

# LL.M

# INTERNATIONAL AVIATION LAW



**FLY YOUR  
AMBITIONS**



## DESCRIPTION & OBJECTIVES

The aviation sector is experiencing tremendous growth in a globalized and highly competitive environment. Air traffic is to double by 2035, especially in Africa and the Asia-Pacific region. Private entities and public institutions are both involved in the sector's main challenges combining public policies, private interests and global issues. Regional and international regulation authorities, airlines and alliances, airport operators, aircraft manufacturers, ground-handling firms face a growing number of complex challenges and have to deal with more legal and regulatory issues.

In this context, the demand for qualified legal expertise is booming.

The LL.M in international aviation law aims at offering strong expertise and appropriate solutions to aviation sector players. With 300 hours of face-to-face teaching, a set of comprehensive modules addressing the major current legal issues of this area, and many academic and industrial partnerships, this LL.M stands first and unique worldwide and is designed both for graduate students and for top executives in these domains.

## TOULOUSE CAPITOLE UNIVERSITY EUROPEAN SCHOOL OF LAW

For half a century, Toulouse-France has been home to major international aeronautic players (Airbus, ATR...) and the most renowned centre for education and research in the aerospace sector (ISAE-Supaero / ENAC). The University of Toulouse Capitole and its well-known European School of Law offers cutting-edge programs, fully taught in English, and widely recognized in the business world.

## EDUCATION

The LL.M program brings together academic faculty from Toulouse Capitole University, international partner universities, engineering institutes, and industry-experienced speakers from major aviation related firms and institutions: Airbus, ATR, Thalès, Daher, ISAE-Supaero, law firms (Orrick, Selene, Holtzhausser...) Goshawck, Flightright, ADP, Airfrance...

All taught courses, as well as assignments, exams, group-work... are in English. Additional French as a Foreign Language classes may be organized on demand.

Classes are organized to fit continuing education participants' schedules (one teaching week each month).



# SYLLABUS - 310 H

## AEROSPACE LEGAL FRAMEWORK 65 H

This module is designed to equip students with the fundamental legal framework and instruments applying to the aviation sector.

**Private international law** (15 h): main rules of conflict of law and of jurisdiction applicable to aviation; focus on the law applicable to the international contracts;

**Dispute settlement** (15h): litigation, arbitration and other modes of alternative dispute resolution. Focus on arbitration in aviation and airports related disputes.

**Public international law** (10 h): main principles ruling airspace, state sovereignty, international agreements covering rights of traffic (open sky agreements).

**Aviation international and European framework** (15 h) - the Chicago convention Dec. 1944 and its annexes; mission and functioning of ICAO, EU and greater Europe framework (EASA, Eurocontrol, Single European Sky...) Achievement of the aviation single market within EU.

**Intellectual property in the aviation sector** (10 h) - innovation protection in the aviation industry at domestic and international levels (patents, trade secrets, trademarks and copyright).

## AEROSPACE ECONOMICS / MANAGEMENT 60 H

This module aims at giving a basic background in economics and management to legal experts of the sector.

**Compliance in the aviation sector** (10h) - The development of legal compliance and its impacts on companies raises crucial issues in the aviation sector.

**Aviation economics** (10 h) - Introduction to basic economic theories / concepts and application to the aviation industry (barriers to entry, demand and supply, profit maximization and cost minimization); main trends of this sector; airline business models and their key economic and financial drivers;

**Aviation management** (15 h) - main stakeholder business issues, strategies and marketing policies in a competitive environment (airlines, aircraft manufacturers, ground-handling firms, airports...); airline management.

**Insurance issues in the air sector** (10 h) - domestic, EU and international regulations on insurance. Impact of liability as well as security and safety rules.

**Sustainable development and air transport** (10 h) - combining significant traffic growth with environmental constraints: green aircrafts, airport extensions. Domestic, EU and international instruments.

**Aviation historical and geopolitical landmarks** (5 h) - aviation developments through recent history; role played by air transport in

## CONTRACTS & FINANCING 60 H

All aspects of contracts, from negotiation techniques to the drafting of key-clauses. Legal questions relating to the operation of an aircraft by an airline: sale, leasing, lease-back, structured finance, guarantees.

**Sales, purchases support contracts in the aviation sector** (15 h) - notions of contract negotiation in various cultural contexts. Focus on the drafting of essential clauses: choice of the law applicable, settlement of disputes, hardships, NDA...

**Guarantees** (10 h) - Cape town convention and aviation protocol - other guarantees.

**Aircraft financing - leasing and lease-back operations** (15 h) - importance of leasing operations in the aviation industry; main legal arrangements; operational and financial lease; dry and wet lease. Structured finance and fiscal effects. Guarantees available to lessors.

