

Topical issues of the regulation of international carriage

Abstract

The topic of this thesis is international air carriage and its legal regulation which is, due to the highly international nature of air carriage, mainly International and EU. The thesis is systematically divided into 5 main parts.

The introductory part is focused on carriage and air carriage in general. It provides definitions of basic concepts, with which the following sections work, a brief historical outline and also current issues and challenges in international carriage, thus bringing this topic to the reader in a detailed perspective. Another discussed point are the international organizations authorized to issue legislation and how they have recently gone through some changes. The second part is dedicated to legislation; especially International and EU legislation. An Interpretation is also provided to the Czech legislation. However, this only plays a rather complementary role, resulting from the highly international character of air carriage.

The following two parts are, according to the nature of air carriage, divided into cargo and passenger transport legislation and they are focused mainly on liability of an air carrier. The fourth part also aims to inform the readers about passengers rights arising from air carriage legislation, whether on International or EU level. Within these parts, the author does not only merely rely on a theoretical interpretation, yet rather focuses on practice and provides a detailed explanation of selected provisions of international treaties. The above-mentioned practical parts of the thesis are supplemented by numerous decisions of foreign courts, which have formed an interpretation of a number of terms and thus play an irreplaceable role in air carriage.

The last part is devoted to the different forms of cooperation of air carriers and especially to the currently widely spread codeshare agreements and the liability of participating air carriers. Throughout the document, the current challenges and issues in air carriage are mentioned, including the goals set for succeeding term.

In conclusion, the author focuses on the possible future development of the legal regulation of international air carriage, selectively speaking in relation to so-called limited liability of the air carrier.