

JUMPOL PINYOSINWAT : LIABILITY OF AIR TRAFFIC CONTROLLER AND OPERATOR OF AIR TRAFFIC CONTROL SERVICES. THESIS ADVISOR : PATTAMA TANTIRUJANANONT, ASST. PROF. SUPHANIT KERDSOMKIATR, Ed. D. 168 pp. ISBN 974-579-943-2

Considered as one among the most important elements to ensure security of the air travel, air traffic control has now even increased its significance due to the escalation of the number of flights and the advance of the modern technology enabling planes to travel at far more speed. This consequently leads us to face the complexity of the air traffic system and at the same time forces us to effectively standardize our air traffic practices. For such mentioned reasons, the International Civil Aviation Organization (ICAO) and many states have formulated international rules to cope with such a problem. However, it is deplorable that until now very little has been done regarding the rules or laws governing the liability of the air traffic controllers and the operators of the air traffic control services, which now still has no international framework and is left to be governed by the internal law of each state.

This thesis, therefore, endeavours to study in depth on laws, both international and Thai, which govern the liability of the air traffic controllers, the limits and the types of the liability of the air traffic control services. In so doing, it has manifested in detail the pertinent civil wrongs or crimes concerning the flight process and the legal proceedings in various states on the said issues. Further, it has also analysed the role of the ICAO.

From the research, it has been found that the internal laws on this matter in various states do vary which unavoidably causes the dissimilarity in the legal proceedings and the lack of international standard. This is obviously in contrast to the characteristic of the services, and to the liability of the pilots and air carriers, and could then render injustice to persons concerned and troubles to the services themselves. The author has concluded and recommended some possible solutions with regard to problems on both international and Thai air traffic control practices.