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The International Comparative Legal Guide to:

Aviation Law 2014

2nd Edition

A practical cross-border insight into aviation law

Published by Global Legal Group, in association with Clyde & Co LLP, with contributions from:

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Email: info@glgroup.co.uk
URL: www.glgroup.co.uk

GLG Cover Design

F&F Studio Design

GLG Cover Image Source

iStockphoto

Printed by

Ashford Colour Press Ltd
February 2014

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ISBN 978-1-908070-87-6

ISSN 2050-9839

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Worldwide Airports Lawyers Association – an Overview

Diego R. Gonzalez



Iлона M. Crommentuyn



Worldwide Airports Lawyers Association

Introduction

WALA was established in Prague, Czech Republic, in September 2007 at a seminar at Prague Airport, where destiny gathered together lawyers of airport operators from many countries in Europe (Russia, Croatia, Malta, Lithuania, Cyprus, Belgium and Poland) and South America (Argentina and Uruguay).

At that moment, the attending lawyers all agreed about the fact that air/aeronautical law in each of their countries was outdated and ill-equipped to face the new reality of airport service, which required specialised legal knowledge.

Consequently, they agreed about the need to create and promote, worldwide, a forum, a meeting place in which airport lawyers and all others that might be interested, could develop, share and debate relevant issues in their field of law.

The Conferences

Seven months later, in 2008, the Prague aim became a reality. In Spain, at the airport of Ciudad Real, the first Worldwide Airport Law Conference took place. Today, in 2013, the spirit of Prague is still alive and in force after another five successful annual worldwide conferences:

- 2009 Ciudad Real, Spain, hosted by Aeropuerto de Ciudad Real;
- 2010 Lisbon, Portugal, hosted by ANA Aeroportos de Portugal S.A.;
- 2011 Dallas, USA, hosted by Dallas Fort Worth International Airport;
- 2012 Amsterdam, The Netherlands, hosted by Schiphol Group; and
- 2013 Montréal, Québec, Canada, hosted by Aéroports de Montréal.

In total, over these six conferences, 614 different delegates and 342 different organisations from 63 countries across the five continents have attended.

The high number of professional attendees, combined with a multitude of business and networking opportunities, have made the WALA Conference currently the most important airport law event.

WALA Authorities

WALA is led by 16 lawyers from airport operators, law firms and industry providers. The Executive Board members are:

1. Diego González, Aeropuertos Argentina 2000 (President), Argentina;

2. Iлона Crommentuyn, Schiphol Group (Vice President), The Netherlands;
3. Alan Meneghetti, Locke Lord LLP, United Kingdom;
4. Michael Siebold, Arnecke-Siebold, Germany;
5. Elizabeth Henderson, Sydney Airport, Australia;
6. Brian Day, Barrister & Solicitor, Canada;
7. Fernando Osorio, Osorio-Fernandes-Mariz- Assed, Brazil; and
8. Carlos Rodriguez Brianza, Ministry of Foreign Affairs (Executive Secretary), Uruguay.

The Non-Executive Board Members are:

9. Louise Oullet, Aéroports de Montréal, Canada;
10. Fernando Ocampo, Odebrecht, Peru;
11. Ante Matijaca, Split Airport, Croatia;
12. Wahyuni Bahar, Bahar & Partners, Indonesia;
13. Fons Essed, Aruba Airport Authority, Aruba;
14. Rosa Orenstein, Sullivan & Holston, USA;
15. Arlene Oei, Changi Airport, Singapore; and
16. Manuel de la Torre Melendez, President of Mexican Airport Law Association, Mexico.

Airport Law is aimed at regulating airport services and cannot easily be subsumed under any existing category of law. This kind of law does not belong to Aeronautic Law, International Private and Public Air Law, Labour, Constitutional, Administrative or Environmental laws at all. Airport Law has its own principles and rules based on the development of airport activities, particularly by airport operators – this is what turns it into a special discipline. It is compatible with the abovementioned branches of law, but it does not agree with them always. Indeed, very often it is in conflict with them.

Therefore, we consider it necessary to work on the development of “Airport Law” as a discipline, taking into account all its specific qualities and peculiarities. This enables the creation of a tailor-made legal framework for the complete and efficient functioning of airports.

The core WALA activities are reflected in the agendas of the Conferences that have taken place since the establishment of WALA. The matters and topics covered give a good overview of the daily business and problems of an airport lawyer, which are not always addressed by air law conferences around the world.

The complete list of topics is too long to fully elaborate on here, but we can take just a short excerpt as an example:

- *Airport Law: Reality and prospects at the international jurisprudence and doctrine legislation; Airport Service and Legal Relationships: Towards Airport Law Consolidation; Airport Law. Autonomy from Air Law; ICAO and Airports: Legal Perspectives;*

