



**International Air Law Treaty Workshop,
Dar es Salaam , Tanzania
25 to 27 February 2026**

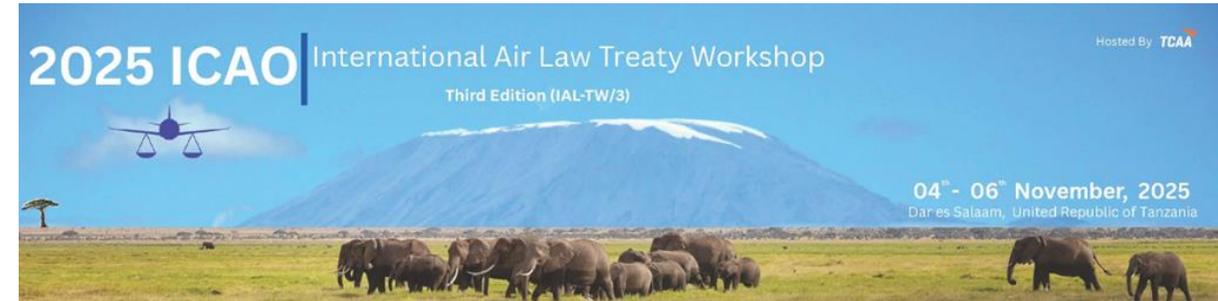
Legal Affairs and External Relations Bureau

**INTERNATIONAL
CIVIL AVIATION
ORGANIZATION**





ICAO



Session 2: MC 1999 - Convention for the Unification of Certain Rules for International Carriage by Air (Montreal, 1999)

International Air Law Treaty Workshop

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Warsaw System - Modernization



Warsaw Convention system on air carrier liability (1929) became outdated by the 1970s



