

NIRMA UNIVERSITY
Institute of Law
B.A., LL. B (Hons) and B. Com., LL. B (Hons) Programmes
Academic Year - 2018-19
Institute Elective

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Course Code	2IE1024
Course Title	Air and Space Law

Course Learning Outcomes (CLO):

At the end of the course, students will be able to -

1. Understand key concepts underlying air and Space law.
2. Evaluate improvements, discern ambiguities and identify contradictions in the various Conventions ;
3. Analyse and appraise policies and practices relating to Air and Space at the international and national levels;

Syllabus:

Contact Hours: 60

Air law

Unit: I

10 Hours

- 1.1 Definition, Nature, Scope and Sources of Air law
- 1.2 Development of Air Law,
- 1.3 Paris Convention 1910,
- 1.4 Paris Convention 1919,
- 1.5 Madrid Convention 1926,
- 1.6 Havana Convention 1926, and 1928.
- 1.7 Warsaw and Chicago Convention 1944.

Unit: II Regulation

5 Hours

- 2.1 Freedom of the air and sovereignty in the air
- 2.2 Regional Mechanism
- 2.3 National Mechanism
- 2.4 New Development in India.

Unit: III Bilateralism and Multilateralism

5 Hours

- 3.1 Concept of bilateralism
- 3.2 Views of multilateralism
- 3.3 Merits and demerits
- 3.4 Regionalism in civil aviation
- 3.5 India and Bilateral Agreements

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Unit: IV Safety and Security in Civil Aviation

5 Hours

- 4.1 The concept
- 4.2 Aviation terrorism
- 4.3 International norms: conventions, protocols and regulations
- 4.4 Regulations in India
- 4.5 Air safety provisions.
- 4.6 Air Traffic Management
 - 4.6.1 Legal regime of air and outer space
 - 4.6.2 Problems of application of air, space and telecommunication law
 - 4.6.3 State obligation to provide air navigation services
 - 4.6.4 Sovereign rights of states

Unit: V New Developments in India

8 Hours

- 5.1 Technology Developments and problems in civil Aviation
- 5.2 Airports: Leasing and Privatisation—Legal Issues
- 5.3 Changing Global Trends
 - 5.3.1 Globalization, de-regulation and liberation in international civil aviation: infra-structural problems of air port
 - 5.3.2 Private involvement in ownership, operation and management of airports
 - 5.3.3 International regulatory framework.

Unit: VI Air Cargo

5 Hours

- 6.1 International conventions and regulations
- 6.2 Protection of Cultural Property and the Natural Environment.
- 6.3 Rights and privileges of Air passengers
 - 6.3.1 Consumer protection in civil aviation
 - 6.3.2 Liability for death, injury and delay
 - 6.3.3 Global trends
 - 6.3.4 Indian law
- 6.4 Settlement of Aviation Related Disputes
 - 6.4.1 General Principles
 - 6.4.2 Role of ICAO and ICJ
 - 6.4.3 Arbitration
 - 6.4.4 Settlement under municipal law

Space Law

Unit: VII India and Space Law

5 Hours

- 7.1 Definition, nature, scope, development and sources of space law
- 7.2 India and Space Law
 - 7.2.1 Contribution to development of international Law
 - 7.2.2 Organization of space activities: DOS, ISRO
 - 7.2.3 Space policy
 - 7.2.4 Need for the law in the country

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Unit: VIII UN and outer Space 8 Hours

- 8.1 Space technology: establishment of COPUOS
- 8.2 International co-operation for peaceful use
- 8.3 Development by General assembly Resolutions
- 8.4 UN space Treaties: Strengths and Needs.
- 8.5 Development of Law by treaties:
 - 8.5.1 The space treaty 1967
 - 8.5.2 The rescue agreements 1968
 - 8.5.3 The liability convention 1975
 - 8.5.4 The registration convention 1975
 - 8.5.5 The moon treaty 1979
 - 8.5.6 Partial test ban treaty 1963
 - 8.5.7 Weather modification convention 1977

Unit: IX Organizations and Space Activities 3 Hours

- 9.1 International, Inter governmental, Non-governmental Organizations And space activities
- 9.2 Bilateral Agreements in Space Activity
 - 9.2.1 Liability
 - 9.2.2 Satellite broadcasting
 - 9.2.3 Space based observation; monitoring remote sensing tracking telemetry and Communications.

Unit: X Use of Space Technology 4 Hours

- 10.1 Peaceful and non-peaceful
- 10.2 Remote sensing
- 10.3 Environment protection
- 10.4 Disaster prediction, warning and mitigation
- 10.5 Management of earth resources
- 10.6 Satellite navigation and location
- 10.7 Space communication
- 10.8 Commercialization of Space Activities
 - 10.8.1 Public and Private Sector activities
 - 10.8.2 Industry-government Partnership
 - 10.8.3 IPR

Unit: XI Dispute Settlement 2 Hours

Suggested Readings:

1. Azbeyratne, RIR. (1996). *Legal and Regulatory Issues in International Aviation*. New York: Transnational Publishers.
2. Bhatt, S. Et.al (ed). (2008). *Air Law and Policy in India*. New Delhi: Lancers Books.
3. Mani, V.S., et.al, (ed) (1997). *Recent Trends in International Space and Policy*. New Delhi: Lancers Books.