„NICOLAE TITULESCU" UNIVERSITY
FACULTY OF LAW

PHD THESIS

State responsibility for damage caused by aircraft to third parties on the ground

Summary

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II. ASPECTS COVERED BY THE RESEARCH

The issue of the international responsibility of States for damage caused by aircraft to third parties on the ground was not and it is not considered to be one of the most interesting and exciting areas of study in international law. This belief finds its origins in the tight view of the that modern lawyer that aviation does not produce sufficient cases to be skillfully handled. Moreover, since the first international civil aviation instruments were adopted, there was the belief that aspects of State responsibility are extremely well covered by those instruments at international level and that every State has a well established system of liability, therefore the lawyer is not needed.

Each aeronautical event of a larger or smaller scale can cause damage to third parties on the ground. It is f extreme importance that non-aviation lawyers understand the effects of such an event, the risks implied and that the phenomenon engages multiple legal and social aspects to be dealt with. The magnitude of such events is amplified by the media, driven by the desire to show a careless and indifferent civil aviation system[1] and of the impact that such an event has over State borders as air transport represents a universal activity at this time and a concern for the entire international community.

Compensation for damage caused by aircraft to third parties on the ground is not only a way of "offering satisfaction" to people dissatisfied of a system and affected by aviation activities, but a way of building and strengthening public confidence in civil aviation. This need, of building the trust in international aviation activities has grew with the emergence of acts of unlawful interference, and reached an apogee on 11 September 2001, when the whole international society was faced with the negative effects of an intentional man-made act of unlawful interference. Unfortunate events faced by civil aviation marked the transition to a new era in which immunity from liability for damage caused by acts of terrorism, with the aim of encouraging the development industry disappeared, to a system in which the consequences of acts of unlawful interference are mainly borne by the operators. The operator in turn is a victim of such acts and the burden put on the operators shoulders is too big for such a small pawn. In a

[1] G.Leloudas, Risk and Liability in Air Law, Editura Informa, Londra, 2004, pag. 1.

society characterized by the existence of risks, dangers and threats, we can not but observe that liability issues caused by aircraft to third parties on the ground was abandoned by the law-makers, until the catastrophic events which took place in USA on 11 September 2001.

The attacks triggered political, economic, social and legislative reactions, under the aegis of the International Civil Aviation Organization, which concluded that one of the factors that contributed to the amplification of the effects of the event was the outdated legal framework and lack of management of hazards, effective risk analysis and an international uniform system with regard to compensation for damage caused by aircraft to third parties on the ground. One of the questions raised by the events was - who should bear the costs of terrorism? From that moment on, various controversies were born, reflected in the discussion conducted within the Diplomatic Conferences organized for the adoption of new instruments in the aviation security and liability to third parties field.

The thesis examines existing international mechanisms for compensation of damage caused by aircraft to third parties on the ground as a result of an act of unlawful interference and the obligation of States to prevent such acts to happen and protect those on the ground. The paper also examines aspects related to risk perception, State liability for risk in an international society driven by continuous and rapid evolution, both in terms of technology and social relations. In an era where public confidence in the aviation industry and the State has been dramatically shaken, identification of mechanisms for compensating victims of terrorist attacks must be based on cooperation and risk sharing.

III. THE METHODOLOGICAL AND THEORITICAL APPROACH OF THE RESEARCH

The research for this paper has integrated combined methods of analysis, based on views expressed in the doctrine and elements of theoretical and critical analysis, reformist at times. The thesis presents an analytical perspective of currently existing theories related to State responsibility for breach of a due diligence obligation, to the concept of responsibility for risk and the systems used by international society to compensate third parties on the ground for damage caused by aircraft, especially because of acts of unlawful interference. The thesis also

presents a in a compared manner, to other areas where State responsibility is incident for violation of a due diligence obligation and the general practice of States with regard to compensating victims on the ground.

The paper analyzes the issues under discussion from two perspectives - of aviation security and the new rules in the field of liability for third parties on the ground existing at the international, regional and national level. As regards aviation security issues, it highlights the existence of a duty of care, a real erga omnes obligation of States to implement specific measures for prevention of acts of unlawful interference and to properly supervise their implementation by relevant stakeholders, such as airports and operators. In terms of the new regulations on liability for damage caused to third parties on the ground, the thesis shows the weaknesses of the existing and proposed systems, showing and demonstrating that terrorism is aimed at States and the latter has an obligation to protect persons on the ground, a general obligation towards humanity, primarily protecting the right to life. The paper also proposes a three-tiered approach to liability in the field, the last being the State level, which ultimately, in the absence of a contribution to the production of damage, has a moral obligation to protect third parties on the ground, while protecting the operator as well.

The research involved an extensivestudy of doctrine and jurisprudence taking into account:

a) The issue of resposnibility for risk and the social perception of risk;

b) Elements relating to the definitions of aviation safety and security;

c) The regulation of aviation security both internationally and regionally;

d) The doctrine of due diligence and modus operandi of such an obligation, presentation of theoretical and practical point of view;

e) Issues related to the protection of humn rights;

f) The evolution of liability scheme for damage caused by aircraft to third parties on the ground, minutes of meetings, working documents and legislation;

g) International and national jurisprudence.

IV. SCIENTIFIC NOVELTY OF THE PAPER

The analysis of the liability regime for damage caused by aircraft to third parties on the ground in terms of State responsibility for violation of its due diligence obligations is in itself a new idea. Through deep analysis of the evolution of concepts of international responsibility, obligation of due diligence of States and existing compensation mechanisms for third parties on the ground, the thesis is an innovative approach of resposnibility in the Romanian doctrinal context.

The main results of the reserach are:

a) profound analysis of the concept of international responsibility of States for risk and doctrine of due diligence in the context of liability for damage caused by aircraft to third parties on the ground;

b) selection, structuring and analysis of a large case-law, of the International Court of Justice, the International Arbitration and national courts;

c) Emphasis of the role the State has in terms of maintaining a safe and secure civil aviation system and duty to protect this sector;

d) A detailed analysis of the regulations in relation to claims of third party on the ground for damage caused by aircraft due to acts of unlawful interference and highlighting major shortcomings of the current compensation mechanism;

e) Proposal of solutions for future modernization process of the existing regulatory framework.

