

Editorial

New Members of the Board Farewell to Wybo Heere 40 years anniversary ASL

New Members of the Board of Editors

There are at least two good reasons for strengthening the Board with new editors: the imminent retirement of Wybo Heere (see below) and other future changes in the Board, and the ‘fast and furious’ developments in both the worlds of air transport and space commerce.

As for the latter, issues of (un) fair competition, emissions trading, lost aircraft, passenger rights, mergers and drones/UAVs require our attention as do space tourism, nano-satellites, exploitation of space resources, space debris and space traffic management.

A lot is happening, and *Air & Space Law* should provide its readers with expert views on the law and policy aspects thereof. To remain fully equipped for that task the Board of Editors needs experts who are familiar with the issues, know prospective authors, and who guide – and act as sparring partners for – those who want to write or have submitted manuscripts.

We therefore consider ourselves very fortunate with the following new members of the Board:

– Prof. Dr Regula Dettling-Ott

Prior to joining Lufthansa in 2010 as its Vice-President EU Affairs, Regula was Managing Director for International Relations & Government Affairs at Swiss International Airlines, focusing in particular on (the negotiation of) bilateral air transport agreements. She also worked as an attorney specializing in air law (liability, accident investigation etc.). Finally, she lectures on air law and has published extensively on various subjects in this field; for example, she co-edited and co-authored a looseleaf guide/commentary on the *Montreal Convention*.

– Prof. Dr Lesley Jane Smith

Lesley Jane was appointed Professor of International and European Economic Law at the Leuphana University Lüneburg, Germany in 1996, and is a visiting professor

of space law at the University of Strathclyde, Glasgow, as well as a member of the London Institute of Space Law and Policy. She is a solicitor and partner in the law firm Weber-Steinhaus & Smith in Bremen and, since 2014, General Counsel of the International Astronautical Federation (IAF) in Paris. Lesley Jane has an extensive command in the field of national and international space law, including developments at the European Union level. She is an expert on liability for commercial space activities and earth observation, and a contributor to the main commentaries on these subjects. She is co-editor of *Contracting for Space*, a book on contract practice in the European space sector (2011). Lesley Jane is already a member of the Editorial Board of the Brill series *Studies in Space Law*.

– Tanja Masson-Zwaan LL.M.

Tanja is Assistant Professor and Deputy Director of the International Institute of Air and Space Law at Leiden University, and teaches space law in its LL.M. programme on air and space law. She is also President of the International Institute of Space Law (IISL). In that capacity she organizes the space law colloquia coinciding with the annual International Astronautical Congress, an annual symposium for the UN Committee on the Peaceful Uses of Outer Space, as well as the Manfred Lachs space law moot court competition involving more than sixty law schools worldwide. Prior to her present positions, she set up and taught courses in air and space law at the National University of Singapore and worked as a space consultant in France. Tanja serves as adviser to a variety of institutions and organizations worldwide and has a vast international network in the field of space law. She frequently writes on new developments in the use of outer space (see e.g., Tanja's report in this issue) and is often consulted about the regulation of these 'newspace' initiatives.

A warm welcome to the above three experts and colleagues!

We do look forward to cooperate with them in meeting, if not exceeding, the expectations of our readers.

Farewell to (Founding) Editor Wybo Heere

In 1972 Sijthof/Oceana (later: Kluwer) published Wybo Heere's *magnum opus*, the 'International Bibliography of Air Law 1900 – 1971'. As the title promised, it contained all the books and articles that had ever been written on air law since the beginning of the twentieth century. As far as traceable, one should add: as the author noted, he spent nineteen years visiting libraries, digging through private collections, and communicating with his worldwide network of 'correspondents',

but still could not guarantee that the resulting 569 pages gave the complete picture. With the *Supplements* that were published at regular intervals after 1972 he continued his quest for completeness. In his acknowledgements he quoted one of his former professors: 'Useful books like this [one] are only made by intelligent maniacs.'