- *Airport Impact on the Environment. Noise, Emissions and Air Quality: Airport pollution, implemented measures and the situation at Portuguese Airports; Dallas Fort Worth Airport's Sustainability Initiative and Application of United States Federal Environmental Law;*
- *Birdlife and bird strike prevention: legal consequences of increasing knowledge. Possible exoneration of airport from liability for bird strike damage; U.S. key regulatory developments & international environmental standards setting process. Potential impacts on airports;*
- *Special courts in Brazilian Airports;*
- *Damages to third parties on the surface update (Rome Convention);*
- *Italian airports: Main legal and ruling aspects in the Navigation Code; Polish Aviation Legal Structure. Airports juridical rules and policy. Australian Airports: The legal environment; Canada Airport Regulation: Past, Present and Future. Airports Privatization in Brazil; Worldwide Airport Management. The Americas: Colombia, Asia: Indonesia, Europe: Germany;*
- *Airport slots. Last European rules developments; Airport Slots. Property, allocation & transfer;*
- *Airport charges in Latin America: Some thoughts about airport charges in Latin America; Aeronautical charges: Actions against aircraft. Canada and EU legislation and jurisprudence; New economic regulation regime for UK airports; Pre-fund new infrastructure from airlines (Brisbane Airport); Toward ICAO Airport charges policy review;*
- *Terrorism acts at airports: Damages. Safety Responsibility. State, airport operator and airlines liability;*
- *Data's Traffic and protection at the airport safety technologies;*
- *Airports services and consumers' rights: Airports operators' challenges facing the rules about consumers' protection;*
- *The potential of cross border cooperation in regional airports – Does the Eureg/Interreg Program of the EU serve as an example;*
- *Tax pressure on the airport service: Towards a tax regime which promotes investments and development of the service;*
- *Airline Bankruptcy: Impact on Airport Rights and Business;*
- *Single European Sky: Regulatory framework and challenges for European airports; Single European Sky Vs Next Gen (Us) From A Regulatory Perspective; Crimes and penalties at airports;*
- *Tax collection and taxes on tickets: technologies and processes for its audit and optimization;*
- *Airport Regulation: The Role of Agencies;*
- *Free Shop: Franchises regime. Legal challenges for the airports;*
- *The landscape of airports: airports and its (legal surroundings);*
- *Regulated Industries: what lessons can be learnt for airports?;*
- *Airport Strikes and Labour Disruption – Legal And Operational Issues;*
- *FAA United States: Safety international standards. Regulatory perspective at airports;*
- *Airport Design. Towards The Restate Of Rules And Standards;*
- *State Aid Policy For Regional Airports At The European Union. Past, Present, And Future;*
- *Is The Sky The Limit? Legal Aspects Of Flying Tourist Into Outer Space From Hato Airport, Curaçao;*
- *Airports Council International's current priorities;*
- *Airport Operator's Liability;*
- *A Day in the Life of an Airport Lawyer;*
- *Airport IT – Regulations and their impact on innovation and technological development;*
- *Unmanned Aircraft Systems (UAS) "Technical & Juridical involve. Airport issues"; and*
- *The handling service contract. Juridical Nature, concept. Relationships. Liability, Assurances & Environmental aspects.*

For more information please visit our websites at www.worldairportslawyers.org and www.wala2013.org.

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Business areas: Airport/aviation law, Administrative law, Regulation.

Education: Lawyer University of La Plata Argentina, 1992.
Master in Administrative Law (1995) at Austral University, Buenos Aires.

Work experience: Salomoni-Caiella-Salinas & Asoc. Law Firm Buenos Aires. 1992/1997.

M&M Bomchil law firm, Buenos Aires. 1998/1999.

For almost 15 years Diego has specialised in airport law matters, advising to Aeropuertos Argentina 2000 and the Holding Corporacion America SA, an Argentine Global Airport Operator which operates airports and airports systems in Argentina, Brazil, Uruguay, Ecuador, Peru and Armenia. He advised Corporacion America in matters relating to airports' concession bid processes in Chile, Colombia, Puerto Rico, Italy, Portugal and Greece, among other European and Latin-American airports. He has specialised in airport start-ups, purchase/sale, airport charges, airport capacity and traffic rights, airport IT provisions, airport service and airport policy, airport and airline relationships, and related regulatory and legal matters of cargo, security, consumers, national and local governments, and industry relationships.

Diego also served as President for the ACI LAC Legal Affairs Committee. He has acted for airport operator interests and directed ACI-LAC's participation in airport-related regulatory and legal matters within the Latin America Civil Aviation Commission, CLAC. He is a founding member and current President of WALA, *Worldwide Airport Lawyers Association*, an institution conceived in Prague in September 2007, from which their annual Airport Law Conference has been developed since 2008.

Diego is an arranger of others' conferences and seminars, focusing on legal issues relevant for the airport industry. He is Professor of the subject "Airport Law" of the Aeronautic, Space and Airport Law Programme at the INDAE of Buenos Aires, Argentina.

He speaks on airport law-related conferences and seminars, both nationally and internationally. Diego is the author of the book "*Airport Law*", recently published in Buenos Aires by Prometeo Libros (2013). He contributes often to various publications on airport law and regulations issues.

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Ms. Crommentuyn conducts legal and strategic activities on a (inter)national level.

Ms. Crommentuyn is Vice President and Executive Board Member for the Worldwide Airports Lawyers Association (WALA) and Board Member for the Dutch Association of Company Lawyers (NGB). On behalf of Schiphol Amsterdam Airport she is a delegate to the Eurocontrol's Agency Advisory Body (AAB). Furthermore, Ms. Crommentuyn is a legal instructor on aviation law for managers with IATA and a member of the International Advisory Committee of the International Institute of Air and Space Law Alumni Fund.

Ms. Crommentuyn participated in the US Government International Visit Leadership Program (US IVLP) during June-July 2012 and is now Board Member for the Alumni Association of US IVLP The Netherlands.



The Worldwide Airports Lawyers Association is a non profit partnership with the goal of promoting cooperation among airport legal affairs departments and legal advisors for airports worldwide, as well as other public and private sectors related to the aeronautical industry.

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