

**PRESENTATION OF EALA LIFETIME ACHIEVEMENT AWARD
to
HAROLD CAPLAN**

The Hague, 6th November 2009

Nikolai Ehlers:

It is an honour for me and a very great pleasure to announce that the Committee of Management of EALA has decided to confer the Association's first Lifetime Achievement Award upon Mr. Harold Caplan in recognition of his work and outstanding contributions to the field of European and international air law. This was a unanimous decision of the Committee that was taken without any debate.

I cannot imagine that there is anybody in this room who does not know Harold – either personally or through his writings. However, he has been an aviation lawyer for longer than most if not all of us and he has started to write on air law topics at a time when many of us were not even born yet:

Therefore we think that this is a good occasion to tell you why it was such an easy decision for the Committee to give EALA's first Lifetime Achievement Award to Harold Caplan.

Let me give you just 3 reasons:

#1

As we all remember well as a historic fact 20 years ago in 1989 the Berlin Wall came down – but at that time Harold's earliest published air law article, one on aircraft accident investigations, was already 34 years old! This paper, published in the Journal of the Royal Aeronautical Society was already awarded the Pilcher Memorial Prize for the most valuable paper read by a Graduate or Student.

That paper is item #1 on Harold's list of publications that will be distributed to you later. This list ends with item # 105, a contribution to the 2009 McGill Annals of Air and Space Law. The article discusses "Worldwide Safety of Civil Aviation". When one studies Harold's publications list one cannot help saying that EALA is not the right organisation to honour Harold, because EALA's activities are confined to

E(uropean)
A(ir)
L(aw)

Harold's field is much wider than that: his geographic scope is global, he has ventured into outer space and he analyzes and discusses issues that take him well beyond the law.

It is not only the breadth, though, but even more so the depth of his analysis and the sharpness of his thinking that warrants this prize.

2

When Harold was informed about this prize, he very modestly said: "I have not achieved anything." Not true – and there are many witnesses in this room that can testify that this is not true. Your writings have not only led to the formation of the Air Law Group of the Royal Aeronautical Society as an example, your writings have exercised a significant influence on

at least one if not more generations of aviation lawyers. George Tompkins, who is with us today, points out the role you have played, for instance, behind the scenes in bringing about the reform of the Warsaw System by working with him towards the Japanese initiative that initiated the Warsaw reform and with others like Prof. Bin Cheng or your late friend Lee Kreidler. In George's view the Japanese saying applies to you: "A voice of reason behind the curtain" and he adds that your's is also "a voice of reason in front of the curtain" when it comes to opposing the new terrorist Convention, and I can attest to that because of the passionate plea against the terrorist Convention you made in Montreal last week. And that leads to

3

Passion for the field of aviation law. You have it.

Retirement could not stop you. You have even retired twice – and you are still here. Sickness could not stop you. You are driven by a remarkable curiosity and interest in aviation law. You truly are an aviation lawyer's aviation lawyer. If there is someone who deserves EALA's Lifetime Achievement Award, it is you.

Let me add that there were 2 reasons that allowed Harold to achieve what he has achieved: #1: According to his CV his interest in sports is NIL. And reason #2 is in this room: It is Harold's wonderful wife Isabel.

Harold, may I now ask you and our President to come up here so that we can hand over the regalia to you.