Report of the International Symposium on

Aviation Law and Practice



On 7 October 2023 the Centre of Aviation and Space Laws (NUJS Kolkata) in collaboration with the Centre for Research in Air and Space Law (MNLU Mumbai) and the V.S. Mani Centre for Air and Space Law (GNLU Gujarat) has jointly hosted the International Symposium on Aviation Law and Practice. This event marked the beginning of a unique collaboration between three distinguished centres working in the field of aviation and space laws in India. Hon'ble Justice Ujjal Bhuyan Judge, Supreme Court of India, was present as the Chief Guest of the event. He inaugurated the symposium by lighting the lamp.

The symposium began with a welcome address delivered by Mr. Adithya A. Variath, Coordinator of the CRASL, MNLU Mumbai. This was followed by the launch of the book titled 'A Handbook on International Aviation Law', which is edited by Prof. (Dr.) Sandeepa Bhat, Prof. (Dr.) Dilip Ukey and Mr. Adithya A. Variath. This book is again a joint project of the two universities and eminent scholars from different part of the world have contributed to

this book. This is a comprehensive book that covers every critical aspect of international aviation law encompassing public, private and penal laws in the aviation sector.

After the book launch, Prof. (Dr.) Sandeepa Bhat, the Director of CASL, delivered the Special address on the conceptual difference between the basic philosophy of aviation law and outer space law. He highlighted the need for considering them as two separate domains, and accordingly, he justified the plans of having two separate international events as well as separate books on these two disciplines as part of joint endeavours of NUJS Kolkata and MNLU Mumbai. While outlining the details of the aviation law handbook, he also informed the audience that a handbook on space law is in the process of publication by the Oxford University Press. After this, the keynote address was delivered by the Guest of Honour Prof. (Dr.) Shanthakumar, Vice Chancellor, GNLU Gujarat, on employment opportunities in the blooming aviation industry. He also mentioned about the very recent incidents of GPS spamming causing disappearance of almost 20 civilian aircrafts over the territory of Iran and highlighted the need of having more efficient legal framework in order to deal with the rapidly growing technology. Subsequently, a detailed yet succinct presidential address was delivered by Prof. (Dr.) Dilip Ukey, Vice-Chancellor of MNLU, Mumbai. Dr. Ukey in his speech discussed few important points about the newly launched book. The session ended with the extremely valuable Chief Guest's address delivered by Hon'ble Justice Ujjal Bhuyan. Justice Bhuyan impressed the audience by highlighting the need for establishing legal scholarship in the domains of aviation and space laws.

Dr. Jesscia Los Banos, Faculty of Law, Universitas Pelita Harapan, Indonesia, started the first technical session by speaking on the need of having more clarity on the air passengers' rights especially related to frequent cancellation or rescheduling of flights. This was followed by Prof. Sandeepa Bhat's presentation on 'Debunking the Indian Fallacy of the Cape Town System'. He enlightened the attendees with his opinion on critical aspects of aviation financing and also the challenges faced by overseas aviation financiers in India especially due to the Indian failure to comprehend its obligations under the Cape Town Convention. Mr. Kiran Mohan Vazhapully, Senior Legal Officer, Asian-African Legal Consultative Organisation, was the next speaker who explained in details the impact of the aviation industry on the environment and the efficacy of carbon offset programmes. Another very significant topic connected with passengers' rights was covered by Prof. (Dr.) Gurbachan Sachdeva, Adjunct Professor of Law, NASLAR University Hyderabad, right after the presentation of Mr. Kiran Mohan. Prof. Sachdeva presented on the new interpretation of

the term ‘on-board’ while fixing carriers’ liability. This technical session ended with the presentation of Dr. Benarji Chakka, Dean and Professor, VIT AP, School of Law. He presented on the international legal and regulatory issues of Unmanned Aerial Vehicle.

The parallel technical sessions started post lunch break. Eminent speakers, academicians, industry experts, lawyers, researchers and many other participated and presented their views. Some of the prominent names are Prof. Paul Fitzgerald (Adjunct Professor, Institute of Air and Space Law, McGill University), Prof. (Dr.) Balakista Reddy (Former Registrar and Head of Centre for Aerospace and Defence Law, NALSAR University, Hyderabad), Dr. Aruna Kammila (Associate Professor, ICFAI Law School, ICFAI University), Dr. Divya Tyagi (Head of VS Mani Centre for Air and Space Law, GNLU Gujarat), Dr. Deva Prasad M. (Associate Professor, IIM Kozhikode), Nitin Sarin (Managing Partner, Sarin & co.), Syed Tamjeed Ahmed (Co-Managing Partner of Spaviatech Law), Rishiraj Baruah (Senioir Associate, AZB & Partners), and Mr. Harsha N. (Assistant Professor, NLSIU Bangalore). In these technical sessions significant issues like passenger rights, aviation environmental impact, aircraft financing, enhancement of safety, drone regulations, security issues, bilateral air service agreements and dealing with unruly passengers were discussed by the speakers.

Each presentation at this symposium was unique, and each participant gained an in-depth understanding of many aspects of international as well as domestic aviation laws. Every session included a dedicated fifteen-minute question and answer period, which were highly engaging and fruitful. While the quality of questions showed the interest of participants, the responses of resource persons provided an insight into their in-depth knowledge in the field. The symposium was a huge success with a lot of take home messages to participants. The event was attended by over 200 participants.