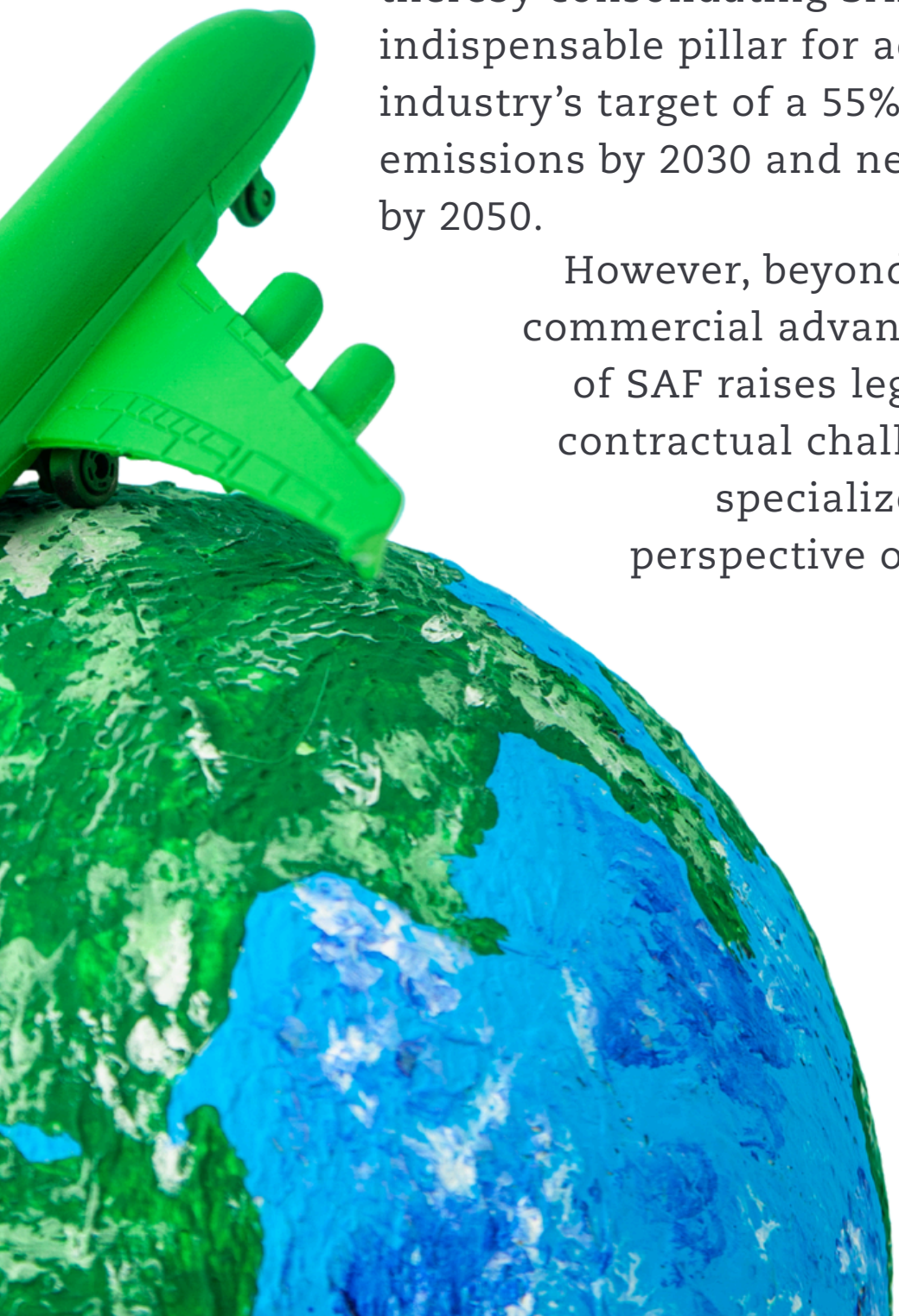


September 2025

The recent IATA report confirms an unstoppable tendency: the increasing engagement of airlines in Sustainable Aviation Fuel (SAF) agreements.

Since the execution of the first offtake contract in 2013, **more than 81 carriers have entered into 170 agreements worldwide**, thereby consolidating SAF as an indispensable pillar for achieving the industry's target of a 55% reduction in emissions by 2030 and net-zero emissions by 2050.

However, beyond the technical and commercial advances, the expansion of SAF raises legal, regulatory, and contractual challenges that require specialized review from the perspective of aeronautical law.