**Export control** (10 h) - Export constraints for aircraft & UAVs manufacturers.

**Aviation and competition law** (10 h) - code-sharing agreements and airlines alliances confronted to cartels and prohibited agreements legislation; abuse of dominant position: application to airports in their relation with ground-handling firms; airlines mergers and acquisitions, state aids to aircraft manufacturers, airlines and airports...

## **SECURITY - SAFETY - LIABILITY - 60 H**

This module relates to aviation security, air safety and the liability regime of the players, sp. the airlines.

**Aviation security** (10 h) - this subject relates to measures and resources implemented to prevent unlawful acts targeting aircraft, passengers and airports.

**Aviation safety, accident investigation and manufacturers' liability** (10h) - prevention against all accidents, errors or unintentional defects in the design, construction, maintenance and operation of aircraft.

**Carriers liability / passenger's rights** (20 h) - this topic mainly addresses the application of the Warsaw 1929 and the Montreal 1999 conventions providing common rules on the liability of the carrier consecutive to an accident: liability conditions, caps, exoneration cause.

**Data protection in aviation** - (10 h) - main questions relating to the balance between the protection of fundamental rights and the changing security requirements (passengers name record, bodily and baggage search...)

**Human factors** (10 h) - This subject deals with human-machine interface and with the analysis of the human risk and the possibilities to reduce its impact.

## **AIRCRAFT & U.A.V. 40 H**

This almost non-legal module aims at giving technical background to the LL.M. students. Taught by aerospace engineers, the following subjects relate to basic notions on aircraft structures and fluid mechanics as well as type certification; it also relates to issues raised by the booming sector of drones.

**Drones regulatory framework** (15 h) - from simple toys to sophisticated war drones, the UAV are disrupting the traditional aviation sector and raise multiple and complex legal issues. Domestic regulations remain vague / incomplete and EU / ICAO are currently working on a regional / global framework but work is still in progress.

**Aerospace engineering** (15 h) - basic knowledge on aircraft design, structure, fluid mechanics, flight, avionics and related subjects.

**Airworthiness** (10 h) - this subject aims at giving an overview of the conditions and procedure for type certification under EASA and FAA, in compliance with ICAO SARPs. It also addresses the legal aspects of airworthiness at both EU and international levels.

## **AIRPORTS- 25 H**

Airports are key players in aviation sector and the growth of the global traffic leads to the challenge to extend airport capacity.

**Airport construction, ownership & management models** (15 h) - airport infrastructures represent sizeable investments for public actors that often choose PPP / concession models. Issues include: revenue model, return on assets, duration of concessions, compensation for termination... Since the 1980s, there has been progressive movement towards private sector involvement and investment: commercialization of airports, corporatization of airport management, equitization, IPO & airports listing.

**Airport facilitation & slots management** (10h) - Airport facilitation relates to the management of the flow of passengers, baggage, cargo and mail through airport facilities and their legal framework. This subject also deals with the airport slots allocation process and the possibilities for a secondary slot trading market.

## **INTERNSHIP - GROUP-WORK PROJECT**

The completion of an internship within a firm / organization or the participation in a group-work project is a full part of the LL.M program. Details provided by the LL.M director on demand.



## APPLY NOW!

### Prerequisites

- The LL.M is a post-Master university diploma open to applicants already holding a Master's degree, an engineering degree, or an equivalent degree in the fields of law, economics, management, engineering, tourism...
- Candidates with proven professional experience in relation with the aviation sector may also apply.
- A good command of English is mandatory (no test required).
- This LL.M is not suitable for applicants who want to enroll in PhD

### Application

- Send your application to [laurent.grosclaude@ut-capitole.fr](mailto:laurent.grosclaude@ut-capitole.fr) before April 30 2020, including:
  - Resume,
  - Letter of motivation,
  - Copies of diplomas + grade transcripts,
  - Certificates relating to professional experience,
  - Letters of reference (not mandatory),
  - Certificate of English proficiency (not mandatory).

### Agenda

- Courses are taught in the format of intensive sessions -
- 25 to 30 h course /session (teaching incl. Saturdays). One session each 4 to 5 weeks.
- Program will start Sept. 2020 and end July 2021



**TUITION FEES : 6 000 €**

### LIFE IN TOULOUSE

International students, get all tips about life on Toulouse Campus and ease your arrival with **Toul'Box** (<https://toulbox.univ-toulouse.fr>), a very affordable package covering airport pick-up, room/flat reservation, bank account opening, Sim card, city transport pass and other benefits...