



Pan-European Organisation of Personal Injury Lawyers

## PEOPIL & McGill Aviation Seminar



# McGill

Institute of Air & Space Law  
McGill University/PEOPIL

## CONFERENCE ON AVIATION LIABILITY & INSURANCE

at

The Law Society  
113 Chancery Lane  
London

**APRIL 19-21, 2012**

6 CPD POINTS BNS/PEOP SOLICITORS REGULATION AUTHORITY SRA  
ENGLAND

Sponsored by  
PEOPIL

(Pan-European Organisation of Personal Injury Lawyers)

McGill University

Institute of Air & Space Law



TRADITION OF EXCELLENCE

**irwinmitchell** <sup>(IM)</sup>  
solicitors

**THIS EVENT BRINGS TOGETHER WORLD-LEADING AVIATION LIABILITY AND INSURANCE EXPERTS TO ADDRESS THE FOLLOWING TOPICS:**

- **RECENT DEVELOPMENTS IN AVIATION LIABILITY AND INSURANCE**
- **JURISDICTION & FORUM NON CONVENIENS**
- **COMPARATIVE INTERPRETATIONS OF THE MONTREAL CONVENTION OF 1999 FROM EUROPE AND THE U.S.**
- **AIR CARRIER LIABILITY UNDER THE ANTITRUST AND COMPETITION LAW S**
- **LIABILITY CAUSED BY SPACE OBJECTS AND AEROSPACE VEHICLES**
- **CRIMINAL LIABILITY AND ACCIDENT INVESTIGATIONS**
- **CONSUMER PROTECTION REGULATION**
- **FORUM NON CONVENIENS DISMISSALS OF JURISDICTION AND HOW THE CASES ARE HANDLED IN EUROPEAN COURTS**

## **THURSDAY - APRIL 19, 2012**

**18.00 – 20.30**

**OPENING RECEPTION**

**at the offices of Irwin Mitchell, 40 Holborn Viaduct, London EC1N 2PZ**

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## **FRIDAY – APRIL 20, 2012**

**PROGRAM**

**9:00 – 10:00**

### **Recent Developments in Aviation Liability & Insurance**

- Montreal Convention: Recent European Interpretations
- Damages: Which Are Recoverable, and Which Are Not?
- Liability of Air Navigation Service Providers under the Single European Sky
- The Liability Regime for Emerging Aerospace Transport

**Chair: Clive Garner – Irwin Mitchell (London)**

#### **Speakers:**

**Prof. Dr. Triant Flouris – Hellenic American University (Athens)**

**Prof. Dr. Ram Jakhu – McGill University (Montreal)**

**Ken Quinn – Pillsbury Winthrop (Washington)**

**Ulla Annica Norrhäll – Munich Reinsurance Company (Munich)**

**Francis Schubert – Skyguide (Geneva, Switzerland)**

**10:00 – 11:00**

## Consumer Protection Regulation

- Oversales, Cancellations, Denied Boarding Compensation and Delay
- Conflict of EU Regulation 261/2004 and ECJ Interpretations with the Montreal Convention of 1999
- Are Consumer Protection Regulations Reasonable in Light of Natural Phenomena?
- Why Is There No Doctrine of *Force Majeure*?
- Airline Ancillary Fees and Full Disclosure
- Enforcement of Passenger Rights
- The Consumerization of Air Law: Is Further Regulation Needed?

**Chair: Mia Wouters** – LVP LAW (Brussels)

### Speakers:

**Harold Caplan** - Barrister, Legal Adviser - International Union of Aviation Insurers 1985 -1994 (London)

**Paul Mifsud** – Aviation Consultant; former Vice President, government and legal affairs, for KLM Royal Dutch Airlines (Washington)

**Alejandro Piera** – Advisor, UAE Delegation on the ICAO Council (Montreal and Abu Dhabi)

**Dr. Christian Giesecke** – Lenz und Johlen Rechtsanwälte Partnerschaft (Köln)

**11:00 – 11:20**

**Refreshment Break**

**11:20 – 12:30**

## Air Carrier Liability under the Antitrust and Competition Laws

- The Air Cargo Prosecutions
- Antitrust Immunity for “Metal Neutral” Joint Ventures
- The Danger of Tacit Collusion Among Alliance Members in non-Immunized Markets
- Merger Criteria in the EU vis-à-vis the Competition Law of Other States

**Chair: Prof. Dr. Peter van Fenema** – McGill University (Montreal)

### Speakers:

**Lucia Bonova** – European Commission DG Competition, Antitrust and Mergers (Brussels)

**Paul Fitzgerald** – McGill University (Montreal)  
**Trevor Soames** - Shearman & Sterling (Brussels)

**12:30 – 13:30**

**LUNCH**

**13:30 – 15:00**

## **Accident and Criminal Investigations**

- When Worse Comes to Worst; Criminal Investigation in the EU of Aviation Accidents and the Inherent Risks For Airline Directors
- The Air France/Continental Concorde Case
- The Helios Airways Case
- “Just Culture” and the Liability of pilots, ANSPs, ATC Controllers, and IT Manufacturers
- The Impact of Flight Automation on Responsibility and Liability
- How Will Implementation of the Single European Skies Affect the Distribution of Liability Among Different Players and the Accident Investigation?

