



McGill

Institute of
Air and Space Law

Institut de
droit aérien et spatial

Institute of Air and Space Law

**Faculty of Law, McGill University
Montreal, Canada**

<http://www.mcgill.ca/iasl/>

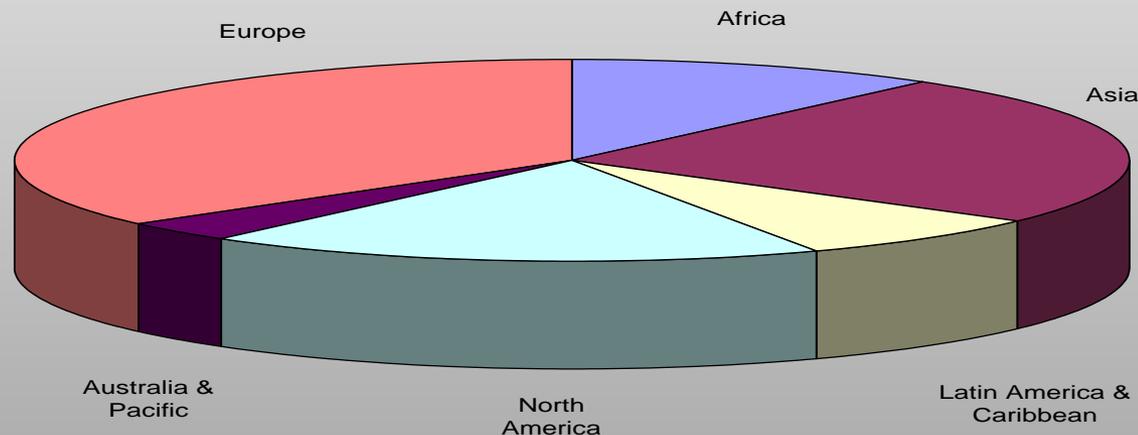
**Professor Dr. Paul Stephen Dempsey
&
Professor Dr. Ram S. Jakhu**



History and General Information

- In 1951, McGill University established the Institute of Air & Space Law (IASL) to provide graduate legal education for students from around the world.
- Over the last sixty-three years, the IASL has educated more than 1000 students, who today occupy positions in some of the most senior positions in law firms, corporations, governmental and intergovernmental institutions in more than 120 countries around the world..

McGill Institute of Air & Space Law Graduates Worldwide



Montreal, Canada

- **The McGill University Law Faculty is committed to the trans-systemic study of law in a bilingual civil law province in a common law country.**
- **The world's principal intergovernmental aviation agency, the International Air Transport Organisation (ICAO) and International Air Transport Association (IATA), the Airports Council International, the Canadian Space Agency, Air Canada, and several aerospace manufacturers (including Bombardier, the third largest in the world) are headquartered in Montreal, facilitating the presence of experienced practitioners in the IASL classrooms.**

The IASL Mission Statement

- The objectives of the Institute of Air & Space Law are to:
- Educate the next generation of air and space lawyers to serve the needs of the air and space community worldwide.
- Offer IASL students the best graduate education in Air and Space Law available anywhere in the world.
- Publish interdisciplinary research valuable to governmental and multinational institutions, the airline and aerospace industries, and the legal profession.
- Serve the professional educational needs of the aviation and space law bar.
- Create a thriving intellectual environment and professional global network for the IASL faculty, students, graduates, and experts in the field.

Academic Programmes

Certificates and Degrees:

- Graduate Certificate in Air and Space Law; is awarded after at least one term (4 months) of residence and on completion of a minimum of 15 credits of course work;
- Master of Laws (LL.M.) is a 45-credit programme with a minimum duration of three academic terms (full-time); and
- Doctor of Civil Law (D.C.L.) is granted when candidate's doctoral thesis is adjudged as an original contribution to legal scholarship. Candidate must follow a program of at least three years' residence.

Courses in Air & Space Law

- **First Term Courses**

- **ASPL 636 Private International Air Law* (3 credits)**
- **ASPL 633 Public International Air Law* (3 credits)**
- **ASPL 637 Space Law: General Principles* (3 credits)**
- **ASPL 632 Comparative Air Law (3 credits)**
- **CMPL 641 Theoretical Approaches to Law** (4 credits)**

- **Second Term Courses**

- **ASPL 613 Government Regulation of Air Transport (3 credits)**
- **ASPL 638 Law of Space Applications (3 credits)**
- **ASPL 639 Government Regulation of Space Activities (3 credits)**
- **ASPL 614 Airline Business and Law (3 credits)**

