**Draft of 04 May 2016**



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**Ninth Annual**

**McGill University/PEOPIL**

**CONFERENCE ON INTERNATIONAL AVIATION LAW & INSURANCE**

at

**The Hub - Edinburgh's Festival Centre**

**Castlehill**

**Edinburgh, Scotland**

**20 May, 2016**

**Organized by**

**The McGill University Institute of Air & Space Law**

**&**

**PEOPIL (Pan-European Organisation of Personal Injury Lawyers)**

**6.0 CPD POINTS BNS/PEOP SOLICITORS REGULATION AUTHORITY SRA ENGLAND**

**6.0 APIL CPD Hours**

This event brings together World-Leading aviation liability and insurance experts to address the following topics:

* **Recent Developments in Aviation Liability and Insurance**
* **Comparative Jurisprudence under the Warsaw System and the Montreal Convention of 1999**
* **Jurisdiction & Forum Non Conveniens**
* **Liability of Airlines, Airports, Lessors, Manufacturers, Maintenance Providers & ANSPs**
* **Challenges of Settlement**

**FRIDAY – 20 MAY 2016**

**PROGRAM**

**& DINNER**

**Location:**

**The Hub - Edinburgh's Festival Centre**

**Castlehill, Edinburgh**

**8:00 – 9:00**

**REGISTRATION**

**9:00 – 10:15**

**Air Carrier Liability**

* Recent Warsaw and Montreal Convention Interpretations
* Recoverable Damages
* Conflicts Between U.S. and European Courts
* The Challenges of Achieving Global Uniformity
* A Comparative Analysis of “Thorny” Issues under the Montreal Convention, including:
  + Liability for Pre-Impact Fright in a Death Case
  + If there is no Article 33 Jurisdiction of the Passenger’s Claim against the Airline, will the Manufacturer’s Contribution Claim against the Airline also be barred by Article 33?
  + Airline Liability for Injuries to Passengers Resulting from the Actions of Other Passengers.
  + Comparative Fault and Multiple Defendants

**Chair:** Alan Reitzfeld – Holland & Knight, New York, USA

**Speakers:**

Simon Balls – Kennedys, London, UK

Robert F. Hedrick - Aviation Law Group PS, Seattle, USA

Anna Masutti - Lexjus Sinacta, Milan - Bologna, Italy

Joseph Wheeler - International Aerospace Law & Policy Group and Maurice Blackburn Lawyers, Brisbane, Australia

**Refreshment Break**

**10:45 – 12:00**

**Jurisdiction & Venue**

* Which forum is best for the plaintiffs/defendants?
* How to pick and choose among the venues of carriers, manufacturers, and others?
* Is the fifth jurisdiction of the Montreal Convention being used more often?
* Forum Non Conveniens –*West Caribbean Airways* & *Bashkirian* case updates
* What are the recent developments in *forum non conveniens,* and when does it work well, or work poorly?

**Chair:** Prof. Anna Konert – Lazarski University, and K&K Aviation Lawyers, Warsaw, Poland

**Speakers:**

Sophie Cochery – HMN & Partners, Paris, France

Stratis Georgilas – G-H Chambers, Athens, Greece

Rob Lawson QC – Quadrant Chambers, London, UK

Laura M. Safran, QC - DLA Piper, Calgary, Canada

Michael Scoville - Perkins Coie LLP, Seattle, USA

**12:00 – 13:00**

**Lunch**

**13:00 – 14:00**

**Products Liability**

* Recoverable Damages
* The Conflict Between North American and European Courts
* TCAS, Autopilot and Automation
* Will we see more use of the Hague Convention on Products Liability?
* Is there Liability Exposure for Foul Cabin Air and Radiation?

