Strategic Issues in Air Transport Law

There are broadly four strategic issues in aviation: safety; security; environmental protection; and sustainability in air transport. These issues will remain for a long time as key considerations in the safe, regular, efficient and economic development of air transport. Within these four broad categories come numerous subjects that require attention of the aviation industry as well as the States. In six chapters, this book engages in detailed discussions on these subjects as they unravelled in events of recent years. The issue of safety is addressed first, following an introduction of the regulatory regime covering the four issues. Within the area of safety, the book covers such areas as safety management systems, safety and aeromedicine, safety and meteorology, the use of airspace, unmanned aircraft systems and safety oversight audits. In the security area, subjects covered include cyber terrorism, the integrity of travel documents, full body scanners, civil unrest and aviation, the suppression of unlawful acts on board aircraft and the financing of terrorism. The chapter on the environment focuses mainly on climate change - particularly on carbon credits, market based measures, the carbon market and emissions trading schemes and their effect on air transport. Finally, the chapter on sustainability discusses in detail market access along with such issues as slot allocation, open skies, the use of alternative fuels as an economic measure and corporate foresight. The concluding chapter wraps up with a discussion on where air transport is headed.

Features
► This book addresses in detail all current issues (which will prevail over the next few decades) regarding the four most important facets of aviation. It does this through political, economic, diplomatic discussions. ► There has been no other book of this nature so far

Fields of interest
Air and Space Law

Target groups
Research

Type of publication
Monograph

Due October 2011
► approx. € 139.95 | £126.00
► approx. * € (D) 149.75 | € (A) 153.94 | sFr 210.01
ISBN 978-90-6704-792-0

Sports Marketing Agreements: Legal, Fiscal and Practical Aspects

Sports marketing is not only a global phenomenon, but also a major industry in its own right. This book breaks new ground in that it combines the theory and the practice of sports marketing agreements, which are at the heart of the commercialisation and marketing of sport. A particular feature of this book is the wide-ranging collection of precedents of sports marketing agreements, including, inter alia, sponsorship, merchandising, TV rights and new media, sports image rights and endorsements, event management and corporate hospitality, that are included and are explained and commented on in the text of the book. The book also covers the EU aspects, which are particularly important in this context, especially collective selling, of Sports TV rights and the drafting of the corresponding agreements; as well as the fiscal aspects of sports marketing agreements in general and sports image rights agreements in particular, which need to be taken into account in order to reduce the tax burden on the resulting revenues. With so much money at stake in sports marketing, the book also deals with the important topic of dispute resolution and, again, provides the reader with some useful corresponding clauses for settling disputes by ADR, particularly through the Court of Arbitration for Sport (CAS).

Features
► New and evolving subject ► Review of the main Sports Marketing Agreements ► Offers practical guidance on negotiating, drafting and interpreting

Fields of interest
Law; general; Commercial Law

Target groups
Research

Type of publication
Monograph

Due September 2011
2011. 300 p. Hardcover
► approx. € 99.95 | £90.00
► approx. * € (D) 106.95 | € (A) 109.95 | sFr 143.50
ISBN 978-3-642-21959-7

Efficiency, Sustainability, and Justice to Future Generations

Fifty years after the famous essay “The Problem of Social Cost” (1960) by the Nobel laureate Ronald Coase, Law and Economics seems to have become the lingua franca of American jurisprudence, and although its influence on European jurisprudence is only moderate by comparison, it has also gained popularity in Europe. A highly influential publication of a different nature was the Brundtland Report (1987), which extended the concept of sustainability from forestry to the whole of the economy and society. According to this report, development is sustainable when it meets the needs of the present without compromising the ability of future generations to meet their own needs. A key requirement of sustainable development is justice to future generations. It is still a matter of fact that the law as well as the theories of justice are generally restricted to the resolution of conflicts between contemporaries and between people living in the same country. This in turn raises a number of questions: what is the philosophical justification for intergenerational justice? What bearing does sustainability have on the efficiency principle? How do we put a policy of sustainability into practice, and what is the role of the law in doing so? The present volume is devoted to these questions. In Part One, “Law and Economics”, the role of economic analysis and efficiency in law is examined more closely. Part Two, “Law and Sustainability”, engages with the themes of sustainable development and justice to future generations. Finally, Part Three, “Law, Economics and Sustainability”, addresses the interrelationships between the different aspects.

