**ABSTRACT of a proposed subject**

**Title: New codifications of international air law – 2009 and 2010**

In the aftermath of 911 the international community initiated a wide spectrum of actions aimed at enhancing the safety and security of civil aviation and preventing acts of international terrorism. Four new instruments of international air law were adopted at the diplomatic conferences in 2009 and 2010 and deserve a critical analysis whether they genuinely represent an enhancement of codified international air law.

The presentation would analyse

* **The 2009 Montreal Conventions (“New Rome”) and**
* **The 2010 Beijing Convention and Protocol**

Are there some substantial flaws in the general concept and details in these instruments? Was the adoption of these instruments at all “necessary”? In general - when is the codification of international air law justified?

Why was the 2009 Conference attended by only 81 states (=42.6% of the ICAO membership)? Why was the 2010 Conference attended by only 76 states (=40% of the ICAO membership)? Why is it that not a single ratification has been obtained so far to these instruments?

“Great cases like hard cases make bad law” – does this *dictum* apply also for international law-making?

Michael Milde 9 September 2011