V. THEORETICAL AND PRACTICAL IMPORTANCE OF THE PAPER

Often perceived as technical elements, aviation safety and security are however genuine political and legal dimensions[2]. From the political point of view, maintaining a safe and secure aviation system requires a risk management conducted at a high-level, which is the State, based on a risk analysis and a complete picture of the implications of such a system has from a social, economic and technological point of view. From a legal perspective, once identified, this system

[2] J. Huang, Aviation Safety through the Rule of Law – ICAO's Mechanisms and Practices, Editura Wolters Kluwer, 2009, pag. 229

must translate into rules so that actors involved in aviation activities comply with it, not only at national level, but also at an international one. Consequently, the establishment, maintenance and development of air transport activity in optimum conditions of safety and security should be assumed by States as well as compliance with their international obligations. States have a duty to promote aviation safety and security, and also have an obligation to abstain from any action that could endanger civil aviation.

The thesis proposes a pragmatic and fair approach to the issue of liability towards third parties, indicating that civil aviation must foresee and prevent both general risks, as shown by an aircraft-engineering failures, weather phenomena, human error, but also the risks man produces intentionaly and that may endanger the safety and securityof the aviation industry. The most serious of intentional human actions that endanger civil aviation is terrorism, as we have seen with the events that have shocked the world on 11 September 2001. In such times, the international community can show the value of his efforts, involvement in finding solutions, openness to communication and cooperation, and not least, the power of prediction and risk adjustment.

It becomes important at this moment in international society that risk management be achieved through legal instruments concerning liability for damage to third parties on the ground and contributing to building trust and not generating an imbalance between the operator and the third party on the ground by putting more burden on the shoulders of the air operator. A scheme granting for compensation must be developed leaving no room for interpretation and avoiding claims before national or international courts. "It is time for legislators to overcome their own heuristic stratagems and become innovators."[3]

[3] Leloudas pag. 213.

VI. THESIS SUMMARY

The thesis debuts with the analysis of the concepts of aviation safety and security, Chapter II presenting the State's obligations in this regard. The general obligation of the State to protect and pevent has a tripartite nature - to refrain from committing unlawful acts, to prevent them and to punish those who are guilty of committing such acts – all of these being *erga omnes* obligations. All three elements of the obligation to protect and prevent is a manifestation of the conscience of humanity, by the right to life, a fundamental human right.[4] Primary feature of this "trio", in terms of obligations erga omnes, is their "universal and unreciprocal character"[5]. These obligations are "not rooted in an exchange of rights and obligations, but in the adherence to a normative system."[6] Thus, "any form of noncompliance by a State may not justify infringement of the rule".[7]

In essence, the erga omnes obligations contain both negative and positive obligations. From this perspective, States must not only take the necessary steps to develop and maintain safety and security in civil aviation, or to refrain from putting it at danger but are required to promote safety and security. These concepts contribute to the development of a uniform system of protection. It is imperative for States to identify and implement a compensation mecansim for third parties on the ground which is effective and discreet, ensuring both the interests of third parties and of air operators. This is possible by detecting deficiencies in the aviation security system and taking proper actions to correct them. It is a challenge that requires determination of the international community. In this context, we consider that the submissions of His Excellency, the Minister of Justice of the Kingdom of the Netherlands, dr. Karl Polak are conclusive: "Safety, security and optimal deployment of business aviation is the concern of the States and peoples of the world. All States, however different as their interests may be, share the same interest in the conservation and promotion of international air transport. Modern society can not

[4] Huang pag. 231.

[5] Idem.

[6] R.Provost, „Reciprocity in Human Rights and Humanitarian Law”, BYIL nr. 65, 1994, pag. 386.
[7] G. Fitzmaurice, „The General Principles of International Law”, RdC nr. II, 1957, pag. 1120.

function without it."[8] Chapter II also brings into focus the concept of soft law, illustrating the importance of this category in the regulatory system of the International Civil Aviation Organization, especially in the field of aviation security.

Chapter III presents the history of the concept of international responsibility of States, a concept so beautiful and complex, with a glorious past, which generates in the reader's consciousness the comprehension of this phenomenon and the need for the attribution to the State. It also presents the essence of State responsibility for acts of individuals, preparing in this way the development of the issue of liability of States for damage caused by aircraft to third parties on the ground as a result of acts of unlawful interference. The chapter continues with aspects of risk perception, the influence of social media with regards to risk perception, underlining the State's obligations in a risk based society.

Chapter IV addresses issues that describe the due diligence obligation of the State in terms of preventing acts of unlawful interference, as well as the protection of persons on the ground, showing the modus opernadi of this obligation in general and in the air transport field.

All these issues addressed, prepare the scene for the analysis on state obligations to protect third parties on the ground, the existing compensation systems and mechanisms at this time in civil aviation, with a focus on the need to update it and adapt it to the new social and technological context, as detailed in Chapters V and VI. The paper also examines the issue of accountability, with the precedence of its assignment in a context of confusion and evasion. This confusion comes from the close connection between the word "responsibility" and State, the intentions of the promoters of the conventions on compensation for damages to third parties on the ground to divert attention from the responsibility of the State, by naming the recent instruments adopted in 2009 in Montreal - Conventions on compensation for damage caused by aircraft to third parties on the ground.

Air transport is a huge industry with a significant impact in the international community form an economic, social and political point of view. The growing demand for this service involves the development of a complex and solid international infrastructure and uniform legal framework. Apparently a sector based on relationships established between the operator and passenger, air transport requires increased attention of the States due to its international

[8] ICAO Doc. 8979-LC/165-1, International Conference on Air Law, Haga, decembrie 1970.

character. The complexity of the existing relations in the aviation industry and the risks that this activity presents to passengers, operators and third parties on the ground imposes an obligation of conduct for States, whose violation leads invariably to their liability.