**Chair:** Heather C. Devine – Isaacs & Co., Toronto, Canada

**Speakers:**

Alisa Brodkowitz - Friedman | Rubin, Seattle, USA

Jean-Michel Fobe – Sybarius Advocats, Brussels, Belgium

Éric Vallières - McMillan LLP, Montreal, Canada

**14:00 – 15:00**

**Liability of Airports, ANSPs, Lessors and Maintenance Providers**

• Latest and forecasted developments in the air navigation services (such as RPAS, remote towers and virtual infrastructures) and their impact on the liability of service providers

• The national liability regime (including case law) applicable to airport operators - a national perspective: Swiss law, and selected other European countries

• The performance of national public law tasks by airport operators

• The application of the national liability legislation to airport operators

• The contractual liability of the airport operator:

- vis-à-vis the public authority, as the airport land owner who granted the airport operator the concession contract (whether operated by a public or a private operator, the airport always remains a public asset that requires public service/general interest obligations)

- vis-à-vis its various contractual counterparts (including airlines, groundhandlers, retailers, security and safety providers, etc.)

• The lessor and manufacturer liability, latest developments

**Chair:** Axelle Cartier - Joint Aviation Authorities-Training Organisation (JAA-TO), Hoofddorp, The Netherlands

**Speakers:**

Isabelle Lelieur – VINCI Airports, Paris, France

Prof. Francis Schubert – Skyguide, Genève, Switzerland

Dr. Julien Subilia - AVIALEGAL, counsel, attorney-at-law, Lausanne, Switzerland

**15:00 – 15:30**

**REFRESHMENT BREAK**

**15:30 – 17:00**

**Difficulties of Settlement & Emerging Insurance Issues**

* The Challenges of State Liability: A look at KAL 007, Lockerbie, the September 11, 2001 U.S. terror attacks, and MH 17
* Insurance for Acts of Terrorism and Conflict Zones
* A look at MH 370
* Difficulties Imposed by Sanctions and International Trade Controls
* Insuring UAVs (Unmanned Aerial Vehicles, or RPAS, Remotely Piloted Aircraft Systems)
* Cyber Security Issues

**Chair:** Prof. Dr. Paul Stephen Dempsey – McGill University, Montreal, Canada **Panelists:**

Mitch Baumeister - Baumeister & Samuels, P.C., New York, USA

Qian Chen –Jingtian Law Firm, Shenzhen, China

Andrew Harakas - Clyde & Co, New York, USA

Joe Taccetta - JLT Aerospace, New York, USA

**19.00 Gala Dinner, dress code: lounge suit**

**PEOPIL & McGill Aviation Conference**





**REGISTRATION FORM**

**Pan-European Organisation of Personal Injury Lawyers**

**&**

**McGill University Institute and Centre for Air & Space Law**

**CONFERENCE ON INTERNATIONAL AVIATION LAW & INSURANCE**

**Edinburgh, Scotland**

**19-20 May 2016**

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**REGISTRATION FEE**

**INCLUSIVE OF: one day seminar, lunch and coffee breaks, and a Gala Dinner.**

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|  | **Total**  **Number** |  | **Total**  **Amount** |
| **DELEGATE RATE\*** |  | **@ £440** |  |
| **Early Registration Rate (before March 1)\*** |  | **@ £350** |  |
| **Speakers\*** |  | **@ £365** |  |
| **Students, government, academics, and PEOPIL Young Lawyers Section members** |  | **@ £145** |  |

\* Members of PEOPIL, the European Aviation Club, and graduates of McGill University enjoy a £40 discount off of these rate categories.

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**Terms and conditions:**

This booking form constitutes a legally binding document.

McGill and PEOPIL reserve the right to vary or cancel the seminar where the occasion necessitates. McGill and PEOPIL 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.

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***PLEASE NOTE*: Accommodation is not included in this package and McGill/PEOPIL are not responsible for hotel reservations. You may book a room directly with one of the Conference Hotels.**

**HotelMap for PEOPIL & McGill University Aviation Conference:**

[**https://www.HotelMap.com/pro/MMB3U**](https://www.HotelMap.com/pro/MMB3U)



**Bronze Level Sponsors:**

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**THIS IS THE NINTH ANNUAL INTERNATIONAL CONFERENCE ON INTERNATIONAL AVIATION LAW & LIABILITY**

**Prior Conferences were held in:**

**Toulouse 2008**

**Montreal 2009**

**Amsterdam 2010**

**Montreal 2011**

**London 2012**

**Montreal 2013**

**London 2014**

**Montreal 2015**

**Edinburgh 2016**