

**WORKSHOP ON  
INTRODUCTION TO AIR TRANSPORT, AIR LAW  
AND REGULATION  
Abu Dhabi  
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**SURFACE LIABILITY AND THE  
ROME CONVENTION;  
MANUFACTURER LIABILITY**

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# SURFACE LIABILITY AND THE ROME CONVENTION; MANUFACTURER LIABILITY

- 1. Introduction
- 2. Overview: Liability for Damage Caused to Persons and Property on the Surface
  - (a) Notion of surface damage
  - (b) Relationship to other forms of liability
  - (c) National law of the U.S., Canada, France and other countries
  - (d) International law: Rome Convention/Montreal Protocol
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- 3. The Rome Convention of 1952
  - (a) Main principles
  - (b) Strict liability of the Operator
  - (c) Limitation of Liability
  - (d) Liability and Insurance
  - (e) Other parties involved
  - (f) Limited practical application

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- 4. The Montreal Protocol of 1978
  - (a) Main principles
  - (b) Amended limits of liability
  - (c) Other amendments
  - (d) Practical issues: status of ratification

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- 5. The Rome Convention Modernization Process
  - (a) Reasons
  - (b) Stages of Modernization Process in ICAO
  - (c) The Draft Convention on General Risks
  - (d) The Draft Convention on Unlawful Interference Risks
  - (e) Present Issues
  - (f) Diplomatic Conference
  - (g) Summary

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- 6. The Liability of the Aircraft Manufacturer
  - (a) Notion of product liability; aircraft manufacturer liability
  - (b) Liability under U.S. law: Courses of action
  - (c) Liability under the EU Product Liability Directive
  - (d) Liability under national laws
  - (e) Defences of the Manufacturer
  - (f) Case law
- 7. Summary and Conclusion