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Protection of aviation security through the establishment of prohibited airspace

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Citation

Zhang, W. (2023, June 8). *Protection of aviation security through the establishment of prohibited airspace*. Meijers-reeks.
Retrieved from <https://hdl.handle.net/1887/3620100>

Version: Publisher's Version

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What are the conditions, including legal requirements, for establishing prohibited airspace? Who has jurisdiction to establish prohibited airspace? How can the status quo be changed with respect to prohibited airspace to enhance aviation security?

The research addresses the ‘who, how and when’ of establishing prohibited airspace. The establishment of prohibited airspace relates to, on the one hand, the principle of air sovereignty, as agreed by governments in the Chicago Convention; and on the other hand, the object of agreeing on the principle to progressively develop civil aviation in a safe and orderly manner. From sovereign airspace, delegated airspace, to airspace beyond territorial limits, this study presents the conditions, justifications and jurisdiction to establish prohibited airspace. Noticing the ‘fragmentation’ among the Chicago Convention, ICAO regulations, UNCLOS and Geneva Conventions, this research presents a synthesis and the prospect for a coherent security regime for prohibited airspace.

This is a volume in the series of the Meijers Research Institute and Graduate School of the Leiden Law School of Leiden University. This study is part of the Law School’s research programme ‘Exploring the Frontiers of International Law’.



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