

ADR in the Aviation Sector and the sector of Tour Operators

Date: Friday 24th June

Location: VUB University Brussels (This conference will be held in English)

Outline:

Registration of participants (1pm)

Part 1: Passenger rights (1.30pm - 3pm)		
1.30pm	Air Passenger rights or wrongs (30 minutes)	Mia Wouters
2pm	Selected pitfalls and hard cases concerning air passenger rights and travelers rights (30 minutes)	Hans De Coninck
2.30pm	<i>Questions and answers</i>	

Coffee Break

Part 2: Package Travelling (3.30pm - 5pm)		
3.30pm	Package travelling: the tour operators duties in case of force majeure events (30 minutes)	Jos Speybrouck
4pm	Package Travel : alternative dispute resolution methods – the Belgian Travel Complaints Commission (30 minutes)	Anne Moriau
4.30pm	<i>Questions and answers</i>	

Part 3: What's new in Europe regarding passenger rights and package travelling?		
5pm	Ongoing initiatives and <i>lege ferendae</i> (45 minutes)	European Commission

Network cocktail (5.30pm - 6.30pm)

Topics:

1. Air passenger rights or wrongs (Mia Wouters)

Content: Overview of Air Passenger Rights available in Europe, with the accent on Regulation n° 261/2004 on compensation and assistance in the event of denied boarding, cancellation or long delays, and how the Regulation was interpreted by the European Courts of Justice.

2. Selected pitfalls and hard cases concerning air passenger rights and travelers rights (Hans De Coninck)

Content: The European consultations in 2010 by the European Commission on the Air Passenger Rights and on the current review of the Package Travel Directive learned that there is a need to update and widen the scope of these legislations, and to make them more coherent, complementary and better enforceable . These gaps and shortcomings will be illustrated by a number of examples and cases, in order to draw some proposals “*de lege ferenda*” .

3. Package travelling: the tour operators duties in case of force majeure events (Jos Speybrouck)

Content: The law on package holidays can be found in the European Directive on package travel and has been transposed in the law of each of the Member States. Basically, the directive makes a distinction between pre- and post departure problems. But in cases of force majeure events, these rules aren't always that easy to apply. This presentation will deal with questions about cancellation and delay in departure, the offer of a suitable alternative and repatriation, and the extra costs that come with it. An overview of the jurisprudence reveals that the answers given on these questions can vary among the member states.

4. Package travelling: alternative dispute resolution methods – the Belgian Travel Complaints Commission (Anne Moriau)

Introduction to the Belgian Travel Complaints Commission (Geschillencommissie Reizen /Commission de Litiges Voyages) and its 2 methods of alternative dispute resolution: Arbitration (since 1983) and Mediation (since 2004).

5. What's new in Europe regarding passenger rights and package travelling? (European Commission)

Ongoing initiatives and *lege ferendae*.

Registration & participant fee:

Regular participant fee: 121 euros

Reduced fee (students/ members of AIA/ members to official partners): 84 euros

(+ include registration form based on form for other conf)

Speakers:

1. Mia Wouters

Mia Wouters is a lawyer at LVP LAW, specialized in Air Transport; Professor University of Ghent, Air and Space law; Belgian judge to the European Nuclear Energy Tribunal in Paris under the OECD's Nuclear Energy Agency. She is also Director of the European Aviation Club, Vice-Chair Aviation Law Committee International Bar Association (IBA), Committee member Royal Aeronautical Society (RAeS) Brussels Branch; founding member International Aviation Women's Association (IAWA).



2. Hans De Coninck

Hans De Coninck, lawyer and economist, has been working for the Belgian Consumer Association/Test-Aankoop since 1974 (section Budget & Rights). He was founder of several arbitration schemes, including the Travel Arbitration Board in 1983. He was co-founder of the consumer law periodical DCCR (Droit de la Consommation-Consumentenrecht, currently edited by Larcier). Nowadays he is expert for Test-Aankoop and BEUC (Bureau des Unions de Consommateurs) in Tourism matters (package holidays, other travel services, international transport and timeshare), European contract law and enforcement matters (ADR, small claim procedures, injunctions and collective redress).



3. Jos Speybrouck

Jos Speybrouck is a lawyer and coordinates the Knowledge Centre for Travellaw in Bruges (Kenniscentrum Reisrecht KHBO). He is president of an arbitration board of the Travel Complaint Commission and a member of IFFTA (International Federation of Travel Advocates). You can find some of his publications (in Dutch) on the website of his publisher: Academia Press in Ghent.



4. Anne MORIAU

Anne Moriau is legal advisor of the Belgian Consumer Organization Test-Aankoop/Test-Achats since 1991. She is also President of the Geschillencommissie Reizen/Commission de Litiges Voyages, since 2004.

