



INTERNATIONAL CONFERENCE ON AIR LAW

(Beijing, 30 August – 10 September 2010)

(Presented by the United Republic of Tanzania)

**COMMENTS ON THE PROPOSED AMENDMENTS TO THE MONTREAL CONVENTION,
1971 AS AMENDED BY THE AIRPORTS PROTOCOL OF 1988**

SN	Article	Proposal
1.	1(1)	“unlawfully and intentionally” be replaced with “unlawfully and/or intentionally”. The way it reads now it negates the elements necessary for commission of the offence
2.	1(1)(f)	Use of an aircraft in service leaves uncovered use of aircrafts not in service. If the aircraft is not in service and is used for unlawful interference is not covered. To add or any aircraft after aircraft in service
3.	1 (3)(b)(ii)	Covers moral obligation and not legal obligation
4.	3	Define severe penalties
5.	<i>8ibis</i>	Add political activism or alignment
6.	10(2)	Facilitate the journey as soon as practicable – minimum and maximum delay time should be defined. The Provision is too wide to attract court interpretation

**COMMENTS ON THE PROPOSED AMENDMENTS TO
THE HAGUE CONVENTION, 1971**

SN	Article	Proposal
1.	3	Need to be revisited – 24 hrs for aircraft to be considered in services is too long, why shouldn't it be covered by the Airport Protocol after embarkation.