Liability limit eroded by inflation

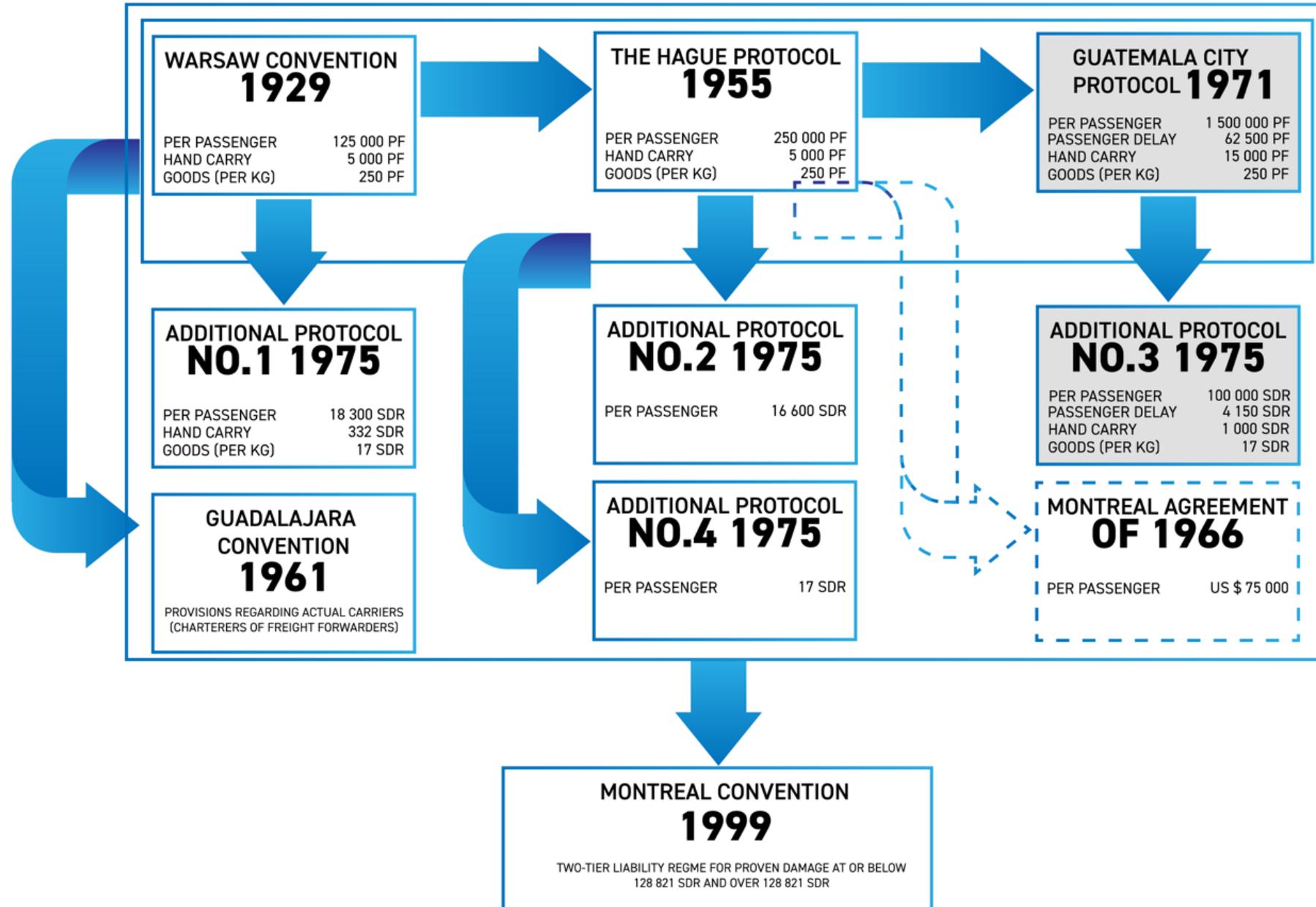


Two attempts to update (1971 and 1975) by amending protocols unsuccessful



In 1999, Montreal Convention was adopted to modernize the Warsaw system

The Patchwork of regimes



MC99 is modern and fair

	Warsaw Convention (1929)	Hague Protocol (1955)	Additional Protocol 2 + Montreal Protocol 4	Montreal Convention 1999*
Death or injury	USD 12,000	USD 24,000	USD 25,000	USD 160,000 <small>(first <i>threshold</i>, higher sums recoverable)</small>
Baggage	USD 20 per kg	USD 20 per kg	USD 25 per kg	USD 1,600 <small>(new global limit, approx. USD 70 per kg on 23kg bag)</small>
Cargo	USD 20 per kg	USD 20 per kg	USD 25 per kg	USD 27 per kg
Provisions for electronic air waybills?	No	No	Yes <small>(with other MP4 Parties only)</small>	Yes



NB. *Treaties don't express limits in USD but in IMF Special Drawing Rights (SDR). These have been calculated using xe.com for comparison purposes.

ADVICE TO INTERNATIONAL PASSENGERS ON LIMITATION OF LIABILITY

Passengers on a journey involving an ultimate destination or a stop in a country other than the country of origin are advised that the provisions of a treaty known as the Warsaw Convention may be applicable to the entire journey, including any portion entirely within the country of origin or destination. For such passengers on a journey to, from or with an agreed stopping place in the United States of America, the Convention and special contracts of carriage embodied in applicable tariffs provide that the liability of certain carriers, parties to such special contracts, for death or personal injury to passengers is limited in most cases to proven damages not to exceed US\$75,000 per passenger, and that this liability up to such limit shall not depend on negligence on the part of the carrier. For such passengers

travelling by a carrier not a party to such special contracts or on a journey not to, from, or having an agreed stopping place in the United States of America, liability of the carrier for death or personal injury to passengers is limited in most cases to approximately US\$10,000 or US\$20,000.

The names of carriers, parties to such special contracts, are available at all ticket offices of such carriers and may be examined on request. Additional protection can usually be obtained by purchasing insurance from a private company. Such insurance is not affected by any limitation of the carrier's liability under the Warsaw Convention or such special contracts of carriage. For further information please consult your airline or insurance company representative.

Note: The limit of liability of US\$75,000 above is inclusive of legal fees and costs except that in case of a claim brought in a state where

provision is made for separate award of legal fees and costs, the limit shall be the sum of US\$58,000 exclusive of legal fees and costs.

NOTICE OF BAGGAGE LIABILITY LIMITATIONS

Liability for loss, delay, or damage to baggage is limited unless a higher value is declared in advance and additional charges are paid. For most international travel (including domestic portions of international journeys) the liability limit is approximately US\$9.07 per pound (US\$20.00 per kilo) for checked baggage and US\$400.00 per passenger for unchecked baggage. For travel wholly between U.S. points, Federal rules require any limit on an airline's baggage liability to be at least US\$1,250.00 per passenger. Excess valuation may be declared on certain types of articles. Some carriers assume no liability for fragile, valuable or perishable articles. Further information may be obtained from the carrier.