- **Courses marked * are compulsory in the LL.M. and Graduate Certificate programs.**

- **Course marked ** is compulsory in the D.C.L. program.**

Air Law Courses (Fall Semester)

- **Private International Air Law:** This course addresses the unification of private international air law through the adoption of international conventions. It examines in particular the liability of the air carrier towards passengers and shippers under the Warsaw Convention, as amended and supplemented by several other international legal instruments, including the Montreal Convention of 1999.
- **Public International Air Law:** This course examines the relevant principles and rules of international law that affect the use of air space and aeronautics. The following topics are reviewed: sources of international air law; the law-making processes affecting the regime of air space and international air navigational and air transport. The study will include the legal regime of the national and international air space, concept of civil and state aircraft, certification and licensing by international standards, exchange of traffic rights, aircraft accident investigation, the regulation of safety, security, air navigation, airports, and the environment, as well as dispute resolution. A case study of the relevant international aviation organizations and their law-making functions also will be presented. The course also addresses the exchange of traffic rights in bilateral and multilateral air transport agreements.
- **Comparative Air Law:** This course provides transsystemic and comparative approaches to air law. Selected problems of private law not codified by international conventions are addressed, including product liability, government liability for certification and inspection of aircraft, air traffic liability, and aviation insurance. The course also examines the basic framework of several conventions, such as the Rome Convention on surface damage done by aircraft, the Geneva Convention on recognition of rights in aircraft, and the aircraft protocol to the Cape Town Convention on international interests in mobile equipment. Civil and common law systems are compared.

Air Law Courses (Winter Semester)

- **Government Regulation of Air Transport:** This course focuses on the domestic and international economic regulation of air transport, although it also canvasses the relation between economic regulation on the one hand and safety and security regulation on the other. It will draw principally on examples from North America and Europe. Key themes include: Why do Governments regulate or deregulate markets for air transport? How do the economics of the aviation sector intersect with regulatory paradigms? What are the legal regimes governing key dimensions of the aviation business, such as airline alliances, investment, bankruptcy, computer reservation systems, and airport slots? What is the relation between sectoral regulation and competition law? What is the mix of private and public ownership of air transport enterprises? What are legal constraints upon aviation enterprises, on the one hand, and regulatory authorities on the other? What are the instrumentalities used by Governments as the means for regulating civil aviation? What is the nature of bilateral air transport agreements? What multilateral regimes govern the supply of aviation services?
- **Airline Business & Law:** This course provides an interdisciplinary examination of the business and legal issues confronting airlines in such areas as economics, pricing, securities, bankruptcy, pricing, marketing, distribution, alliances, joint-ventures and competition. It examines the practical and legal dimensions of the regulatory and financial challenges of “starting up” a new airline, purchasing and leasing aircraft, and expanding its operations. Tax implications of aircraft finance also are explored.

Space Law Courses

- **General Principles of Space Law:** The basic objective of the course is an examination of the role of international law in the regulation of outer space activities. The course covers the following topics: current and potential future uses of outer space; the law-making process relating to space activities and the international institutions that are involved in this process; the legal regime of outer space and celestial bodies including the exploitation of their natural resources; the legal status of spacecraft including their registration; liability for damage caused by space activities; assistance to astronauts and spacecraft in distress; settlement of space-related disputes etc.
- **Law of Space Applications:** This course deals with the international legal aspects of various space applications. In particular, the course examines the international law related to satellite telecommunications, the role therein of various international organizations as well as broadcasting by satellite, navigational services, remote sensing by satellites, space stations, space travel, etc. Certain specific aspects of international law will be discussed as they relate to international technology transfers, military uses of outer space, trade in space products, satellite telecommunications and launch services.
- **Government Regulation of Space Activities:** National public and private law and regulatory regimes governing space activities, particularly those that are carried out by private entities for commercial purposes.



Faculty Members

The IASL courses are taught by some of the world's most accomplished experts mostly holding doctoral degrees in law and having extensive practical experience.

Promotion and Tenure requirements: superior performance in two of the categories of
(i) teaching (graduate and undergraduate) classes and supervision of individual student programs,
(ii) research and other original scholarly activities, and professional activities, and
(iii) other contributions to the University and scholarly communities, as well as reasonable performance in the third category.