In order to achieve a protective cocun for the international society, States must understand that only in unity common objectives can achieved and only by working together in full cooperation, "air can be used for the benefit of humanity, to serve humanity ..."[9]

VII. CONCLUSIONS OF THE RESEARCH

In terms of international instruments on liability for damages caused by aircraft to third parties on the ground as a result of acts of unlawful interference, we appreciate that the International Civil Aviation Organization work is not completed as the new instruments, modernizing the 1952 Rome Convention, do not achieve their purpose. A review of these provisions would be appropriate, and we consider that a better source of inspiration is the Convention on International Liability for Damage Caused by Space Objects of 1972, instead of the International Fund for Compensation for Oil Pollution.

Efforts made by ICAO to update the Rome Convention are commendable, but unfortunately not enough. The Diplomatic Conference held in Montreal in 2009, although apparently a success due to the adoption of two new international instruments, in reality represents a failure, a "dead end"[10]. This beliefe is due to the decision of submmiting a draft Convention, which requires such complex elements, without it reaching the necessary maturity of a comprehensive and appropriate legal framework.

This raises the question whether such a failure can be repaired. If the 1999 Montreal Convention for the Unification of Certain Rules for International Carriage by Air was in its time

[9] Presentation of the President of the ICAO Council, Dr. Asad Kotaite, the regarding Council's work in the years 1998,1999 and 2000, and supplementary report on the activity of the Council of ICAO in the first six months of 2001, presented at the 33th General Assembly of ICAO.

[10] M. Jenninson, „Rescuing the Rome Convention of 1952: Six Decades of Effort to Make a Workable Regime for Damage Cuased by Foreing Aircraft to Third Parties", Uniform Law Review, , pag .812.

a sign of the evolution of air law, efforts to update the Rome Convention of 1952 are merely a signal of a major escape of responsibility and need to be reformed urgently. Enough time has elapsed since the unfortunate events of 11 September 2001 and the time has come for those effects to be properly analyzed and integrated into civil aviation, both in terms of risk analysis, and not in relation to past experiences, but to the unforseen. As Vijay Poonoosamy was saying, rapporteur for the update of the 1929 Warsaw Convention, the predecessor of the 1999 Montreal Convention: „all should demonstrate a spirit and a desire for dialogue, ingenuity and compromise (especially regarding fundamental issues underlying value system as well as damages and attribution of responsibility) in order to expeditiously, fairly, correctly and uniformly implement legislation in order that justice is done to the consumer and operator, both today and tomorrow ".[11]

According to the Chicago Convention, each State has the obligation to ensure a safe and secure civil aviation climate in its territory. Thus, the State has the duty to supervise air operators on compliance with SARPs and other international, unless that obligation is delegated to another State. [12]"When it comes to standards of aviation safety and security, wbut citizens of other States are affected as well due to the international character of civil aviation.. Any other state that allows entry into its territory of aircraft registered in a State that violates its international obligations has every reason to be worried and concerned about compliance with those standards by the state of origin and the crew."[13] For these reasons we consider that States have an obligation and a responsibility for failure to comply with international standards, both at an individual and a collective level.

It is time that States understand that new challenges can not be approached unless their national pride and personal waivedis changed. The vision with regard to such a phenomena must be both objective and subjective[14] in order to achieve the desired goals of protecting individuals

[11] V. Poonoosamy, Report of the Rapporteur on the Modernization and Consolidation of the Warsaw System, LC/30-WP/4, Appendix A, at A-5, citat din Raportului celei de-a 57a Confinţă a Asociaţiei de Drept Internaţional în Madrid.

[12] Huang pag. 229.

[13] A. Kotaite, „Sovereignty under Great Pressure to Accomodate the Growing Need for Global cooperation, ICAO Journal nr. 50, 1995, pag. 20.

[14] Leloudas pag. 211.

on the ground and other actors in the civil aviation arena. However, in an international environment characterized by instability, with media having a significant influence on society's perception about risk, generating confusion, distrust and rebellion, nothing hinders the process of negotiating an international instrument in the benefit of all stakeholders: State, industry, people on the ground, lawyers and experts.[15] Confidence in the authority is shaken, and the only way of increasing trust is to adopt international instruments and not to protect the personal interests of the parties, but their common interests, because only in such a context, the parties can grow and can develop.

[15] D.Lupton, Risk, Londra, 2009, pag. 29.

VIII. BIBLIOGRAPHY

I. COURSES, TREATIES AND MONOGRAPHIES

1. **ABEYRATNE**, Ruwantissa, *Aviation Security Law*, Ed. Springer Science and Business Media, 2010.
2. **ANDRONOVICI**, Constantin, *Drept Internaţional Public*, Ed. Graphix, Iaşi 1993.
3. **ANZILOTTI**, Dionisio, *Corso di diritto internazionale: Vol. I: Introduzione e teorie generali* ,ediţia 3, Ed. Atheneum, Roma, 1928.
4. **ARENDT**, Hannah, *Responsabilite et jugement*, Ed. Petit Biblioteque Payot, 2009.
5. **BECK**, Ulrich, *World Risk Society*, Ed. Polity Press 2009.
6. **BELLI**, Pierino, *De Re Militari et Bello Tractatus*, Ed. Clarendon Press, 1563, (trans. Nutting).
7. **BEŞTELIU – MIGA**, Raluca, *Drept internaţional Public Vol II*, Ed. CH Beck, 2008.
8. **BODIN**, Jean , *Six livres de la Republique*, A Lyon de l'Imprimerie de Iean de Tovrnes, M.D. LXXIX, (trans Tooley).
9. **BOURDIES** Pierre, *Sur L'Etat*, Ed. Raison d'agir/Edition du Seuil, 2012.
10. **BREAKWELL**, Glynis, BARNETT, Julie, PIDGEON, Nick , KASPERSON, Roger, SLOVIC, Paul , *The social amplification of risk*, Ed. Cambridge Univerity Press 2003.
11. **BROWNLIE,** Ian, *System of the law of Nations; State Responsibility*, Ed. Oxford Univeristy Press, 1983.
12. **BROWNLIE**, Ian, *Principles of Public International Law*, Ediţía 7, Ed. Oxford University Press, 2008.
13. van **BYNKERSHOEC**, Cornelius, *Questionum juris publici* , 1737, Ed. Oceana Publications, 1964 (trans. Frank);
14. **CHENG**, Bin, *General Principles of Law Applied by International Courts and Tribunals*, Ed. Cambridge University Press, 1994.
15. **CROWFORD**, James , *State Responsibility*, Ed. Cambridge University Press, 2013.
16. **CROWFORD**, James, *The International law Commission's adoption on State Responsibility: Introduction, Text and Commentaries*, Ed. Cambridge University Press 2002.

