**INTERNATIONAL AIR LAW**

**Lecturer: Dr. Attila Sipos** LL.M., PhD. – International air lawyer

**PLEASE DO NOT REGISTER FOR THIS COURSE TOGETHER WITH THE AEROSPACE COURSE!**

**Course description**

Civil aviation is one of the fastest and constantly growing industry. The technical, political, economic and legal complexity of civil and military aviation will be the subject of the lecture. The course will also focus on the most important part of the system: Safety. Safety has paramount importance, it is top priority and it can never be compromised, and exactly this is the reason why the aviation industry is one of the most regulated one.

Aviation law is branch of law. It contains plenty of multilateral or bilateral cooperation between governmental or non-governmental parties and it is rich in international, supranational and national judicial instruments. Aviation law helps us understand the fundamental challenges of international law such as sovereignty, jurisdiction, nationality, responsibility, conflicts of laws, diplomatic relationships, regime of liability, etc.

During the lecture we will go through many air law cases and carefully examine the two main legal Conventions, namely the Convention on International Civil Aviation, signed at Chicago on 7 December 1944 and Convention for the Unification on Certain Rules for International carriage by air Montreal Convention 1999.

The main goal of the lecture is very simple: if you travel by aircraft (airplane, helicopter, glider, airship etc.) you have to know all legal aspects of passenger rights, liability issues, you have to be aware of the rules if an accident or incident happens and you must understand how the Contracting States are functioning and creating legal solutions for those situations where several jurisdictions are concerned.

I believe that the knowledge of international law is vital important for your future success. Maybe you will not become an air lawyer at the end of the semester, but you will surely know how to eliminate the conflicts of laws, how to navigate within international contracts and how to handle the different legal relationships during your international flight.

**Course outline**

The lecture will be divided into two parts: public and private international air law.

During the lecture we will go through many air law cases and carefully examine the two main legal Conventions, namely the Convention on International Civil Aviation, signed at Chicago on 7 December 1944 (public air law) and Convention for the Unification on Certain Rules for International carriage by air Montreal Convention 1999 (private air law).

Each student will present one legal case

|  |  |
| --- | --- |
|  **First week** | Introduction of the civil aviation industry |
| **I. part /Public Air Law/** | **Chicago Convention** (basic) |
| (2-7 weeks) | International and national airspace |
|  | Civil and state aircraft |
|  | Flight over territory of contracting States |
|  | Safety and security |
|  | International Civil Aviation Organization (ICAO) |
| **II. part /Private Air Law/** | **Montreal Convention** (basic) |
|  (8-12 weeks) | Second and Third party liability |
|  | Scope of application |
|  | Accident (death and injury of passengers)  |
|  | Liability regime |
|  **Last week** | **Examination** |

**Sources of law**

* Convention on International Civil Aviation (1944);
* International Air Services Transit Agreement (1944);
* Convention for the Unification on Certain Rules for International carriage by air (1999).

**Course Assessment**

The exam will be ‘open book’ which means that you can use your written materials, books and computer as well. It is guaranteed that if you follow the course and you are actively participating, it will be a great journey without flying. Creative ideas and thoughts are welcome. Contribution is the key of your success.

Please never forget, the “really good jurist knows everything and something more.”

**Reading material**

Peter, P. C. Haanappel: The Law and Policy of Air Space and Outer Space. Kluwer Law International, The Hague, 2003.