



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

SEMESTER – II

LL.M.

PAPER CODE – LM-209

COURSE TITLE – AIR & SPACE LAW

CREDITS - 02

Overview of the Course

The Air and Space Law is a specialisation paper offered to the LL.M. students who have opted International Law Specialisation. The paper discusses the historical evolution and the contemporary issues in the law related to air and space. The paper is more discussion oriented and tries to dwell deeper into how the laws can be formulated or how the existing laws can be applied to the outer space. Further, the paper also discusses the applicability and the framework of international law in fostering the evolution of laws related to air and outer space. International instruments are used specifically as reference materials to discuss the ongoing discussions and the developments made hitherto in the air and space law.

Course Learning Outcomes –

1. To discuss the fundamentals of air and outer space law.
2. To discuss the contemporary developments in air and outer space law.
3. To discuss the international framework in the regulation of air and outer space.
4. To discuss the principles in the international instruments on regulation of air and outer space.
5. To discuss the regulatory framework at the national level for the air and outer space.

MODULE – 1

FUNDAMENTALS OF AIR LAW

This module introduces to the students the nature and scope of air law and discussing the international framework in this regard. It also delineates the organisations responsible for the effective implementation of laws related to air.

- 1.1. Nature and Scope of Air Law
- 1.2. Implementation and Development of Aviation Law in USA, UK, & EU
- 1.3. Freedom of Air Space and Sovereignty in Air
- 1.4. International Framework for Aviation Liability
- 1.5. International Civil Aviation Organization (ICAO) – Role and Structure

Dean Academic Affairs,
H.P. National Law University
Shimla - 171014

MODULE – 2**AVIATION LAWS AND REGULATORY FRAMEWORK IN INDIA**

This module is dedicated to the national framework and legal developments in the air law. It discusses the safety and security regulations while also discussing the nature and ambit of pollution in the air.

- 2.1 Governance of Civil Aviation in India
- 2.2 Safety and Security regulations for preventing Aviation Terrorism & Aircraft Hijacking.
- 2.3 Aviation Liability
- 2.4 Aviation Air Pollution – Laws and Regulatory Framework
- 2.5 Civil Aviation and Contemporary Issues in India

MODULE – 3**FUNDAMENTALS OF SPACE LAW**

This module discusses the fundamental elements of the space law and the scope, ambit, and principles involved in the implementation of outer space law. It introduces the fundamental elements of the how outer space can be regulated and further discusses the approach towards using the outer space in the form of a property owned by the mankind. It also discusses the provisions of the international instrument related to launch and registration of vehicles in the outer space.

- 3.1 Definition, Concept, and Scope of Outer Space and Outer Space Law
- 3.2 Legality of & Principles involved in Outer Space Regulation
- 3.3 International Developments and Framework of Outer Space Law
- 3.4 Outer Space Treaty - Concepts, Provisions and Applicability
- 3.5 Objects in Outer Space - Launch and Regulation

MODULE – 4**INTERNATIONAL AND MUNICIPAL REGULATIONS OF SPACE**

This module can be divided into two parts, first where it discusses about the international framework related to the celestial bodies and second, where it discusses the municipal laws which are still evolving for the cooperative usage of the outer space. This module also encompasses the dispute settlement mechanism which maybe adopted for dealing with the issues that might crop in the future in the use of cyberspace by nations across the globe.

- 4.1 Moon Treaty & Developments in Outer Space Law.
- 4.2 Damage Caused by Space Objects and Liability - International Regulatory Framework.
- 4.3 Municipal Regulations on Space Law - US, UK, Australian, and Indian Framework.
- 4.4 International & National Organisations Regulating the Space.
- 4.5 Air & Space Dispute Settlement Mechanism.

Prescribed Instruments and Documents

The Chicago Convention of 1944
 Warsaw Convention 1929
 Tokyo convention 1963
 Montreal Convention 1971
 Montreal Protocol, 1978
 Aircraft Act, 1934 and Aircraft Rules, 1937
 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1967
 Convention on Registration of Objects Launched into Outer Space, 1974
 Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (Moon Treaty), 1979
 UNGA Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, 1962

Books

Balakista, V. B Reddy, Air Law and Policy in India, A P H Publication Corporations
 Singh Avtar, Law of carriage: air, land and sea, Eastern Book Company.
 Bhatt, Saligram Aviation Environment and World Over, A P H Publication Corporations
 Huang, J. Aviation safety through the rule of law: ICAO'S mechanisms and practices, Kluwer Law International, 2009


 Dean Academic Affairs,
 H.P. National Law University
 Shimla - 171014