ABSTRACT

The passengers’ disadvantages of loss, destroyed, and/ or damaged of airplane baggage are liability of the airline, due the arrangement of carriage agreement between the airline and passengers as consumers. The airline’s liability due to loss, destroyed, and/ or damaged of passengers’ goods in airplane baggage is strict liability. The airline has the responsibility to compensate passengers for the loss, destroyed, and/ or damaged passengers’ goods. Nevertheless, the airline’s liability is limited by legislation. Legal protection which consumers can afford divided into two: by litigation or non-litigation. The legal fundament proposed by consumers is classified into two types, first is claim of wanprestatie and second is claim of against the law-action based. In the practice, consumers dispute between airline and consumers who were disadvantaged by loss, destroyed, and/or damaged of passengers’ goods in airplane baggage can be resolved through reconciliation and compensation based on consensus of two parties, which the amount of the compensation is usually fewer compare to amount of real disadvantages endured by consumers.

Key Word : Legal Protection – Consumers’ Disadvantages – Airplane Baggage