Post-Doc. Appointment: Ph.D. in Law + good record of or potential for research

Assistant Professor : Ph.D. in Law + solid record of publications + some teaching

Associate Professor : 8 to 12 years of teaching, solid record of publications and other contributions

Full Professor : 18 to 25 years of teaching, solid record of publications & other contributions, and international recognition as a top scholar in his/her field

IASL - Full-Time in Residence Faculty Members

- JAKHU, Ram, Director, Associate Professor
- JANDA, Richard, Associate Professor
- WALSH, Catherine, Professor
- de MESTRAL, Armand, Professor

Director Emeritus

- DEMPSEY, Paul Stephen, Professor

IASL - Part-time Sessional Lecturers

- CHEN, Kuan-Wei, - Sessional Lecturer
- NYAMPONG, Yaw, - Sessional Lecturer

IASL - Part-time & Auxiliary Staff (Adjunct Professors)

- BUNKER, Donald, Adjunct Professor
- DE SERRES, Martine, - Adjunct Professor
- ERIKSSON, Stephan V. – Adjunct Professor
- FITZGERALD, Paul, - Adjunct Professor
- HARAKAS, Andrew, Adjunct Professor
- MARGO, Rod D., Adjunct Professor
- NESGOS, Peter, Adjunct Professor
- SCHUBERT, Francis, Adjunct Professor
- VAN FENEMA, H. Peter, Adjunct Professor
- WEBER, Ludwig, Adjunct Professor

Workshops, Seminars & Conferences

The IASL organized – planned to organise - the following workshops, seminars and conferences during 2015-2016:

- **April 17-18, 2015 – Montreal Canada: Eighth Annual McGill Conference on International Aviation Liability & Insurance**
- **May 8-9, 2015 – Montreal, Canada: 3rd Manfred Lachs International Conference on The Role of Law in the Commercial Uses of Space**
- **April 17-18, 2015 – Montreal, Canada; Eighth Annual McGill Conference on International Aviation Liability & Insurance**
- **May 1 and 2, 2015 – Montreal, Canada: Space Security Index Workshop**
- **May 8-9, 2015 – Montreal, Canada: 3rd Manfred Lachs International Conference on The Role of Law in the Commercial Uses of Space**
- **June 29 - July 3, 2015 - Adelaide, Australia: 2nd Strategic Space Law Course**
- **Aug. 28-29, 2015 – Athens, Greece: Conference on the Space Treaties at the Crossroad**
- **September 10-12, 2015 – Montreal, Canada: Expert Roundtable on Military Activities in Outer Space**
- **April, 2016 – London, UK : Ninth Annual McGill/PEOPIL Conference on International Aviation Liability & Insurance**

Workshops, Seminars & Conferences

The IASL organized – planned to organise - the following workshops, seminars and conferences during 2015-2016:

- **May 10, 2016 - *INTERNATIONAL FORUM ON AVIATION LAW*, Organized by IASL-McGill University, the East China University of Political Science & Law, and the Shanghai International Arbitration Center**
- **May 20, 2016 - Edinburgh, Scotland: *Ninth Annual Conference On International Aviation Law & Insurance*, Organized by IASL-McGill University and PEOPIL**
- **May 25-26, 2016 - Montreal, Canada: *Space Security Index Workshop***
- **May 27-28, 2016 – Montreal, Canada: *4rd Manfred Lachs International Conference On “Conflicts In Space And The Rule Of Law”***
- **May 30-June 3, 2016 – Montreal, Canada: *The 3rd Annual Strategic Space Law Program*, Organized by IASL-McGill University and University of Adelaide**
- **July 4-8, 2016 – Singapore: *Workshop On Aviation Law*, Organized by IASL-McGill University and the Singapore Aviation Academy**
- **October 2-5, 2016 – Montreal, Canada: *First Plenary Of Experts, MILAMOS Project.***

Involvement in Global Air & Space Law Community

- **The International Civil Aviation Organization; (Canada)**
- **The International Air Transport Association; (Canada)**
- **The International Institute of Space Law; (Leiden)**
- **Airports Council International;**
- **Leiden University (The Netherlands);**
- **Institute of Air and Space Law, University of Cologne (Germany)**
- **Concordia University John Molson School of Business; (Canada)**
- **The Conference Board of Canada; (Canada)**
- **Social Sciences and Humanities Research Council of Canada; (Canada)**
- **National Law Institute University (India)**
- **Spacesecurity.org; (Canada)**
- **Secure World Foundation; (U.S.)**
- **Arsenault Family Foundation; (U.S.)**
- **Donner Foundation; (U.S.)**
- **Project Ploughshares; (Canada)**
- **National Law University; (India)**
- **Space Generation Foundation; (U.S.)**
- **Simons Centre for Disarmament and Non-Proliferation Research;; (Canada)**
- **International Security Research and Outreach Programme at Foreign Affairs Canada; (Canada)**
- **United Nations Office of Outer Space Affairs; (Austria)**
- **Indian Space Research Organization; (India)**
- **University of Mississippi National Remote Sensing and Space Law Centre; (U.S.)**
- **Airport Authority of India; (India)**
- **University of Petroleum and Energy Studies (India)**
- **Department of Defence (Australia)**
- **University of Adelaide Law School; (Australia)**

