

**WORLDWIDE AIR TRANSPORT CONFERENCE: CHALLENGES AND
OPPORTUNITIES OF LIBERALIZATION**

Montreal, 24 to 29 March 2003

Agenda Item 2: Examination of key regulatory issues in liberalization
2.4: Consumer interests

**GEORGIA'S VIEW ON CERTAIN ASPECTS OF LIBERALIZATION
(PASSENGERS' RIGHTS)**

(Presented by Georgia)

SUMMARY

This paper contains Georgia's view on the need to adopt a "Convention on Passengers' Rights".

Action by the ATConf is in paragraph 2.

REFERENCES

"Warsaw System" Convention
1999 Montreal Convention
Georgia's own experience in market regulation

1. INTRODUCTION

1.1 The situation that has actually arisen in the world of civil aviation with respect to liberalization, the rates of development of liberalization and the anticipated final results of liberalization now raise the question of the need to review the existing rights and obligations of the participants in the international air transport process.

1.2 The generally accepted principles and norms of international law, the constitutional norms of practically all States and the requirements of the "**Warsaw System**" **Convention** and the **1999 Montreal Convention** to a certain degree reflected the rights and the responsibility of the passenger who is the main person in the air transport process. However, firstly, this is only some of the passenger's interests

and, secondly, this clearly does not meet the passenger's increased requirements and interests and it does not fully protect the passenger. In this regard, we consider it useful for the Conference to recognize the need to develop a **Convention on the Rights of the Passenger**, where the basic rights of the passenger (before buying the ticket, before the flight, during the flight, and after completing the transport process, etc.) would be reflected in a unified form. We consider that the unification of these rights will do much to help ICAO, IATA, aviation authorities, air carriers, vendors of air services and, what is most important, passengers themselves on matters concerning the legal regulation of mutual relations in performing international air services.

2. ACTION BY THE CONFERENCE

2.1 The Conference is invited to:

- a) recognize the need to develop and adopt a basic international document on passengers' rights, the "Convention on the Rights of the Passenger"; and
- b) instruct the Secretary General of ICAO to establish a working group on the development of a draft "**Convention on the Rights of the Passenger**".

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