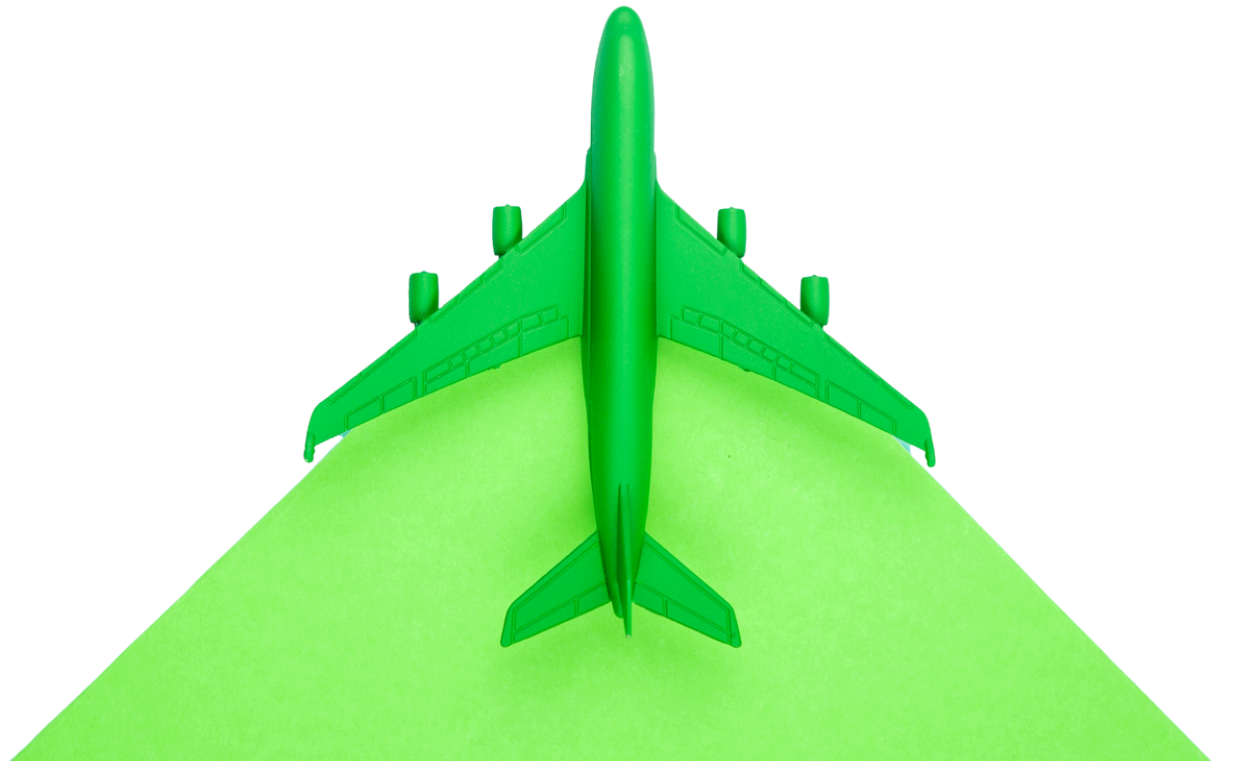
(IATA, Chart of the Week, August 8, 2025)

IATA (International Air Transport Association). (n.d.). Growing airline engagement in SAF agreements.

Offtake Contracts

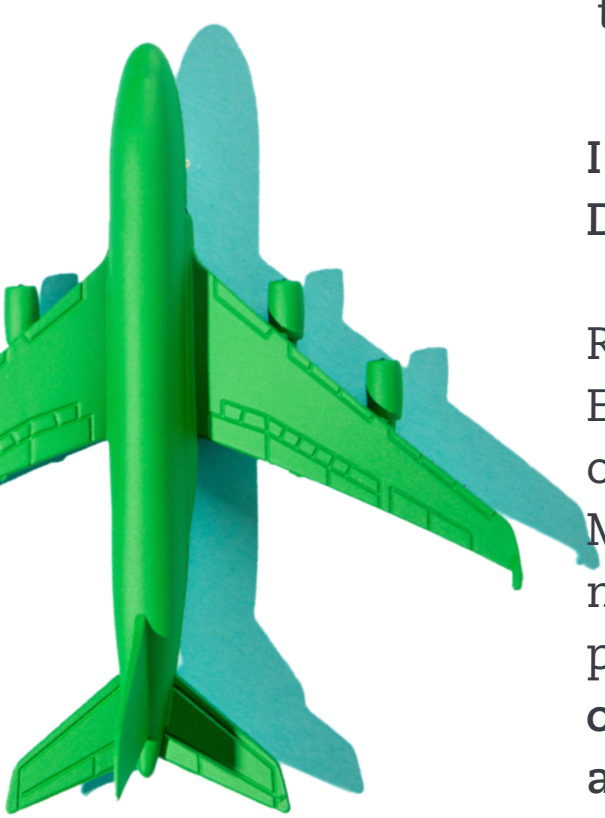
Offtake contracts constitute the primary instrument through which airlines secure access to SAF. From a contractual standpoint, **these instruments must balance price volatility, supply terms, and environmental performance clauses.**