17. **CROWFORD**, James , *Brownlie's Principles of Public International Law,* editia 8, Ed. Oxford Univeristy Press, 2012.

18. **DEMPSEY,** Paul Stephan, *Public International Air Law*, Ed. Institute and Centre for Research in Air and Space Law, McGill University, 2008.

19. **DINH**, Nguyen Quoc, DAILLER, Patrick and PELLET, Alain, *Droit International Public - Seventh Edition*, Ed. L.G.D.J., Paris 2002.

20. **EAGLETON**, Clyde, *The Responsibility of States in International Law* , Ed. Kraus, 1970.

21. **EVANS**, D. Malcom, *International Law - First edition*, Ed.Oxford University Press, 2003.

22. **ENZENSBERGER**, Hans Magnus, *Cei care aduc groaza. Eseu despre perdantul radical*, Editura ART 2007.

23. **GENTILI**, Alberici , *De Legationibus*, 1549, Excudebat Thomas Vautrollerius, 1585 (trans. Laing).

24. **GIDDENS**, Anthony , *Modernity and Self-identity. Self and Society in the Late Modern Age*, Ed. Cambridge University Press 2006.

25. **GIEMULLA**, Elmar, WEBER, Ludwig, , *International and EU Aviation Law: Selected Issues*, Editura Kluwer Law International, 2011.

26. **GROTIUS**, Hugo, *De Jure Belli Ac Pacis (On The Laws of War and Peace)*, Ed. William S.Hein & Co., 1995.

27. **HALL**, William Edward, *A Treaties on International Law*, Ediţia a doua, Ed. Clarendon Press 1884

28. **HANQIN**, Xue, *Tranboundary damage in international law*, Ed. Cambridge Studies in International an Comparative Law, 2003.

29. **HUANG,** Jiefang, *Aviation Saftey through the Rule of Law – ICAO's Mechanism and Practices*, Ed.Wolters Kluwer, 2009.

30. **JONAS**, Hans, *Le principe responsabilite*, Ed. Champs Essais, 1990

31. **KANT**, Emannuel , *Fondements de la metaphysique de moeurs*, Ed. Le livre de Poche, Paris, 1993.

32. **KANT**, Emannuel, *Foundations of Metaphysics of Morals with Critical Essays*, Ed. Bobbs Merrill Co.,1969.

33. **KASER**, Max , *Ius gentium* ,Ed. Bohlau, Cologne, 1993

34. **KHEE-JIN-TAN**, Alan, *Global Anti-Terrorism Law and Policy - Recent developments relating to terrorism and aviation security* , Ed. Cambridge, 2005.

35. **KOVAL**, Josef , *Liability to Third Parties on the Surface in Air Law*, Disertatie Master, nepublicata, 1954.

36. **LELOUDAS**, George, *Risk and Liability in Air Law*, Ed. Informa, Londra, 2004.

37. **LIVIUS**, Titus (Livy), *The Romane Historie (The History of Rome),* Ed. J.M. Dent&Sons, Londra, 1924.

38. **LUPTON**, Deborah, *Risk*, Ed. Psychology Press, Londra, 2009

39. **MALANCZUK**, Peter, *Akehurst's Modern Introduction to International Law - 7th Edition,* Ed. Taylor and Francis e-Library 2002.

40. **MARQUARD**, Odo, *Philosophie des Stattdessen*, Ed. Reclam, Stuttgart, 2001

41. **MATTE MATEESCO**, Nicolas, *Tratat de drept aerian – aeronautic*, Editura Pedone şi Institutul şi Centrul de Drept Aerian şi Spaţial McGill, 1980.

42. **MILDE**, Michael, *International air law and ICAO*, second edition, Ed. Eleven Publishing, 2012.

43. **MOORE**, John Basset, *A Digest of International Law*, Washington Government Printing Office, 1906.

44. **MOORE**, John Basset, *History and Digest of the International Arbitrations to which the United States has been a Party*, Washington 1898-1906.

45. **MOSLER**, Hermann , *The international Society as a Legal Community*, Ed. Dordrecht 1980.

46. **MYTHEN**, Gabe,, *Ulrich Beck: A Critical Introdcution to the Risk Society*, Ed. Pluto Press, Londra 2004.

47. **NECHIFOR**, Adina, *Teză de doctorat – Răspunderea Statelor pentru Încălcarea Normelor Imperative ale Dreptului Internaţional*, nepublicată, 2011.

48. **Sir PHILIMORE**, Robert, *Commentaries upon International Law*,Ed. T. &J.W. Johnoson 1854 – 1861.

49. **POPA**, Nicolae, *Teoria Generală d Dreptului*, Editura C.H. Beck, 2008.

50. **POP**, Sorana Alina Catinca, *Lucrare de Disertaţie – Răspunderea Statelor pentru prejudicii cauzate de aeronave terţilor aflaţi la sol* - în cadrul programului de master de Drept Aerian şi Spaţial, Institutul de Drept Aeerian şi Spaţial, Universitatea McGill, Montreal, 2010, nepublicată.

51. **PUFENDORF**, Samuel, De *Jure Naturae et Gentium Libri Octo (Eight Books on Law of Nature and of People)*, Ed. Clarendon Press 1934

52. **RAMCHARAN**, Bertrand G. , *The Right to Life in International Law*, Ed. Dordrecht: Martinus Nijhoff, 1985.

53. **RAMCHARAN**, Bertrand G., *"Terrorism and Non-State Organizations", in Towards World Constititutionalism: Issues in the legal ordering of the world community*, Ed. Ronald St. John Macdonald& Douglas M. Johnston 2005.

54. **RUBIN**, Alfred P., *Ethics and Authority in International Law*, Cambridge Studies in International and Comparative Law, Ed. Cabridge University Press, 1997.

55. **SHAW**, Malcom N., *International Law - Fifth edition*, Ed. Cambridge University Press 2003.

