

TRANSPORTATION LAW JOURNAL

INDUSTRY LEADER IN MULTI-MODAL LAW, ECONOMICS & POLICY

UNIVERSITY OF DENVER • COLLEGE OF LAW

ARTICLES

The ICAO Assembly: The Most Unsupreme of Supreme
Organs in the United Nations System? A Critical
Analysis of Assembly Sessions

Peter Ateh-Afac Fossungu

Measuring the Degrees of Operating, Financial and
Combined Leverage for the Major U.S. Air Carriers:
1979-1995

*Richard D. Gritta
Edward J. Freed
Garland Chow*

1998 HAROLD A SHERTZ ESSAY AWARD WINNERS

First Place

Economic Analysis of the Allocation of Liability for
Cargo Damage: The Case for the Carrier, or Is It?

David S. Peck

Second Place

Canadian Perspectives in the Impact of the CMI Rules
for Electronic Bills of Lading on the Liability of the
Carrier Towards the Endorsee

Jocelyn Dube

COMMENT

Viability of a Sustainable and Feasible National
Transportation System

Cynthia J. McNabb

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UNIVERSITY OF DENVER COLLEGE OF LAW
TRANSPORTATION LAW JOURNAL

The *Transportation Law Journal* is a major professional publication in the field of transportation law, and is dedicated to maintaining its position as a valuable working tool for the practicing bar, government, and the academic community. It addresses both domestic and international developments of legal, regulatory, economic and political interest in all modes of transportation—aviation/airports, motor, rail, maritime, aerospace, and pipelines, freight forwarders, and brokers.

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The evolution of public policy in transportation, moving from regulation to deregulation, has made the practice of transportation law a dynamic, challenging arena, integrating principles of law and economics. The transformation of the regulatory landscape creates new opportunities for lawyers as transportation firms transform themselves into lean and aggressive market driven companies.

Few industries offer a young lawyer such a dynamic landscape of shifting law and policy, one filled with challenge and opportunity. The pages of the *Transportation Law Journal* reflects these dynamics.

The University of Denver's Transportation Law Program is the premiere such program in the United States. If transportation law is what you want to do, the University of Denver is the place to do it. If you are a prospective law student, write me, and ask for our catalog.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Stephen Dempsey".

Paul Stephen Dempsey
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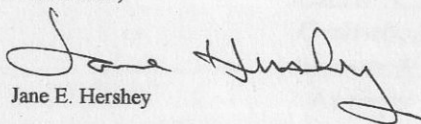
As my tenure as Editor-in-Chief comes to an end, I would like to thank the outgoing Editorial Board of the Transportation Law Journal ("TLJ") for all of their hard work and dedication and welcome the new Editorial Board of the TLJ lead by Kevin Ahearn, Editor-in-Chief. Kevin has a great deal of experience with the TLJ, working as a General Editor and subsequently as a Articles Editor. He brings great enthusiasm to the TLJ. I wish him and the new Editorial Board great success as they embark on a new and exciting year with the TLJ.

I would also like to apologize to you for the significant delays we experienced in the publication of Volume 25. While I believe that we continued the tradition of giving you quality issues with thought provoking articles, we did experience unprecedented delays in the publication process. I know that Kevin and the new Editorial Board will strive to prevent these delays from occurring again, putting in place new policies and procedures to ensure the on-time delivery of the TLJ to you.

Thank you for your continued support and patience. We struggle, with every issue, to give you new and different articles. However, our success depends upon you. I urge you to continue to share your comments, suggestions and articles with the TLJ.

It has been a wonderful year! Thank you!

Best Wishes,


Jane E. Hershey



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Dear Subscriber:

It is with great pride that I assume the reigns of the Transportation Law Journal ("TLJ") as the new Editor-in-Chief for Volume 26. The TLJ has grown into the world's most prestigious forum for scholarly and practical debate surrounding multi-modal transportation issues and the law. My editorial board and I will work diligently to uphold this celebrated tradition and ensure that each issue of the TLJ is better than the last.

This diverse issue of the TLJ has provided our staff with a challenging array of articles and focuses on the ICAO Assembly and measuring risk for air carriers. The TLJ also has the pleasure of publishing the first and second place winners from the Harold A. Shertz Essay Contest, with a focus on cargo damage liability and Canadian perspectives regarding CMI rules for electronic bills of lading. Finally, this issue concludes with an insightful student comment from one of our own staff members, Cynthia J. McNabb, regarding a sustainable national transportation system. I hope this exciting collection of articles exceeds your expectations.

As my editorial board and I assume control of the TLJ, we must regretfully say good-bye to Jane Hershey and the 1997/98 editorial board. Without their continued assistance and dedication, the TLJ would not have maintained its stature as the preeminent journal of its kind in the world.

I would also like to thank the Transportation Lawyers Association and the American Association of Airport Executives for their continued support of the TLJ. Our relationship with these "working partners" allows the TLJ access to many opportunities that would otherwise be unavailable.

As always, our goal is to continue moving the TLJ forward with fresh ideas and cutting-edge articles. For example, the TLJ is planning to publish a symposium issue this summer focusing on the current legal issues facing the railroad industry. Attaining our goal would not be possible without feedback and support from our subscribers. Please feel free to contact me with your comments and suggestions.

Thank you for your continued support of the TLJ. I look forward to sharing an exciting year with you!

Sincerely,

Kevin P. Ahearn
Editor-in-Chief