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Criminal liability of pilots in aviation accident cases

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Unique complexities can arise in the circumscription of criminal liability of pilots for aviation accident cases. Legal challenges in this respect are shaped by the interplay between international and domestic air law, technical standards, general and special criminal law and principles, as well as domestic enforcement mechanisms, all together forming the special regulatory domain of criminal air law.

This dissertation conducts a thorough examination of how the criminal liability of pilots is regulated at both international and domestic levels, exploring the interplay and tensions between the paradigms of Safety, Transparency, and Legal Certainty and the impact of such in general and special criminal law and air law influencing the criminal liability of pilots. This dissertation also presents empirical findings on how pilots perceive the legal framework governing their criminal liability.

Drawing from legal doctrine, international law, domestic law and perspectives of pilots, this dissertation proposes recommendations to enhance the coherence and clarity of the interplay of the paradigms and legal framework governing the criminal liability of pilots.

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