Wybo studied law at the University of Utrecht, the Netherlands, and graduated in 1954. He was the first student to complete the air law course instituted at that University. He became Senior Lecturer on international law, air and space law in its Institute of Public International Law, attended air law conferences (e.g., The Hague 1955 on the Warsaw Convention) and wrote articles on various air law topics, such as hovercraft, intrusions by foreign military aircraft and the legal status of State aircraft. He started working on his bibliography in 1953 and never stopped with this 'labour of love': until today, issue 4/5 of *Air & Space Law* traditionally contains his annual update. So he recorded 115 years of air law publications!

Which brings us to Wybo Heere's role for our journal.

When Kluwer, after an ILA conference in 1973, approached Wybo with the idea of a new English language law journal, the latter immediately thought of an air law journal that would cover 'the rest of the world' (the *Journal of Air Law and Commerce* at the time was primarily interested in US aviation law issues). With Kluwer's approval Wybo started to get the right people on board as editors, advisors, case law committee members and *rapporteurs* from international bodies. As he knew everybody engaged/interested in air law and proved quite persistent, the project materialized in a record time. In September 1975 the first issue of *Air Law* was published, with professor of air and space law Diederiks-Verschoor, retired civil aviation director Spanjaard, airline pilot and IFALPA lawyer Aart van Wijk and Wybo Heere as the *ex aequo* members of the Board of Editors.

Wybo proved totally devoted to his intellectual baby. During the forty years of his editorial activities for the journal, since 1992 also embracing space law, Wybo not only read, judged and commented on what must have been thousands of manuscripts on air or space law, he also wrote a substantial number of book reviews and, of crucial importance, also for his co-editors and the publisher, he did the proof-reading of each and every issue. For him, that task unavoidably included checking of the lay-out and integrity of the printed text, of footnote references, names, titles, spelling and translations, and liaising with the printer on all of the above. At the end of the editorial year, the General Index and Subject Index were of course also his to prepare.

As (founding) editor, during all these years he has continued to feel totally responsible for the quality of the end-product, and he has acted accordingly until

and including the present issue 6. It goes without saying that, more important than his colleagues on the Board, our clients, the readers, have enjoyed the benefits of his intellectual energy and sense of duty.

We are extremely grateful for his total dedication to the well-being and success of the journal. We knew that we would eventually have to face this good-bye, but we are nevertheless shocked now that this actually happens.

We will miss this intelligent maniac.

N.B. He will probably have made a few corrections in the above text before it went to print.

Forty Years Anniversary Air & Space Law

An Editorial in the first issue of 2001 paid attention to our first important anniversary under the heading '25 years Air and Space Law and Beyond'.

Editor Wybo Heere reviewed the history of the journal and gave the readers some inside information about what makes the journal *c.q.* its editors tick.

He ended with the appeal 'Stay with us and you will [continue to] receive a reliable and easy accessible survey of all that happens in the fields of air and space law.'

Did we live up to that promise?

That is for the readers, both those who stayed on and the newcomers, to decide.

We, the editors, don't know, and that, in fact, keeps us on our toes.

The process is relatively simple: on the one hand, we receive spontaneous contributions from authors, but we also initiate contacts with experts of our choice asking them to shed light on topics we consider of relevance to our readers.

We do not underestimate you: you know air law, you know space law: you want to be informed, surprised, challenged or entertained by contributions that add to your knowledge, provide you with new perspectives and ideas and, in sum, make your subscription worthwhile.

The editorial antennas and search machines should be alerted to what may be important for our readers. That is why we continue to need editors with knowledge and experience in all facets of air and space law; and with relevant networks. A good reason to be happy with our new editors.

A veritable plethora of interesting topics is 'begging' to be turned into inspiring articles.

We celebrate our anniversary with a dedicated seminar on DRONES, which is definitely a topic falling within this category. But if you feel that other issues need (more) attention in the journal, do not hesitate to tell us.

The Board of Editors does feel privileged to work for you in this fascinating field of law & policy. The Publisher unfailingly supports us in this worthy endeavour. So nothing prevents us from simply continuing with the job of living up to our promise.

Peter van Fenema