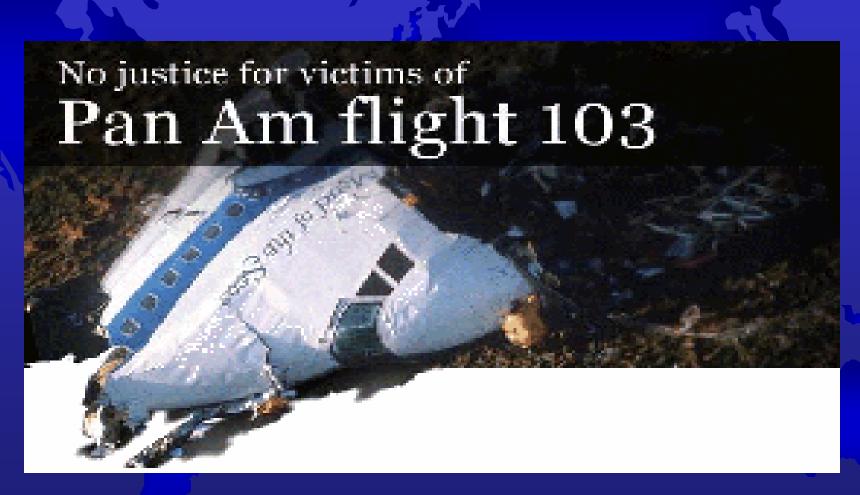
World Conference on Fear of Flying 6 June 2007 Presented by Jiefang Huang ICAO, Legal Officer



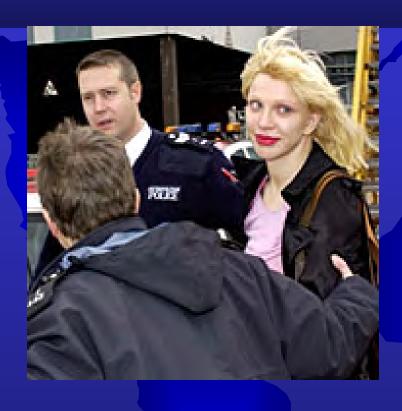


Example of Man-made Risks





Nine out of ten cabin crew, surveyed for the new BBC current affairs programme 4x4, said they felt air rage was putting lives at risk.



VRock star **Courtney Love** was arrested at London's **Heathrow Airport** in 2003. Reports said she had been "verbally abusive" to cabin crew. AP

Definition Page 1990

Passengers who fail to respect the rules of conduction board aircraft or to follow the instructions of crew members, and thereby disturb the good order and discipline on board aircraft.

The Tokyo Convention

Article 1 covers acts jeopardizing safety or good order and discipline on board.

Articles 6 & 7 Power to restrain an offender until the next landing.

Articles 8 & 12 Power to disembark certain persons.

Articles 9 & 13: Power to deliver a serious offender to the competent authorities.

Legal Aspects of Unruly Passengers

- **UCAO Assembly A33-4**
 - Model Legislation
 - Urging States to adopt it

Main Features of the Model Legislation

- The list of Offences as common denominators for inclusion in national law
- Draft jurisdictional clause for adoption by States

- ↑ The list of Offences
 - Offences against crew members
 - Offences likely to endanger the safety of the aircraft or the good order and discipline on board the aircraft
 - Other offences which are not specially covered in the first two categories but may endanger the safety of the aircraft

Offences against Crew Members

- Assault, intimidation or threat
 - Interfere with the performance of duties
 - Lessen the ability of the crew member
 - Refusal to follow lawful instructions

Legal Aspects of Unruly Passengers (continued) Offences likely to Endanger the Safety or the good Order and Discipline

- More Serious Offences
 - Physical violence
 - Sexual Assault
 - Child Molestation
 - Less Serious Offences, but with Impact upon Safety or the Good Order and Discipline
 - Other less serious forms of assaults
 - Damage to property
 - Intoxication

- **Other Offences**
 - Smoking
 - Tampering with a safety-related device
 - Prohibited operation of an electronic device

↓ Jurisdiction

- The State of the registration of aircraft
- The State of the operator of aircraft
- The State of the territory in which the offence occurs
- The State of next landing

Conclusions

Unruly passengers present implications for fear of flying

Multi-disciplinary approaches (including legal measures) are necessary to handle this issue