A key aspect is the reduction in the average duration of offtake contracts: from more than six years prior to 2023 to just over two years in 2024–2025. This reflects both the increased availability of HEFA and the prevailing regulatory uncertainty.



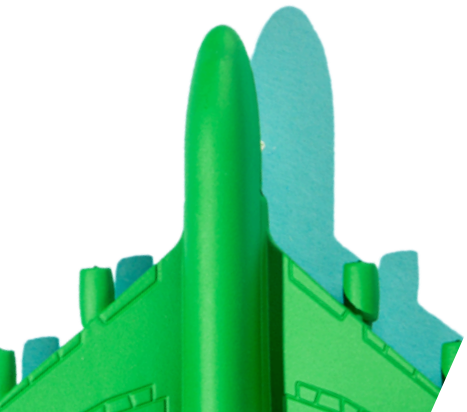


From a legal perspective, the shortening of the average term of offtake contracts entails challenges in terms of contractual security, the distribution of risks, and the scope for renegotiation in light of regulatory changes, particularly through hardship or force majeure clauses tied to environmental policies.



International Regulation and Unequal Distribution.

Regulatory mandates—such as REFUEL EU Aviation (imposing a 2% blending obligation in 2025) or the recent UK SAF Mandate (tradable certificates carrying monetary value)—highlight a central phenomenon: **obligations are imposed on fuel suppliers, not directly on airlines.**



IATA (International Air Transport Association). (n.d.). Sustainable Aviation Fuels (SAF) – Building a long-term sustainable aviation industry (Course ENC006VEEN01). IATA.

European Commission. (n.d.). ReFuelEU Aviation. Directorate-General for Mobility and Transport.

Department for Transport. (2024, December 19). Sustainable Aviation Fuel (SAF) Mandate [Collection]. GOV.UK.



This situation has created a competitive imbalance: while some airlines secure greater access to SAF through bilateral contracts, others continue operating with traditional fossil fuel. From a legal standpoint, this raises questions of equity in meeting climate targets and the risk of greenwashing practices if emission reductions are attributed uniformly without reflecting the actual circumstances of each operator.

Aeronautical law intersects with environmental liability.

Aeronautical law is currently undergoing a paradigm shift: from its traditional focus on operational safety to environmental sustainability as the guiding principle. Certain international organizations, such as **ICAO**, have already established the foundations for a framework of emission monitoring and offsetting. However, the consolidation of binding SAF mandates will require a regulatory redesign that harmonizes the sources of aeronautical law involved, namely:

Public international law (climate treaties and ICAO)

Internal aeronautical law (fuel and emissions regulation)

Commercial law (energy supply contracts)

Current Trends and Developments

The SAF Global Summit 2025, held in London on September 2–3, brought together regulators, producers, and airlines in a global coordination effort. At the same time, in the Americas and the Asia-Pacific region, several States have advanced fiscal incentive schemes and subsidies for SAF projects.



Nevertheless, legal challenges remain:



- Lack of a uniform international framework ensuring long-term predictability.
- Difficulty in harmonizing national mandates with the multilateral regime of ICAO.
- Risk of litigation arising from the asymmetry in SAF distribution among airlines.



SAF Global Summit. (n. d.). SAF Global Summit 2025.

IATA (International Air Transport Association). (n.d.). World Sustainability Symposium (WSS). IATA.



The Role of Aeronautical Law in the SAF Era

SAF is more than an alternative fuel: it is a catalyst for new contractual relationships, new regulatory obligations, and new parameters of corporate liability.

Just a few months after the creation of IATA's verifiable and transparent **SAF Registry,** it has become clear that for airlines the challenge is no longer merely technical or financial, but also legal. The construction of a robust and predictable legal framework will be decisive in enabling the industry to turn commitments into results, ensuring fair competition and effective progress toward carbon neutrality by 2050.

Taking the SAF Global Summit 2025 as a point of departure, **the debate extends beyond technical or financial considerations to involve legal dimensions as well.**

The future of SAF will depend on the establishment of clear rules that ensure stable contracts, fair distribution, and the genuine fulfillment of climate objectives.

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