Features
► Combines research from three disciplines: law, philosophy and economics ► Covers the hot topics of climate change, sustainability, and eco-justice ► Puts future generations at the forefront ► Investigates the key requirement of sustainable development

Target groups
Research

Type of publication
Contributed volume
Commercial Law of the European Union

The volume of European Union legal acts relating to commercial law is staggering. This book provides a clear and concise overview of the vast bulk of European Union business law, giving extensive coverage to both legislation and the decisions of the Court of Justice. The text is fully up to date in the light of the Treaty of Lisbon. The book approaches European Union business law from the perspective of non-Member common law nations such as the United States, Australia and Canada. An Appendix contains model problem questions. Each chapter contains extensive references to other books, articles and websites for further reading.

**Features**
- Adopts the perspective of common law jurisdictions outside the EU
- Written with the needs and interests of non-EU readers in mind
- Fully up to date in the light of Treaty of Lisbon
- First book about EU commercial law to be published after the Treaty enters into force
- Allows serious researchers to find the leading authorities on the subjects covered

**Contents**

In the new space age after the end of the Cold War, orbit and frequency allocations, traffic control, safety, and a number of support services such as space weather forecast and orbital debris monitoring need to be coordinated transparently and effectively by clear rules at an international level. The establishment of an international civil space regulatory framework is the central theme of this book, in particular, the possible extension to space of the international regulatory framework model adopted for aviation more than 60 years ago with the establishment of the International Civil Aviation Organization (ICAO). The book also highlights the increased reliance of aviation safety on space-based navigation and communication systems, the increasing space systems traffic through the international airspace under the jurisdiction of the ICAO, and the emerging hybrid systems such as aero-spacecraft and space planes, to advocate the practical benefits of directly expanding the ICAO Convention domain beyond the airspace to include the geostationary orbits.

**Features**
- Unique in its multidisciplinary description of space operations sustainability and safety
- Provides a strategic view
- Practical indications on how to organize the space commons

**Fields of interest**
Air and Space Law; Aerospace Technology and Astronautics; Innovation/Technology Management

**Target groups**
Professional/practitioner

**Type of publication**
Monograph

Due July 2011
R. Siltala, University of Turku, Finland

**Law, Truth and Reason**

*A Treatise on Legal Argumentation*

This book is an innovative contribution to analytical jurisprudence. It is mainly based on the distinct premises of linguistic philosophy and Carnapian semantics, but also addresses the issues of institutional philosophy, social pragmatism, and legal principles as envisioned by Dworkin, among others. Wróblewski’s three ideologies (bound/free/legal and rational) and Makkonen’s three situations (isomorphic/semanically vague/normative gap) of judicial decision-making are further developed by means of 10 frames of legal analysis as discerned by the author. With the philosophical theories of truth serving as a reference, the frames of legal analysis include the isomorphic theory of law (Wittgenstein, Makkonen), the coherence theory of law (Alexy, Peczenik, Dworkin), the new rhetoric and legal argumentation theory (Perelman, Aarnio), social consequentialism (Posner), natural law theory ( Fuller, Finnis), and the sequential model of legal reasoning by Neil MacCormick and the Bielefelder Kreis. At the end, some key issues of legal metaphysics are addressed, like the notion of legal systematics and the future potential of the analytical approach in jurisprudence.