The Centre for Research on Air & Space Law

- produces interdisciplinary research;
- publishes books (monograph series) and periodicals (occasional papers).
- has a history of 40 years of the *Annals of Air & Space Law*, a highly respected and valuable compendium of important research.
- Has produced research:
 - - on behalf of the Global Affairs Canada (External Affairs)
 - - for the Canadian Department of Communications (Industry Canada)
 - - for the Canadian Space Agency
 - - International Civil Aviation Organisation
- McGill's law library hosts an invaluable and unique collection of official documents and manuscripts, which are available no where else in the world. The Institute carried out analyses, submitted reports with recommendations, organized symposia, and produced several publications on issues related to outer space.

International Civil Aviation Organization's Award

- In 1996, The Institute of Air and Space Law of McGill University was the proud recipient of the United Nation's International Civil Aviation Organization's prestigious Edward Warner Award for its ground breaking achievements.
- The Edward Warner Award consists of a solid gold medal inscribed for the recipient, and a certificate of recognition citing the reasons for the Award.
- It is recognized throughout the world as the greatest single honour the international civil aviation community can bestow, for its importance is derived from the fact that it is given by ICAO on behalf of its Member States.
- No other international award offers such wide recognition.



McGill First Runner Up at Space Moot World Finals



IASL students Andrew Williams, Michael Taylor and Susan Trepszynski won the North American Competition, and placed First Runner Up award at the Manfred Lachs Moot Space Law Court World Finals Competition in Valencia, Spain.

Boeing Fellowships

- Financial support for our graduate students at the Institute of Air & Space Law has been significantly improved with the recent contribution of the Boeing Company, establishing the Boeing Fellowships at the IASL, which will fund up to five graduate students annually. Boeing provides philanthropy and grants to numerous universities throughout the world, particularly in the discipline of engineering. This grant is the first time Boeing has made a grant to a law faculty.
- Boeing Fellowships are awarded annually on the basis of academic merit to support and recognize outstanding graduate students in the Master's or Doctoral program at the Institute of Air & Space Law. Up to three or four Boeing Fellows may be designated in any year, and are renewable based on successful academic progress. Recipients will be awarded a Fellowship in the range of \$ 18,000 (LL.M.) to \$20,000 (D.C.L.), and are expected to contribute to ongoing research projects at the IASL, under supervision of faculty members of the Institute.

Arsenault Fellowships

- In 2008, the Arsenault Family trust established the Erin J.C. Arsenault Fellowships in Space Governance at McGill University. This \$1 million grant supports student tuition and research, conferences, seminars and publications over a four-year period. The goal of these Fellowships is to support graduate students who wish to engage in the research of peace and security in outer space through law, policy and global governance. The Fellowships are valued at \$18,000 for eligible LL.M. candidates, \$25,000 for eligible D.C.L. candidates, and \$50,000 for eligible Post-Doctoral candidates.

Sekiguchi Fellowships

- In 2008, Mrs. Teruko Sekiguchi funded the Sekiguchi Fellowship in honor of her husband, Professor Masao Sekiguchi (1934-2004), LL.M.'82. This Fellowship is available for eligible outstanding students in the Master's program at the Institute of Air and Space Law. This Fellowship flows from a \$300,000 endowment, and should fund Sekiguchi Fellows in perpetuity.

The IASL: A Unique Experience

- The IASL offers the most advanced and extensive graduate program in air and space law in the world;
- The IASL students have the opportunity and are encouraged to participate in our generously funded extensive research and outreach activities;
- The IASL faculty members teaching air and space law have been consulted by the United Nations, Permanent Court of Arbitration, World Economic Forum, International Telecommunication Union, numerous governmental ministries, universities, airlines and space agencies as well as private companies;
- The degrees granted by McGill University carry the highest academic credibility and are duly recognized worldwide since McGill University and its Faculty of Law are among the top 20 highly ranked educational institutions in the world;
- The graduates of the IASL hold high positions in various institutions, like the United Nations, the US White House, ICAO, IATA, INTELSAT, NOAA, CSA, ESA, JAXA, the European Commission, armed forces of various nations, the world's leading law firms, private commercial enterprises, etc.

welcome to the institute of

AIR & SPACE LAW

Postgraduate
Law Degrees
and
Certificate
Programs

