



INTERNATIONAL CONFERENCE ON AIR LAW

(Montréal, 20 April to 2 May 2009)

**REPORT OF THE PREAMBULAR CLAUSES COMMITTEE ON THE
DRAFT CONVENTION ON COMPENSATION FOR DAMAGE
CAUSED BY AIRCRAFT TO THIRD PARTIES**

(Presented by the Chairman of the Preambular Clauses Committee)

The Preambular Clauses Committee presents, for the consideration of the Conference, the draft Preambular Clauses on the Draft Convention on Compensation for Damage Caused by Aircraft to Third Parties, as set out in this Report.

**DRAFT CONVENTION ON COMPENSATION FOR
DAMAGE CAUSED BY AIRCRAFT TO THIRD PARTIES**

THE STATES PARTIES TO THIS CONVENTION

RECOGNIZING the need to ensure adequate compensation for third parties who suffer damage resulting from events involving an aircraft in flight;

RECOGNIZING the need to modernize the *Convention on damage caused by foreign aircraft to third parties on the surface*, signed at Rome on 7 October 1952, and the *Protocol* to amend the Convention, signed at Montreal on 23 September 1978;

RECOGNIZING the importance of ensuring protection of the interests of third-party victims and the need for equitable compensation, as well as the need to enable the continued stability of the aviation industry;

REAFFIRMING the desirability of the orderly development of international air transport operations and the smooth flow of passengers, baggage and cargo in accordance with the principles and objectives of the *Convention on International Civil Aviation*, done at Chicago on 7 December 1944; and

CONVINCED that collective State action for further harmonization and codification of certain rules governing the compensation of third parties who suffer damage resulting from events involving aircraft in flight through a new Convention is the most desirable and effective means of achieving an equitable balance of interests;

HAVE AGREED AS FOLLOWS: