## **General Index Volume IX**

## Leading articles

Agúndez Fernández, A	. Spanish jurisprudence on matters of aeronautical law	93
Awford, I.	Aircraft accident investigation: from an insurance perspective	13
Barron, L.	Aircraft accident investigation. Whose interest prevails?	87
Beety, D. A.	Report from the Aeronautical Law Committee of the Internation	ıal
•	Bar Association	3
van Dam, R. D.	Towards a new Aviation Accident Law in the Netherlands	83
Dillman, J. S.	Aircraft accident investigation procedures in the U.S.A.	39
Goldman, P. A.	NTSB procedures	42
Green, S. J.	The public hearing: should it prevail?	47
Herbert, D. P.	Aircraft accident enquiries — Whose interest prevails?	26
Hingorani, R. C.	Air disasters	100
Hughes, N. M. L.	Air Traffic Control and airport authorities. The U.K. viewpoint	202
Kabraji, K. N.	Damages and forum and jurisdiction considerations - in an	
•	Islamic jurisdiction	216
Knight, J. R.	Accident investigation procedures as viewed by a technician	30
Lenhart, T.	A modest proposal to encourage wider participation in	
	investigations	50
Martin, P.	Destruction of Korean Air Lines Boeing 747 over Sea of Japan,	
	31 August 1983	138
Milde, M.	Aircraft accident investigation in international law	61
Rosenfield, S. B.	Aviation deregulation and safety	105
Sakamoto, T.	Aircraft accident investigation in Japan	9
Singh, P.	Some aspects of Australia's air services agreements	149, 235
Vigier, M.	Aircraft accident investigation procedures. The French system	. 5
Wassenbergh, H. A.	U.S. jurisdiction and bilateral air agreements	170
van Wijk, A.A.	Criminal liability of pilots following an airline accident	66
Wilkinson, G. C.	U.K. aircraft accident investigation procedures	35
Yodice, J. S.	Aircraft accident enquiries — Whose interest prevails?	57
Notes		
Storm van 's Gravesand	de, J. W. E. Flight examiners on duty	112
de Vries Lentsch, P.	Right of overflight	72
do viios Bontson, i.	Mgm of overlight	, , , , ,
Case Law and Com	nments	
Corrigan, M. J.	Trans World Airlines v. Franklin Mint	184
Edwards, L. R.	Freedom of information legislation and aircraft investigation	
	reports: Jamieson v. the Department of Aviation	120
Leshem, M.	Olympic Airways v. Mankel Mensel Kalimi and cross appeal	243
Prices, N. D.	Data Card Corp. and other v. Air Express International Corp.	
	and others	187
News from Interna	tional Organisations	
Coor, M. L.	68th Meeting of the IATA Legal Committee	123
Milde, M.	ICAO	75
Milde, M.		188
van Wijk, A.A.	ICAO. 25th Session (extraordinary) of the ICAO Assembly IFALPA 38th Annual Conference, 15-22 April 1983, Dublin	125
1011 11 JA, 11.A.	17. D. 7. John Amilian Comercines, 13-22 April 1903, Dublin	123

van Wijk, A. A	November 1983 128				
van vrijk, 22. 2	in the state of th				
Reports of Conferences					
Beety, D. A.	Report from the Aeronautical Law Committee of the International Bar Association 3				
Diederiks-Verschoor, I. H. Ph. Report of the session on aviation law of the World Through Law Conference, Cairo, 1983					
Through Law Conference, Cairo, 1983 133 Wildschut, J. M. C. Conference 'Aviation Law & Claims', London, 1984 248					
<b>Coming Events</b> 74, 122, 183					
Dook wassian	P. I				
Book review	ws 134, 193, 249				
Abbreviations					
AASG ADREP AĮB AIG AIP ALPA ANO AOPA ASEAN ASRS	Accident Analysis Study Group (IFALPA) Accident Data Report Accidents Investigation Branch (UK) Accident Investigation Aeronautical Information Publication Air Line Pilots' Association (USA) Air Navigation Order (UK) Aircraft Owners and Pilots Association (USA) Association of South East Asian Nations Aviation Safety Reporting System (USA)				
ATA ATC	Air Transport Association (USA) Air Traffic Control				
BAA BAB BASH BEA	British Airports Authority (UK) British Airways Board Bird/Aircraft Strike Hazard Bureau Enquêtes-Accidents (France)				
CAA CAB CDU CFR CMU CVR	Civil Aviation Authority (UK) Civil Aeronautics Board (USA) Control Display Unit Code of Federal Regulations (USA) Confidential Memorandum of Understanding Cockpit Voice Recorder				
DGAC DOT	Directeur Général de l'Aviation Civile (France) Department of Transportation (USA)				
ECAC EEC EEZ ETD	European Civil Aviation Conference European Economic Community Excluvise Economic Zone Estimated Time of Departure				
FAA FAI FDR FIA	Federal Aviation Administration (USA) Fédération Aéronautique Internationale Flight Data Recorder Flight Information Region				

FL Flight Level

FOI Freedom of Information
FOIA Freedom of Information Act
FUD Flight Uplift/Discharge

GATT General Agreement on Tariffs and Trade

IATA International Air Transport Association

IATCA International Air Transportation Competition Act (USA)

ICAN International Commission for Air Navigation
ICAO International Civil Aviation Organization

IFALPA International Federation of Airline Pilots' Associations

ILA International Law Association ILS Instrument Landing System

IMO International Maritime Organization
INMARSAT International Maritime Satellite Organization

INS Inertial Navigation System ITA Institut du Transport Aérien

JALC Journal of Air Law and Commerce

KNVvL Koninklijke Nederlandse Vereniging voor de Luchtvaart (Neth.)

LACAC Latin American Civil Aviation Conference

LIL Rep Lloyd's List Law Reports

LSAC Legal Status of the Aircraft Commander

MT Multimodal Transport

NASA National Aeronautics and Space Administration NTSB National Transportation Safety Board (USA)

NVI Nederlands Vervoerswetenschappelijk Instituut (Neth.)

O/D Origin/Destination

PVMA Par Value Modification Act (USA)

RBO Regulation by Objective (USA)

RFDA Revue Française de Droit Aérien (France)

RGA Revue Générale de l'Air (France) RLD Rijksluchtvaartdienst (Neth.)

RSL Rijksstudiedienst voor de Luchtvaart (Neth.)

RTL Regeling Toezicht Luchtvaart (Neth.)

SARPS Standards and Recommended Practices

SDR Special Drawing Right

TIAS Treaties and Other International Acts Series (USA)

TIBA Traffic Information Broadcasts by Aircraft

TOD True Origin and Destination

UAE United Arab Emirates U/D Uplift/Discharge

UIR Upper Flight Information Region

UNCTAD UN Conference for Trade and Development

USC United States Code

UST United States Treaties and Other International Agreements

WLR Weekly Law Reports (UK)

## Subject index

Accident investigation, 3, 10, 126, 129 (by) airlines 10 aircraft manufacturer, 87, 92	1978 ICAP, 166 KAL 007, 165 rates, 163
Australia, 120	1ates, 103
flight recorders, 130, 246	Belgium
France, 3	bilateral with US, 178
freedom of information, 46, 65, 86, 120	Bilaterals
ICAO Accident Investigation Manual, 16	Africa, 198
insureres, 13	
international law, 61	Australia, 149, 235
Japan, 9	Belgium, 178
the Netherlands, 83	Bermuda, 160, 163, 179
United Kingdom, 13, 26, 30, 35	capacity, 155, 168
United States, 39, 42, 47, 50, 57	designation, 160
Accidents	Netherlands, 178
	United States, 170
causes, 100	Bird strikes, 102, 204, 210
definition, 127	0.1
liability, 102	Cabotage, 150
Aerial intrusions, 138, 188	Capacity
Aerodromes, See Airports	country of origin, 193
Agriculture	determination, 193
spraying damage, 95	true origin and destination, 155, 168, 169
Air carriage	Cargo
contract, 115	Franklin Mint, 184
discrimination, 134	partial damage, 187
Islamic law, 219	Chicago Convention, 1944
overbooking, 134	Art. 1, 140
persons in custody, 126	Art. 3bis, 191
Pakistan, 226	Art. 6, 149, 152
Aircraft	Art. 7, 150
in distress, 25	Art. 9, 117, 139
maintenance, 110, 197	Art. 26, 15, 51, 61
use of force against -, 138, 188	Art. 32, 116
Aircraft commander, See Pilots	Annex 1, 112, 116
legal status, 129	Annex 2, 140
Aircraft manufacturers, 87, 92	Annex 6, 112, 116
Airports	Annex 9, 117
definition, 203	Annex 11, 125
expropriation, 95, 96	Annex 13, 9, 29, 31, 51, 62, 84, 87, 120, 141,
liability of operator, 205, 207	144
licences, 204	Contract of carriage, 115
services, 99	•
servitudes, 96	Deregulation and safety, 105
United Kingdom, 202	
weather, 94	EEC and civil aviation, 136, 194
zoning laws, 94	EEZ and civil aviation, 72, 245
Archipelagoes, overflight of, 73	Evidence, accident report as 18, 55 (at 3)
ATC, 20, 21, 101	<u>i</u> , ()
and pilots, 213	Flight data recorders, 130
liability, 130, 21	IFALPA, 246
United Kingdom, 202	Flight examiners, 112
Australia	Force, use of – against aircraft, 75, 124, 131,
accident investigation, 120	133, 138, 188
bilaterals, 149, 235	France, accident investigation, 5
capacity clauses, 158, 168	Franklin Mint, 184
freedom of information, 120	Freedom of information and accident
IATA, 163	investigation, 65
•	

Australia, 120	ADIZ, 73
Netherlands, 86	and civil aviation, 72, 130, 199
United States, 46	EEZ, 72, 245
Freedoms of the air	IFALPA, 245
third, 156, 159	Liability
fourth, 156, 159	
fifth, 156, 159, 160, 169	airport operators, 205, 207
	ATC, 130, 211
sixth, 156	limits, 184
multilateralism, 200	Supplemental Compensation Plan, 123
C. I. Li W. C. L. L.	Warsaw Convention, 102, 103, 146, 148
Gold and the Warsaw Convention, 184	wilful misconduct, 244
	Luggage, 243, 244
Hijacking, 134	
accidents, 102	Montreal, Protocols of 1975, 123, 199
Spain, 98	•
•	The Netherlands
IATA	accident investigation, 83
Australia, 164	bilateral with USA, 174, 178
Legal Committee 1983, 123	Civil Aviation Board, 113
rate machinery, 163	flight examiners, 113
tariffs, 163, 175, 193	
	New Zealand
Traffic Conferences, 163, 175, 176	accident compensation, 89
ICAO, 249	D.11
Assembly	Pakistan, 223
24th session 1983, 77	carriage by air, 226
25th extraordinary session 1984, 79, 146,	forums, 229
188	Islamic law, 224
Council	Passengers
Extraordinary session 1983, 75	bumped passengers, 134
IFALPA	definition, 115, 118, 119
Annual Conference 1983, 125	handicapped -, 134
Annual Conference 1984, 245	pregnant -, 134
criminal liability of pilots, 66, 246	refused admission, 131
flight data recorders, 246	Pilots
Law of the Sea, 245	and ATC, 213
Legal Study Group 1983, 83, 128	criminal liability, 66, 128, 246
Incidents,	legal status, 129
definition, 127	licences
reporting, 127, 130	necinces
Insurance, 89, 90	Patas
	Rates
and accident investigation, 13	IATA, 163, 175, 193
of flight examiners, 119	Rights in aircraft, 200
Intrusions, aerial, 138, 188	
Islamic law, 216	Safety
air carriage, 219	and deregulation, 105
Italy	UK civil aviation, 202
charters, 199	Servitudes, 96
	Smoking on board aircraft, 134, 199
Japan	Spain
accident investigation, 9	aircraft register, 135
	hijackings, 98
KAL 007, 1983, 75, 124, 131, 138, 165, 188	jurisprudence, 93
Kuwait	Spying by aircraft, 142
diyya, 231	State immunity, 214
Labour law, 97	State inimumity, 217
Laker Airways	Tariffe Cas Potes
1975, 160	Tariffs, See Rates
	Travel agents, commissions, 162, 163
1981, 241	Treaties
1982, 170	application in USA, 182
Law of the Sea	clausula rebus sic stantibus, 185

United Arab Emirates diyya, 230 United Kingdom airports, 202 accident investigation, 13, 26, 30, 35 ATC, 202, 211 bilaterals, 179 BAA, 203, 213 CAA, 202, 211 flying instructions, 203 licences, 160, 161 operating permits, 162, 163 State immunity, 214 United States accident investigation, 39, 42, 47, 50, 57 antitrust legislation, 170 bilaterals, 170, 178 CAB, 106

deregulation and safety, 105 FAA, 39, 107 IATA Traffic Conferences, 175, 193 Laker Airways, 170 NTSB, 17, 39, 42, 108 Show Cause Order, 175, 193, 196 Warsaw Convention, 1929 Article 22, 187 cargo, 184 Franklin Mint, 184 gold, 184 liability limit, 184 luggage, 243, 244 Weather and accidents, 94 Wilful misconduct, 244