56. **STEPHENS**, Tim, *International Courts and Environmental Protection,* Ed. Cambridge Studies in International and Comparative Law, 2009.

57. **TRIEPEL**, Heinrich, *Droit International et Droit Interne*, Ed. Pedone, Paris, 1920.

58. **VATTEL**, Emmerich, *The Law of Nations or the Principles of Natural Law (*1758) retipărită in 3 Classics of International Law 145 , 1916.

59. **VIRILIO**, Paul, *Pure War*, New York, N.Y. 1983.

60. **WHEATON,** Henry, *2 Elements of International Law: with a sketch of the history of the science* , Ed. Carey, Lea and Blanchard, 1836.

61. **WILLIAMS**, Arthur and HEINS, Richard, *Risk Management and Insurance*, New York 1971.

62. **WOLFF**, C., *Jus Gentium Methodo Scientifica Per.Tractatum (Argument on Scientific Methodology Regarding the Principles of Law Applicable to All People)*, Ed. William S. Hein&Co., 1995.

63. **ZOUCHE**, Richard, *An Exposition of Fecial Law and Procedure, or Law between Nations, and Questions Concerning the Same,* editată de Thomas Erskine Holland, 1911.

II. ARTICLES

1. **ABEYRATNE**, Ruwantissa, „The Events of 11 September 2001 – ICAO's Responses to the Security and Insurance Crises", Annals of Air and Space Law vol. XXVII, 2002.

2. **ABEYRATNE**, Ruwantissa, „The Unlawful Interferecnce Compensation Convention 2009 and Principles of State Responsibility", Annals of Air and Space Law, vol. XXXV-I, 2010.

3. **ALBERT,** Mathias, "From Defending Boundaries towards Managing Geographical Risks? Security in a Globalized World", Revista Geopolitics, nr .5, 2001.

4. **ALTHAUS**, Catherine, "A disciplinary persective on the epistemological status of risk", Risk Analysis nr. 25, 2005.

5. **AMADOR**, F.V. Garcia, "State Responsibility", 1956, 2Y.B. International Law Commission 1956.

6. **ANZILLOTTI**, Dionisio, "La Responsabilite Internationale des Etat:Raison des Dommages Soufferts par des Etrangers", Revue General de Droit Public, 1906.

7. **ARADAU**, Claudia and MUNSTER, Rens, "Governing terrorism through risk: Taking precautions, (un)knowing the future", European Journal of International Relations, 2007.

8. **BALFOUR,** John, "EC Aviation Scene", Air and Space Law, nr. 2/2003.

9. **BARNIDGE**, Robert P. Jr., "Non-State Actors and Terrorism", T.M.C. Asser Press, 2008.

10. **BECK**, Ulrich, „Critical Theory of World Risk Society: A Cosmopolitan Vision", Constelations Volume 16, Nr. 1, 2009.

11. **BRADBURY**, Judith, " The policy implications of differing concepts of risk", Science, Technology and Human Values, 2005.

12. **BRITTON**, Jarom , „Roads from Montreal do not lead to Rome: Crticism and Alternatives to the Draft Convention on Third Party Liability", Annals of Air and Space Law XXX, 2005.

13. **CAPLAN**, Harold, „Damage to Third Parties on the Ground Caused by Aircraft, Some Basic Issues of Plicy Which Re-merit Examination in the context of Modernization of the 1952 Rome Convention", Aide Memoire, nepublicat

14. **CHRISTENSON**, Gordon A., "Attributing Acts of Omission to the State", University of Concinnati - Faculty Articles and Other Publications, paper 171,1990.

15. **CHRISTOL**, Carl Q., "International Liability for Damage Caused by Space Objects", American Journal of International Law nr. 74, 1980.

16. **CONDORELLI**, Luigi, "The imputability to states of acts of international terrorism", Israel yearbook on human rights, 1989.

17. **CRENSHAW**, Martha, "The Causes of Terrorism", Comparative Politics, vol. 13, nr. 4, 1981.

18. **DEMPSEY**, Paul-Stephan, "Aviation piracy and terrorism: Unilateral and multilateral responses to aircraft hijacking", 2 Comn. Journal of International law, 1986-1987.

19. **DIXON**, L. şi **REVILLE**, R., „National security and private sector risk management for terrorism", Auerswald şi alţii, Seeds of Disaster, Ed. Cambridge University Press, 2006.

20. **DUPUY,** Pierre, "Due Diligence in the International law of Liability", OECD, Legal Aspects of Transfrontier Pollution, Paris 1977.

21. **DUPUY**, Pierre, "Reviewing the Difficulties of Codification: on Ago's Classification of the Obligations of Result in Relation to State Responsibility", European Journal of Interntional Law, 1999

22. **EAGLETON**, C. , "Measures of damages in international law", TheYale Journal, vol 39, nr. 1, 1929

23. **FEIGENSON**, Neil, "Emotions, risk perceptions and blaming in 9/11 cases", Brooklyn Law Review, 2002 -2003.

24. **FEREER**, Duane.W. , „A Convention Is Signed and ICAN is Born: 1919 to 1926", ICAo Bulletin 41, nr. 5, 1986.

25. **FITZMAURICE**, Gerald , „The General Principles of International Law", RdC 92 nr. II, 1957.

26. **FRANKLIN**, Mark , „Is a successful new convention on airline liability for surface damage achievable?", Air and Space Law Journal, 2006.

27. **GIDDENS**, Anthony , "Risk and responsibilty", Modern Law Review, Vol. 62, nr. 1, 1999

28. **GIGERENZER**, Gerd, "Out of the frying pan into the fire: behavioural reactions to terrorist attacks", Risk Analysis, vol. 26, nr. 2/2006.

29. **GILL**, Michael,"Scratching Beneath the Surface: The Unlawful Interference Convention 2009", From Lowlands to High Skies: A Multilevel Jurisdictional Approach Towards Air law, Essazs in Honour of John Balfour, Martinus Nijhoff Publishers, 2013.

30. **HEINMULLER**, Jens şi **LEMNITZER**, Martin J., „ Why do Europeans Fly Safer?The Politics of Airport Security in Europe and the US. „„ Terrorism and Political Violence, vol. 15, Nr. 4, 2003.

31. **HESSBRUEGGE**, Jan Arno, "The Historical Development of the Doctrines of Attribution and Due Dilligence in International Law, International Law and Politics, vol. 3, 2004.

32. **HOLZHEU**, Frank, "Institutionalized risk perception: An economic perspective", Risk is a Construct - Editura Bazerische Ruck 1993.

33. **HORLIK – JONES**, Tom, "Modern disasters as outrage and betrayal", International Journal of Mass emergencies and Disaster, 2003.

34. **HONG**, J.J, "How Far Can We See? Foreseeability, the Aviation Industry, and Future Terrorist Attacks", Contemporary Issues and Future Challanges in Air and Space law, Celebrating 25 years of IIASL, Liber Amicorum, ed. Airandspacebooks, 2011.

35. **JENKINS**, Brian M., "International Terrorism: A New Kind of Warfare", The Rand paper Series, 1974.

36. **JENNINSON**, Michael, „Rescuing the Rome Convention of 1952: Six Decades of Effort to Make a Workable Regime for Damage Cuased by Foreing Aircraft to Third Parties", Uniform Law Review , 2005.

37. **JINKS,** Derek, "State Responsibility for the Acts of Private Armed Groups", Chicago Journal of International Law, vol.4, 2003

38. **KARBER,** Philip A., "Responses to the September 11 Attacks:Re-constructing Global Aviation in an Era of the Civil Aircraft as a Weapon of Destruction", Harvard Journal of Law,2002.

39. **KJELLIN**, Henrik, „The new international regime for third party liability", Air and Space Law nr. 2, 2008

40. **KLSS**, Alexandre C., „"Tchernobâles" ou pollution accidentelle du Rhin par les produits chimiques", Annuaire francais de droit international, 1987.

41. **KOIVUROVA**, Timo, „Due Diligence", Max Planck Encyclopedia of Public International Law, Max Planck Institute for Comparative Public Law and International Law, Heidelberg and Oxford University Press, 2013.

42. **KOTAITE**, Assad, „Sovereignity under Great Pressure to Accommodate the Growing Need for Global Cooperation", ICAO Journal 50, nr. 10

43. **KUTZ**, Christopher, "Responsibility", The Oxford Handbook of Jurisprudence and Philosophy of Law, 2004.

44. **LAMMERS**, Johan G., "Commentary on Papers Presented by Charles Bourne and Alberto Szekely", Colorado Journal of International Environmental Law and Policy, 1992

45. **LENK**, Hans, „What is resposnibility?", Philosophy Now, Apr/May 2015, on-line la **https://philosophynow.org/issues/56/What_is_Responsibility**

46. **LOFARO**, Ronald J. & SMITH Kenneth M., „Rising Risk? Rising Safety? The Millenium of Air Travel", *Transportation Law Journal*, 1998.

47. **LILLICH**, Richard B. şi **PAXMAN**, John M., „State Responsibility for Injuries to Aliens Occasioned by Terrorist Activities", The American University La Review, vol. 26, nr. 2, 1977.

48. **LIPPMAN**, Matthew , "The New Terrorism and International Law", 10 Tulsa Journal of Comparative and International Law ,2003.

49. **MAZZAESCHI,** Riccardo Pisillo, "The Due Diligence Rule and the Nature of the International Responsibility of States", The Library of Essays in International Law, State Responsibility in International Law editat de Rene Provost, Dartmouth Publishing Company Ashgate Publishing Limited, 2002

50. **MILDE,** Michael, „The Problems of Liabilities in International Carriage by Air. A Study in Private International Air Law", Annals of Air and Space Law, 1999.

51. **MILDE**, Michael, „Liability fro damage caused by aircraft on the surface – past and current efforts to unify the law", 57 Zeitschrift fur Luft and Weltraumrecht, 2008.

52. MILDE, Michael, „Enforcement of Aviation Safety Standards – Problems of Safety Oversight", ZLW nr. 45, 1996

53. **MORTIMER**, L.F. , „New ICAO Rules Considered Long-Range Twin-Engine Aeroplane Flights", ICAO Bulletin 39, nr. 4, 1984.

54. **NETJASOV**, Fedja şi **JANIC**, Milan, „A Review of the Research on Risk and Safety Modelling in Civil Aviation", The International Conference on Research in AirTransport, Fairfax, VA, Iunie 2008.

55. **PAUST**, Jordan, „Self-Executing Treaties", American Journal of International Law nr. 82., 1988

56. **PAYANDEH,** Mehrdad, "With Great Power Comes Great Responsibility? The Concept of the Resposnobility To Protect Within the Process of International lawmaking", The Yale Journal of International Law, vol. 35, 2010.

57. **PETRAS**, C., „An Alternative Proposal to Modernize the Liability Regime for Surface Damage Caused by Aircraft to Address Damage Resulting From Hijackings or Other Unlawful Interference", Gonzaga Journal of International Law,2004

58. **PRITCHARD**, James, "The Journey of Wen-Amon to Phoenicia" în Textele Ancient Near East, Princeton University Press, 1969.

59. **PROULX**, Vincent-Joel, "Babysitting terrorists: should state be strictly liable for failing to prevent transborder attacks?", Berkley Journal of International Law, 2005

60. **PROVOST**, Rene, „*Reciprocity in Human Rights and Humanitarian Law*", British Yearbook pf International Law 65, 1994.

61. **RASMUSSEN**, Mikkel V., "Reflexive Security: NATO and International Risk Society", Millennium Journal of International Studies, 2001.

62. **REISMAN**, W.Michael, "Report Tenth Comission: Present Problems of the Use of Armed Force in International Law, Sub-Group on Humanitarian Intervention", 72 Annuaire de L'Institution de Dreoit International, 2007.

63. **ROBINS**, Kevin, „Into the Image: Culture and Politics in the Field of Vision", New York:Routledge 1996.

64. **SABA**, Hank „Quasi-Legislative Activities of the Specialized Agencies of the United Nations", Rdc 111, 1964.

65. **SIMMA**, Bruno, „*From Bilateralism to Community Interest in International Law*", RdC 217 nr. IV, 1994.

66. **SIMON**, Herbert, "A behavioral model of rational choice", Quarterly Journal of Economics, 1955.

67. **TVERSKY**, Amos and **KAHNEMAN**, Daniel, "Judgement under Uncertantitz:Heuristics and Biases", Science, New Series, Vol. 185, nr. 4157, 1974.

68. **WASSENBERGH**, Henri, „Safety in Air Transportation and Market Entry", *Air and Space Law 28*, no. 2, 1998.

69. **WEISS**, Edith Brown, "Invoking State Responsibility in the Twenty-First-Century", Georgetown Law facultz Publications and other Works, 2002.

70. **WOLFF**, Jonathan, "Risk, fear, blame, shame and the regulation of public safety", Economics and Philosophy, Cambridge University Press, 2006.

III. CONVENTIONS, DOCUMENTS,MINUTES OF THE MEETING

1. Convenţia privind aviaţia civilă internaţională, semnată la Chicago la 7 decembrie 1944

2. Convenţia privind Infracţiunile şi Alte Acte săvârşite la Bordul Aeronavei, semnată la Tokyo la 14 septembrie 1963

3. Convenţia pentru reprimarea caturării ilicite a aeronavelor" semnată la Haga la 16 decembrie 1970

4. Convenţia pentru reprimarea actelor ilicite împotriva siguranţei aviaţiei civile semnată la Montreal la 23 septembrie 1971

5. Convenţia pentru reprimarea actelor ilicite îndreptate împotriva aviaţiei civile semnată la Beijing la 10 septembrie 2010

6. Protocolul la Convenţia pentru reprimarea capturării ilicite a aeronavelor semnată semnat la Beijing la 10 septembrie 2010

7. Convenţia pentru marcarea explozibililor plastici în scopul detectării, semnată la Montreal la 1 martie 1991.

8. Convenţia pentru unificarea anumitor reguli privind compensarea pentru prejudicii produse de aeronave terţilor aflaţi la sol semnată la Roma în 1933

9. Convenţia pentru unificarea unor reguli privitoare la transportul aerian internaţional, semnată la Varşovia la 12 octombrie 1929

10. Protocol pentru amendarea Convenţie privind unificarea anumitor reguli în domeniul transportului aerian semnată la Varşovia în 1929, adoptat la Guatemala,la 8 martie 1971

11. Convenţia Consiliului Europei privind despăgubirea victimelor infracţiunilor violente, adoptată la Strasbourg la 24 noiembrie 1983

12. Convenţia Internaţională privind Răspunderea Civilă pentru prejudicii cauzate de Poluarea cu Petrol din 29 noiembrie 1969

13. Convenţia Europeană privind reprimarea actelor de terorism şi Declaraţia de la Bonn privind Capturarea ilicită de aeronave.

14. Convenţia privind despăgubirea terţilor aflaţi la sol pentru prejudicii cauzate de aeronave din riscuri generale, Montreal 2009

15. Convenţia privind despăgubirea terţilor aflaţi la sol pentru prejudicii cauzate de aeronave ca urmare a unor acte de intervenţie ilicită, Montreal 2009.

16. Convenţie privind răspundere internaţională pentru daunele cauzate de obiecte în spaţiul extraatmosferic 1972.

17. Regulamentul (CE) 300/2008 al Parlamentului European și al Consiliului privind norme comune în domeniul securității aviației civile și de abrogare a Regulamentului (CE) nr. 2320/2002

18. Regulamentul nr. 185/2010 al Comisiei de stabilire a măsurilor detaliate de implementare a standardelor de bază comune în domeniul securității aviației

19. Directiva 2004/80/CE a Consiliului din 29 aprilie 2004 privind despăgubirea victimelor infracţionalităţii

20. Proiectul de Articole privind Răspunderea Statelor pentru Acte Internaţionale Ilicite (Articles on Responsibility of States for Internationally Worngful Acts), adoptat de ILC la 9 august 2001.

21. Protocol relating to an Amendment to the Convention on International Civil Aviation, Article 3bis, ICAO Doc. 9436.

22. Tratatul cu privire la principiile care guvernează activitatea statelor în explorarea şi folosirea spaţiului extraatmosferic, inclusiv Luna şi celelalte corpuri cereşti din 27.01.1967.

23. Draft Article on Responsibility of States for Internationally Wrongful Acts, with commentaries - 2001, Report of the International Law Commission on the work of its fifty-third session, 2008

24. Report of the International Law Commission, 53rd Session, UN Doc. A/56/10 (2001).

25. Commentary on Article 7 of the Draft Articles on the Law of the Non-Navigational Uses of International Watercourses, Report of the ILC on the Work of its Forty Sixth Session, A/49/10.

26. Rapport de la CDI XXVI - eme session, 1974, Doc ONU A/9610/Rev.1.

27. Report of the International Law Commission, Fifty - third session, A/56/10

28. ILC Commentary 2001

29. *Reparation for Injuries Suffered in the Service of the United Nations, Advisory Opinion*, ICJ Reports (1949),

30. Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, Advisory Opinion, ICJ Report ,1951

31. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory,ICJ Report ,2004

32. Anexa 17 la Convenţia de Chicago – Securitate Aeronautică, ediţia 2014.

33. ICAO Working Paper AN- WP/7699, „Determination of Aviation Safety", Decembrie 2001.

34. ICAO Doc. 7670, *Resolutions and Recommendations of the Assembly 1st to 9th Sessions* (1947-1955), Montreal, Canada, 1956.

35. ICAO Working Paper, DGCA/97-IP/5, „Safety Oversight, An International Responsibility", 20 Octombrie 1997

36. ICAO Doc. 9416, C/1077, C-Min, Extraordinary, Minută 1983.

37. ICAO Doc. 8979 – LC/165-1, Volumul I, Minuta Conferinţei. 1971.

38. LC/33-WP/3-3, Draft Convention on Compensation for Damage Caused by Aircraft to Third Parties, in case of Unlawful Interference – Report of the Rapporteur.

39. Rezoluţia Adunării OACI A35 - 7, primul şi al doilea paragraf, Doc ICAO 9848, urmat de Rezoluţia A 36 - 2, Doc ICAO 9902.

40. DCCD Doc. No. 6-11/3/2009, "International Conference on Air Law", lucrare prezentată de Latin American Association for Aeronautical and Space Law – ALADA).

41. AT-WP/247, 7/12/51

42. High Level Conference – Protecting Civil Aviation Against Terrorism - Conclusions and Recommendations, 27 September 2011

43. ICAO Diplomatic Conference for the adoption of the 1952 Rome Convention, Vol I, Minutes, Thirty first meeting

44. ICAO Doc. C-WP/12003, Appendix 1

45. League of Nations Publication, L.N. Doc. C/75/M/69 V.Legal 1929

46. International Law Commission 122 UN Doc A/CN.4/106

47. ICAO 1952 Rome Convention, Minutes of the Eighth meeting, Vol.I

48. ICAO LC/33-WP/3-3.

49. ICAO LC/33-WP/3-5

50. Assembly Resolution A 1-31 – „*Definition of International Standardads and Recommended Practices*”

51. „Raport privind Investigarea şi Prevenirea Accidentelor”, AIG Divisional Meeting, OACI, 1999.

52. War Risk Eclusions, A35-WP/97, LE8,17/08/04.

53. ICAO Doc. 8979-LC/165-1, International Conference on Air Law, Haga, decembrie 1970.

54. ICAO, LC/35-WP/3-1

55. PCIJ, Seria A, Nr. 17, 1928

56. PCIJ Series A, Nr. 17, 1982

57. ICJ Reports 1997

58. ICJ Reports 2007

59. The Department of State, United States of America, Proceedings of the International Civil Aviation Conference, Vol. I (Washington: United States Government Printing Office, 1948)

60. Scrisoare datat 20 decembrie 2001, semnată de Reprezentanţii Marii Britanii, Franţei şi Statelor Unite ale Americii în cadrul ONU şi adresată Scretarului General al Organizaţiei.

61. Yearbook of the ILC vol. II, 1973

62. Assad Kotaite, prezentare oferită în calitate de invitat, masteranzilor în cadrul progamului Drept Aerian şi Spaţial, Institutul de Drept Aerian şi Spaţial, Universitatea McGill, Canada, 2010

63. Antiterrorism and Effcective Death Penalty Act (AEDPA) 1996

64. CFR part 1544, Title 49- Transportation, Subtitle B – Other regulations relating to transportation, Chapter XII – Transportation security administration, Department of Homeland security, Subchapter C – Civil Aviation Security, disponibil la http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr1544_main_02.tpl

65. ILA Study on Due Diligence i International Law, First Report, redactat de Duncan French and Tim Stephans, 7 Martie 2014, disponibil la http://www.ilahq.org/download.cfm/docid/EB075BB9-E130-4B48-99745A01E9E1E8FB**.**

66. Regulamentul Administraţiei Federale a Aviaţiei Civile privind Controlul Traficului Aerian

67. 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-Operation among States in Accordance with the Charter of the United Nations, G.A. Res. 2625, U.N. GAOR, 25th Sess., Supp. No. 28, at 76, U.N. Doc. A/8028

68. The American Law Institute, Restatement of the Law (Third), The Foreign Relations Law of the United States, St. Paul, American Law Institute Publishers, 1987

69. V.Poonoosamy, Report of the Rapporteur on the Modernization and Consolidation of the Warsaw System, LC/30-WP/4, Appendix A, at A-5, citat din Raportului celei de-a 57a Conferinţă a Asociaţiei de Drept Internaţional în Madrid.

70. Prezentarea Preşedintelui Consiliului OACI, Dr. Asad Kotaite, privind activitatea Consiliului în anii 1998,1999 şi 2000, precum si Raportul Suplimentar privind activitatea Consiliului OACi în primele şse luni ale anului 2001, prezentat în cadrul celei de-a 33 a Adunări Generale a Oragnizaţiei Aviaţiei Civile Internaţionale

71. „Flight Plan: Managing the Risks in Aviation Security", Review of the Canadian Air Transport Security Act, Report of the Advisory Panel, 2006

IV. JURISPRUDENCE

1. Alabama Claim Arbitration (United States vs. Great Britain) 1872

2. Aerial incident case, ICJ Reports, 1959

3. Aerial Incident at Lockerbie, Libya v. UK 1992

4. Aerial Incident at Lockerbie, Libya v. USA 1992

5. Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), ICJ Rep. 2007

6. Armed Activities on the Teritorry of the Congo (Congo vs. Uganda), 2005, ICJ

7. Barcelona Traction Light and Power Company, Limited (Belgium vs. Spain) Judgement, ICJ Reports 1970

8. British Caledonina Airways vs. Bond, 665, F.2d 1153, 1161 (D.C. Cir. 1981)

9. Corfu Channel Case (United Kingdom v. Albania);ICJ 1949

10. Compania Franceză de Căi Ferate Venuzuelene, 10 R.I.A.A.

11. France vs. Mexico 5 RIAA, 1929

12. France-New Zealand Arbitration Tribunal. 30 April 1990 - Rainbow Warrior

13. Great Britain v. Spain - 1924 - 2 R.I.A.A.

14. Gabcikovo - Nagymoros Project, ICJ Reports, 1997

15. Guille vs. Swan (cauză ce datează diin 1822), 19 Johns. 381 (N.Y. 1922).

16. Lockerbie Case,

17. Military and Paramilitary Activities In and Against Nicaragua (Nicar. v. U.S.), 27 iunie 1986 I.C.J.

18. Prosecutor v. Dusko Tadic, Case No. IT-94-1-A, I.C.T.Y., 1999.

19. Pulp Mills on the River Uruguay, Argentina vs. Urugay, Judegement, 2010, ICJ Reports

20. Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area (Seabed Dispute Chamber of the International Tribunal of the Law of the Sea, Case No. 17, 1 February 2011)

21. Sentinţa Arbitrală – Island of Palms Case, US vs. Netherlands, 1928, Reports of International Arbitral Awards 82

22. SS Lotus (France vs. Turkey) 1927 PCIJ (Ser. A) Nr. 10

23. Tehran Hostages Case (U.S. v. Iran), 24 mai 1980 I.C.J

24. William E. Chapman vs. United Mexican States, 24 octombrie 1930, UN Series, Volum IV.

IX. CONTENTS OF THE SUMMARY