

ACTS OF UNLAWFUL INTERFERENCE AT CIVIL AVIATION

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One of the basic and also the most watched quantitative indicators of air transport is safety in civil aviation, which has a decisive influence on the quality of the transport department. In Europe is air transport expanding rapidly. Over the last fifteen years has more than doubled. The aircraft has become a normal means of transport and it is within the aviation security the most important element. Civil aviation safety and mainly develop of security measures are strongly influenced by acts of unlawful interference. This article is based on diploma thesis, which was given to acts of unlawful interference, and its main task is to shortly describe the most interesting parts of this work.

Key words: Act of unlawful interference, hijack, bombing, asylum, hostage, ransom, safety, security control, legislation, number.

1 INTRODUCTION

Air transport is the youngest from all modes of transport. In a relatively short period (about 100 years), there has been a rapid development of air transport worldwide. This development was mainly due to the huge number of aircraft and scheduled flights worldwide. In the history of aviation with an increasing number of flights also gradually started to appear security holes, particularly in the screening of passengers and baggage. Mainly due to the mentioned facts have these holes started using persons or organizations to achieve their goals, mainly to gain political asylum, then negotiate a ransom for the release of passengers on the aircraft or the release of political prisoners. Air transport has gradually become a suitable instrument to carry out their goals not only for individuals, but also for terrorist organizations, that realize their goals, particularly through bombings aboard civil aircraft or in airports. All these mentioned acts or attempts became name acts of unlawful interference. The role of this article will briefly approaching the issue of acts of unlawful interference.

2 CONCEPT OF AN ACT OF UNLAWFUL INTERFERENCE

Whereas acts of unlawful interference at civil aviation gradually become a global problem, it was necessary to modify the legislation related to acts of unlawful interference at the international level and consequently, at the national level. Based on the aforementioned facts, in the history of civil aviation have been successfully signed three major international contracts and the Convention on International Civil Aviation in 1944. All three contracts and the Convention took the name from the place where they were signed and in the world are known as: Chicago Convention in International Civil Aviation, Tokyo contract, the Hague contract and the Montreal contract.

According to the Chicago Convention must be problematic of acts of unlawful interference treated in every national aviation law. Slovak Aviation law defines an act of unlawful interference as an act or attempt to act, that endangers the safety of civil aviation and air transport. Based on the mentioned definition, acts of unlawful interference can be one of the following cases: unlawful seizure of aircraft in flight, unlawful seizure of

aircraft on the ground, holding hostages on board or airport, violent intrusion on board or airports, possession of a weapon or hazardous device or material for the purpose of illegal use on board or at an airport, the communication of false information which endangers the safety of an aircraft in flight or on the ground, passengers, crew, ground staff or the public at the airport or on the premises of aircraft equipment.

Unlawful seizure of aircraft in flight or on the ground, forcible intrusion on board and holding hostages on board an aircraft or at an airport can generally marked with the word kidnapping or attempted kidnapping. Possession of dangerous equipment in order to be illegally using on board the aircraft or in the airport in order to destroy aircraft and kill passengers can select the word attempted bombing or bombing. Just attempted kidnapping, hijacking and bombings are the most widespread cases of unlawful acts against civil aviation.

3 INTERESTING FACTS ABOUT ACTS OF UNLAWFUL INTERFERENCE

The most widespread type of unlawful act in civil aviation is an attempt for a hijack or a hijack of an aircraft, which already incurred at least 115 cases. Historical first statistically confirmed hijack of an aircraft happened in Brazil on 25.09.1932, when aircraft Sikorsky S-38 was hijacked on the movement area of the airport by soldiers of the revolutionary army. A next hijack of an aircraft happened after 17 years, when in the former Czech-Slovakia was on 06.04.1948 on regular flight Prague-Brno-Bratislava hijacked plane Douglas DC-3 CSA. In Czech-Slovakia formed hijacks or attempts for a hijack most cases of acts of unlawful interference. Specifically, up to 30 cases out of 31 cases are designated as hijacks or attempts for a hijack.

In a world is very widespread type of case of act of unlawful interference also attempt for a bombing attack or the bombing attack. According to available statistics, it can be stated that in the history of aviation there have been at least 90 cases of attempted bombing or of the bombing of civilian aircraft, of which the Czech-Slovak recorded one such act. Historical first case of the bombing happened on 10.10.1933 on regular flight of United Airlines and until now the last case happened on 21.03.2010 on a regular flight of Kingfisher Airlines.

Available data shows, that as a result of acts of unlawful interference in civil aviation was killed at least 4166 people, of which due a hijack of an aircraft was killed at least 864 persons and due a bombing attack was killed at least 2830 persons. For the most tragic case of the bombing of a civilian aircraft is considered to be a case of 23.06.1985. On this day, on a regular flight number 182 Air India exploded in the luggage compartment Boeing 747 bomb that claimed the lives of 329 passengers. Bombing of civilian aircraft happened also in Czech-Slovakia, over whose airspace the aircraft of airliner JAT disintegrated on 26.01.1972 after the terrorist attack. This case took the lives of 27 people and it was the most tragic event ever of act of unlawful interference in civil aviation in the Czechoslovakia. The most tragic time in terms of the number of deaths due to unlawful acts in civil aviation, according to statistics are eighties years of the last century, which claimed the lives of total of at least 1,362 people. Very tragic period were also the seventy years, during which were killed due to unlawful acts in civil aviation at least 981 people. The age with the fewest deaths due to acts of unlawful interference in civil aviation is are the thirties of last century, during which killed at least 14 people, further fortieth years, during which killed at least 67 people and fifties, during which killed at least 137 people.

In addition to acts committed directly on board of a civil aircraft history also remembers other types of offenses. These offenses are mainly cases of shooting down civilian aircraft or attacks on civilian airports. The statistics clearly show that cases of shooting down civilian aircraft are fortunately not many. Furthermore, it can be stated that the shooting down of a civilian aircraft were caused by another aircraft or anti-aircraft from the ground.

According to statistics the perpetrators of acts of unlawful interference used the most often on their actions the aircraft from manufacturer Boeing, namely Boeing 727, which recorded at least 24 serious cases, further Boeing 737, which has recorded at least 21 serious cases, Boeing 707, which recorded at least 16 serious cases and the Boeing 747, which recorded at least 13 serious cases. Necessary is also to mention by the Boeing 747 fact, that on this type of aircraft has happened the two most tragic cases of acts of unlawful interference, the result of which was 599 dead people. Another very popular types of aircraft for offenders were in the past Douglas DC-3, which has recorded at least 16 serious cases, including 8 cases in Czechoslovakia, further Douglas DC-8 and Douglas DC-9, which recorded at least 5 serious cases. The perpetrators used also other types of aircraft as for example: Tupolev, Ilyushin, Yakolev, ATR and Brazilian Embraer.

3 CONCLUSION

Based on the aforementioned facts, it is therefore possible to say that in the world are only a few countries whose civil aviation in its history has never before encountered with any acts of unlawful interference. It is necessary to believe that constant improvement and upgrading of security measures and controls in civil aviation will continue to increase and acts of unlawful interference in the world will become less.

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