

Lecture 2, week 27 Aviation Law is the branch of law that concerns flight, air travel and associated legal and business concerns

- o International (predominantly) and national
- o Public and private
- o Technical and commercial
- o Often very detailed, like a checklist, quite difficult to understand (even for lawyers!)
- o Inspired by legal solutions in other domains rather than innovative (pragmatic approach)

General Sources of Aviation Law –International multilateral treaties (e.g. Chicago Convention)?–General principles of international law?–Bilateral/multilateral air services agreements?–International technical standards, recommended practices (SARPs) and procedures –National laws and regulations in the field of civil aviation

Categories of International Aviation Law

1. Multilateral agreements – between 3 or more States.
 - ? 1920s – Qantas (Australia) 1920, Czech Airlines (Czechoslovakia) 1923, Lufthansa (Germany) 1926, Iberia (Spain), Pan American World Airways (USA) 1927
 - 1919: The International Air Traffic Association (the first private organization of air carriers with six European airlines)– the precursor to the International Air Transport Association (IATA), which was created in 1945. included 43 legal articles that outlined agreements on technical, operational, and ?organizational aspects of civil aviation.
 - 1919 Paris Convention Grew out of the Paris Peace Conference: The Convention Relating to the Regulation of Aerial Navigations signed by 27 out of the 38 States on 13 October 1919
 - The first multilateral instrument of international aviation law
 - ? World Wars I & II and Aviation 1919–1930s: The development of international aviation industry
 - ? 1919 – The first scheduled international passenger flight, KLM (Netherlands), Avianca (Columbia)
 - ? Legal jurisdictional issues – that is the scope of the legal authority of a state or body – when conflicts or ambiguities arise between the laws of different states with respect to aviation activities.
 - ? The International Commission for Air Navigation (ICAN) was created with responsibility for managing and creating new aviation regulation as necessary.
2. Bilateral agreements – between 2 States. ???????????