**Chair: George Leloudas** – Institute of International Shipping and Trade Law, Swansea University (Wales)

### **Speakers:**

**Stratis Georgilas** - Georgilas - Hatzopoulos & Associates (Athens)

**Jiri Hornik** - Kocián Šolc Balaščík (Prague)

**Stefan A. Kaiser** – NATO (Heinsberg, Germany)

**Captain Dr. Andreas Mateou** - University of Nicosia, Cyprus

**Urban Olson** - Advokatfirman Urban Olson (Stockholm)

**15:00 – 15:20**

**REFRESHMENT BREAK**

**15:20 – 16:45**

## ***Forum non Conveniens* – How European Jurisdictions Handle American Dismissals**

- On What Grounds Do U.S. Courts Refuse Jurisdiction?
- The Helios Case
- The Air France Transatlantic Case
- West Caribbean Airways
- Flash Air
- Bashkirian

- Turkish Airlines

**Chair: Stephan Eriksson** – Liman Partners (Stockholm)

**Speakers:**

**Brian Alexander &** – **Marc S. Moller** Kreindler & Kreindler (New York)

**Philip Chrystal** – Swiss Re (Zurich)

**Andrew Harakas** – Clyde & Co. (New York)

**Jim Morris** – Irwin Mitchell (London)

**Carlos Villacorta-Salis** (Madrid)

**16:45 – 17:00**

**CONCLUDING REMARKS**

**Prof. Dr. Paul Stephen Dempsey** – McGill University (Montreal)

**18:00 – 20:00**



**Reception – Sponsored by**

**SATURDAY APRIL 21, 2012**

**9.45**

**TOUR OF THE RAF AVIATION MUSEUM**

**(meeting point at 40 Holborn Viaduct, London EC1N 2PZ at 9.45 a.m.)**



Pan-European Organisation of Personal Injury Lawyers

# PEOPIL & McGill Aviation Seminar



# McGill

## REGISTRATION FORM

PEOPIL & McGill University Institute and Centre for Air & Space Law Canada

AVIATION CONFERENCE

London, 19-21 April 2010

The Law Society, 113 Chancery Lane, London WC2A 1PL

Name and First Name \_\_\_\_\_

Firm: \_\_\_\_\_

Address: : \_\_\_\_\_

Email: \_\_\_\_\_

### REGISTRATION FEE

(INCLUSIVE OF: 1 day seminar, lunch, coffee breaks and drinks reception)

	Total Number			Total Amount
DELEGATE RATE	_____	@	£ 520	£ _____
STUDENT RATE	_____	@	£ 260	£ _____
				<b>TOTAL</b> £ _____

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**Terms and conditions:**

This booking form constitutes a legally binding document.

McGill and PEOPIIL reserve the right to vary or cancel the seminar where the occasion necessitates. McGill and PEOPIIL accept no liability if, for whatever reason, the conference does not take place. Cancellations will be acceptable in writing and a charge to cover administration will be made as follows:- over 21 days 15%, 14-20 days 50%, 13 days or less 100%.

Transfers to another person will be acceptable in writing and a charge of 15% of the fee to cover administration costs will be applied.

**Date and Sign:** \_\_\_\_\_

**PLEASE NOTE:** Accommodation is not included in this package and McGill/PEOPIL are not responsible for hotel reservations.

We do not offer hotel accommodation but ask you to book your own hotel, here a short list of Hotels near the Law Society:

A very nice hotel is the **Chancery Court Hotel**, where probably most delegates will be staying Regarding individual reservations at this hotel and best available rate, please visit: [www.chancerycourthotel.com](http://www.chancerycourthotel.com) ( 0207 829 7009 or email: [reservations@chancerycourt.com](mailto:reservations@chancerycourt.com)).

Also close by are:

Renaissance 4\* 252 High Holborn, London, WC1V 7EN 0207 829 9888 [www.marriott.com/hotels/travel/loncc-renaissance-chancery-court-london/](http://www.marriott.com/hotels/travel/loncc-renaissance-chancery-court-london/)

Kingsway Hall 4\* 66 Great Queen Street, London, WC2B 5BX 020 7309 0909 [www.kingswayhall.co.uk/](http://www.kingswayhall.co.uk/)

The Stafford 5\* St James's Place, London, SW1A 1NJ 020 7493 0111 [www.thestaffordhotel.co.uk/](http://www.thestaffordhotel.co.uk/)

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