

## English Abstract

### *Current Issues of Legal Regulation of International Carriage by Air*

This thesis focuses on certain current issues connected to international carriage by air. Air transport is vital and steadily growing part of global economy. Rapid growth of the sector during 20th century also showed need for legal regulation reflecting its specifics.

The first chapter of the thesis briefly reviews developments of international public law since the beginning of the last century. International public law may be regarded as a backbone of legal framework of civil aviation. This may be said mainly about the Chicago Convention that not only provided essential consensus between states on basic rules for international carriage by air, but also established the International Civil Aviation Organisation (ICAO). ICAO may be regarded as an essential platform for establishing new legal framework for aviation on global level.

The second part of chapter one deals with certain issues of international private law related to carriage. In this respect it describes development from the Rome Convention of 1980 to EU Regulation Rome I. Differences between the two have been briefly described in this section. Furthermore I deal with the controversial issue of choice of law in contract of carriage between the carrier and passengers.

Chapter two focuses on regime of liability of air carriers. In this section I summarised developments since the Warsaw Convention of 1929 till the Montreal Convention of 1999 with focus on liability for death or bodily injury and loss or damage to baggage and cargo.

Chapter three is targeted to air passenger rights in the context of current EU legislation. Essential part of EU's air passenger rights scheme is the Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. Although the title may seem self explanatory it is not always the case. Certain aspects of the regulation remain unclear. Furthermore some of recent case law delivered by the Court of Justice of the European Union tend to be anticipated as fairly controversial. In particular CJEU's ruling on right to compensation should a flight be delayed by 3 hours or more, gave rise to many discussions.

Finally chapter four focuses on experience of the European Consumer Centres Network (ECC-Net) related to air passenger rights cases. This section provides readers with brief overview of ECC-Net activities in terms of carriage by air.

It has not been purpose of this thesis to deliver look into legal regulation of carriage by air in its entirety. Contrary I focused on selected issues that are of particular interest from the point of view of users of air transportation.