



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
TO THIRD PARTIES, RESULTING FROM ACTS OF
UNLAWFUL INTERFERENCE INVOLVING AIRCRAFT**

(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 to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft, as set out in this Report.

**DRAFT CONVENTION ON COMPENSATION FOR DAMAGE
TO THIRD PARTIES, RESULTING FROM ACTS OF
UNLAWFUL INTERFERENCE INVOLVING AIRCRAFT**

THE STATES PARTIES TO THIS CONVENTION

RECOGNIZING the serious consequences of unlawful interference with aircraft which cause injury to third parties and damage to property;

RECOGNIZING that there are currently no harmonized rules relating to such consequences;

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 protect the aviation industry from the consequences of damage caused by unlawful interference with aircraft;

CONSIDERING the need for a coordinated and concerted approach to providing compensation to third-party victims, based on cooperation between all affected parties;

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 harmonization and codification of certain rules governing compensation for the consequences of an event of unlawful interference with 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: