

public interest. The extent to which airlines will be able to take advantage of technological progress in aviation, will depend upon the willingness of countries to exchange "freedom of the air" on a multilateral basis.

Another specific problem is that of liability. In 1965, the United States denounced certain provisions of the Warsaw Convention of 1929 limiting the liability of air carriers for personal injury or death of passengers in international air carriage. This denunciation was withdrawn last year when most of the world's major airlines entered into an agreement in which they accepted considerably increased limits of passenger liability. It would not seem advisable, however, that a matter of this nature, which is really one of governmental responsibility, should continue to function for too long as an agreement between carriers. It is time some fresh attempts were made to draft new protocols, perhaps introducing some flexibility in the amount of the limits of liability. I might mention that the draft convention on liability now under active consideration in the UN Legal Sub-Committee on Outer Space will probably adopt criteria of absolute liability for damage caused on earth or in the air space. Urgent thought should, therefore, be given by air lawyers as to how this may affect private international air law.

Still another problem which may require action internationally is that of integration. There is a growing tendency towards private arrangements for international co-operation. There are pooling arrangements, airline unions and various regional efforts at multilateralism, such as the Scandinavian Airlines System and Air Afrique and the proposed Air Union in Europe. The enormous cost of the next generation of aircraft will accelerate the merging process and, in turn, cause further difficulties in the negotiation of traffic rights, particularly if each of these new organizations considers its individual members to be one entity. Many bilateral agreements will become obsolete and require complicated renegotiation. On the brighter side, however, these same joint operational arrangements may well be regarded as useful precedents for future, far-reaching multilateral conventions.

The airplanes of the past will serve the common interests of the future no better than will the law of the past. Therefore, we must effect a breakthrough in legal attitudes every bit as impressive and functional as the everyday wonders in which we fly. More effort should be made by governmental policy makers, by the academic community and the legal fraternity, to insure that international civil aviation realizes its full potential for the economic and cultural development of our world.

There is a requirement for multilateral agreements regulating the scheduled commercial operation of international civil aviation. A serious attempt was made at Chicago in the International Air Transport Agreement and in the forthright proposal by Australia and New Zealand, supported I understand by France, of a plan for the internationalization of civil aviation. We should not, nor if the predictions are accurate can we, continue to say that the time is not yet ripe for such a development. Nevertheless, whatever international arrangements are made, they must ideally, be both fair and functional and allow