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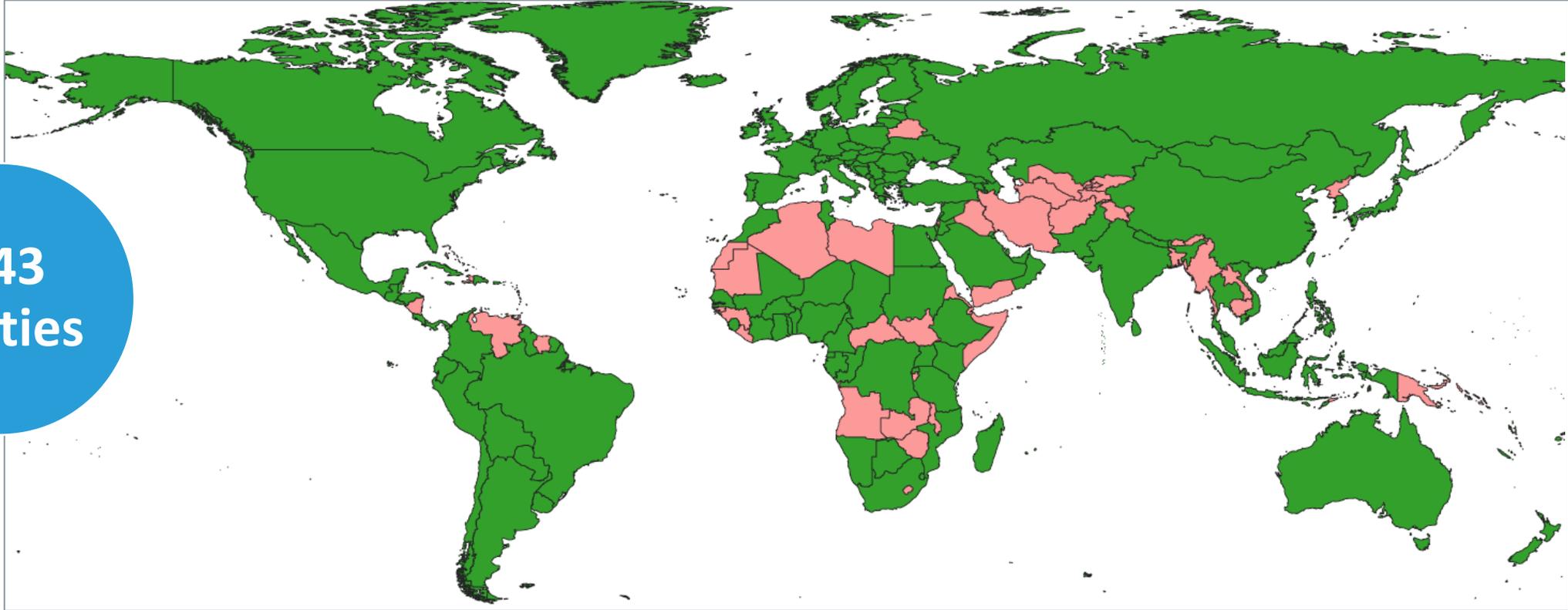
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			NAME OF CARDHOLDER IF OTHER THAN PASSENGER		
			Signature of Cardholder X		

1534 N



Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999

143
Parties



A39-9: Promotion of the Montréal Convention of 1999 urging all States to ratify this Convention.

Warsaw System - Modernization



Patchwork of regimes still exists...

Issues other than accidents

Denied boarding / overbooking

Flight delays, including long on-board tarmac delays

Flight cancellations

Unclear pricing / price advertisement

Lack of information about flight details: Identity of operator, gate information, rights of passenger, etc.

Disabled passengers

THE CALL TO ACTION



Ratification is the First Step... But Only the Beginning of the Story.

The Montreal Convention 1999 (MC99) provides a necessary framework for uniformity.

However, its success hinges on its **uniform interpretation and application** across jurisdictions.

This requires proactive and sustained **education** for key stakeholders.

Educating courts and regulators is essential to ensure that the letter and the spirit of the Convention are respected in every national setting.

Uniformity prevents forum shopping and ensures **fair and predictable outcomes** for both passengers and carriers.



ICAO TRAINING



Aviation Liability and Insurance Course

Understand the competencies required to effectively address issues related to aviation insurance and liability.

This course gives aviation professionals a comprehensive understanding of the relevant international legal frameworks, ensuring alignment with global requirements on aviation insurance and liabilities.

LEARN MORE



ICAO TRAINING



International Air Law Course

Equip your organization to meet global provisions and drive effective policy implementation.

This course aims to provide aviation professionals (with or without legal training) with competencies to support their organization in the implementation of international air law, in accordance with the Chicago Convention and other international air law instruments.

LEARN MORE



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1999

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ORGANISATION DE L'AVIATION CIVILE INTERNATIONALE
ORGANIZACIÓN DE AVIACIÓN CIVIL INTERNACIONAL
МЕЖДУНАРОДНАЯ ОРГАНИЗАЦИЯ ГРАЖДАНСКОЙ АВИАЦИИ
国际民用航空组织

منظمة الطيران المدني الدولي

Carriage to be a use and complete copy
Ceste certifier continue
En plus tel a annuler
Копия члена в полном

Legal Monitor
Director des Affaires juridiques
Director de Asesor Jurídico
Юридический консультант
ICAO OACI ICAO

Learning Resources

THE MONTREAL CONVENTION

A Commentary

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Thank You

