

ABSTRACT

CARRIER'S LIABILITY TO THE PASSENGER IN AIRCRAFT ACCIDENT ON DOMESTIC FLIGHT

Dissertation research is intended to conduct in-depth study on air carrier liability for passengers in a plane crash on domestic flights. Issues raised in this study were: (1) the nature of liability as a means of recovery from the carrier aircraft accident (2) development of legal principles that background air carrier liability provisions in international and national law (3) the principle of equilibrium positions of the parties in compensation settlement of airplane accident on domestic flights.

The approach used in this study is the Statute of approach, conceptual approach and the comparative approach. From the study carried out in depth can be concluded that: (1) tort liability placed not only in a narrow perspective in its function to compensate for passengers who suffered material losses, but viewed in the broader perspective of social liability as a form of transport which has led to losses for individuals and society. (2) limits embarkation began boarding passengers on the order and under the supervision of air carriers and end up with at the time of disembarkation of passengers to enter the gate at the destination airport. (3) the loss is a condition of the air carrier liability for passengers. (4) The principle of liability carrier contained in Law No. 1 of 2009 is ambiguous, because on one hand the principle of strict liability, but on the other hand requires that victims who suffered losses to demanding their rights through the courts. (5) The principle of strict liability must be separated from its use with the principle of absolute liability because there is a sharp distinction between the two. (6) For the settlement of airplane accident damages caused by deliberate or an error factor of the air carrier Flight settled by the Court.

Key words: liability, accident, aircraft, domestic.