**Features**
- An innovative contribution to analytic jurisprudence
- Suggests a new definition of coherence in law
- Makes a major contribution to key areas in law and jurisprudence
- Provides a new definition of legal interpretation

**From the contents**

1. Introduction
2. An Isomorphic Theory of Law: A Relation of Structural Similarity between the Two Fact-Constellations Compared
3. Coherence Theory of Law: Shared Congruence among Arguments Drawn from the Institutional and Societal Sources of Law
4. “Between the Evident and the Irrational”

**Fields of interest**
Law Theory/Law Philosophy; Philosophy of Law; Linguistics (General)

**Target groups**
Research

**Type of publication**
Monograph

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T. M. Spranger, Institute of Science and Ethics, Bonn, Germany (Ed.)

**International Neurolaw**

*A Comparative Analysis*

Whereas the past few years have repeatedly been referred to as the “era of biotechnology”, most recently the impression has emerged that at least the same degree of attention is being paid to the latest developments in the field of neurosciences. It has now become nearly impossible to maintain an overview of the number of research projects dealing with the functionality of the brain – for example concerning its organizational structure – or projects dealing with the topics of legal responsibility, brain-computer interface applications, neuromarketing, lie detection or mind reading. These procedures are connected to a number of legal questions concerning the framework conditions of research projects as well as the right approach to the findings generated. Given the primary importance of the topic for the latest developments, it is essential to compare the different legal systems and strategies that they offer for dealing with these legal implications. Therefore, the book *International Neurolaw – A Comparative Analysis* contains several country reports from around the world, as well as those of international organizations such as UNESCO, in order to show the different legal approaches to the topic and possible interactions.

**Features**
- So far no international comparison of legal approaches towards neurolaw
- Increasing importance of neurosciences
- Contains country reports from around the world
- Each country report to give a short overview on the national legal system

**Fields of interest**
Medical Law; Neurobiology; Medicine/Public Health, general

**Target groups**
Research

**Type of publication**
Contributed volume

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H. Wang, Renmin University, Beijing, China, People’s Republic

**Protecting Privacy in China**

*A Research on China’s Privacy Standards and the Possibility of Establishing the Right to Privacy and the Information Privacy Protection Legislation in Modern China*

Today, privacy is one of the most hotly debated topics worldwide. The book aims to balance the development of personal rights in a country that has historically valued collective rights over those of the individual. The protection of privacy is not an issue that has been emphasised during the rapid development of economic laws in China. However, the accompanying development of greater government-based regulation of these laws’ implementation has led to greater invasions of personal privacy. This study attempts to provide a way forward for China to address the ever-increasing concerns about the protection of privacy and puts forward a legislative model for protection. This is achieved after a thorough analysis of the threats to privacy protection in China, a critical evaluation of the level of current privacy protection in China, and an analysis of the privacy laws in a series of developed nations based on common law and civil law.

**Features**
- Introduces China to the world
- Explores China’s ancient privacy, which had been protected by Confucian theory of “Li”
- Potential Chinese readers and Chinese market

**From the contents**

Chapter 1: Privacy
- Chapter 2: Recent Developments Threatening Privacy in China
- Chapter 3: China’s Privacy Standards
- Chapter 4: The Legal Protection of Privacy in International Practices – Potential as Models for a Chinese Privacy Protection Regime
- Chapter 5: Creating the Right to Privacy in the Chinese Legal System

**Fields of interest**
International & Foreign Law/Comparative Law; European Law/Public International Law

**Target groups**
Research

**Type of publication**
Monograph

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**Due September 2011**

2011. 238 p. (Law and Philosophy Library, Volume 97)
Hardcover
- € 99,95 | £90.00
- *€ (D) 106,95 | € (A) 109,95 | sFr 143,50
ISBN 978-3-642-21540-7

**Due September 2011**

2011. 460 p. 2 illus. Hardcover
- approx. € 139,95 | £126.00
- *approx. * € (D) 169,75 | € (A) 153,94 | sFr 201,00
ISBN 978-3-642-21541-4

**Due September 2011**

2011. 280 p. Hardcover
- approx. € 99,95 | £90.00
- *approx. * € (D) 106,95 | € (A) 109,95 | sFr 143,50
ISBN 978-3-642-21740-4