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In-Depth: Aviation Law (formerly The Aviation Law Review) aims to serve as a frontline resource for practitioners and other stakeholders seeking to navigate the legal and regulatory regimes governing the global aviation industry. With a focus on recent developments, it covers the key aspects of the legal framework in each jurisdiction as well as the related commercial and practical implications.

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Introduction

Israel's geopolitical situation makes air transportation a vital factor in maintaining its connections with the rest of the world.

The Israeli aviation sector has undergone major changes in recent years. The first of these was the enactment of the Aviation Services Law (Compensation and Assistance for Flight Cancellation or Change of Conditions) 2012 (ASL), establishing passenger rights, similar to those under Regulation (EC) No. 261/2004, to compensation and other benefits in the case of flight delays or cancellations and denial of boarding (as a result of overbooking, etc.).

Another major change was the liberalisation of Israel's policy on bilateral and multilateral air services agreements and the resulting signature of the EU–Israel Open Skies Agreement in 2012.^[1] This change in policy has resulted in a significant increase in the operations of foreign airlines (including low-cost airlines) and the frequency of flights to and from Israel, as well as a decrease in airfares. Thus, for example, international passenger traffic passing through Israel's main international airport, Ben Gurion Airport (TLV), increased by more than 90 per cent between 2012 (12.4 million) and 2019 (24.036 million).^[2] This growth ceased in the following years due to the covid-19 pandemic. Starting in March 2022, a rapid and significant recovery process began and continued throughout the year, which ended with traffic of 19.2 million passengers and about 114,000 international flights to and from TLV.^[3] 2023 began with the expectation of 24 million international passengers – a record year in aviation activity in Israel. Since 7 October 2023, the State of Israel has been in one of the most difficult periods in its history (the *Iron Swords* war). The impact of the war is evident also on civil aviation. Nonetheless, international passenger traffic during 2023 stood at 21.1 million passengers (a 9.71 per cent increase over 2022), with 144,869 international aircraft movements (an increase of 8 per cent over 2022).^[4]

The Israeli Ministry of Transportation (MOT) has primary responsibility for regulation of the aviation sector. In 2005, the MOT established the Civil Aviation Authority of Israel (CAAI) to oversee, regulate and supervise all aviation-related matters, including the issue of aviation licences and permits. The body responsible for airports is the Israel Airports Authority. The Aviation Security Operation Centre (ASOC) in the Security Department of the MOT oversees aviation security. Aviation security is a priority in Israel in the light of constant terrorist threats. Operating permits will not be granted unless ASOC has received and approved a written confirmation of compliance with ASOC's security requirements from the relevant foreign airports and airlines.

Allocation of slots at TLV is carried out in accordance with the Aeronautical Information Publication (AIP), which gives priority to scheduled flights and to maintenance of existing allocations.^[5]

Year in review

Interesting developments in litigation and case law include a recent decision in a motion to certify a class action against an airline^[6] in which the district court ruled on a number of issues not previously resolved, including confirmation that an airline may inform its passengers of their rights under the ASL by email or SMS, which includes links to its website where detailed information is available. The court further found that there is no obligation under the ASL to allow passengers the option of providing Israeli bank account details through the airline's website in order to receive refunds or compensation as long as there are other channels available for receipt of the funds from the airline. The court further determined, for the first time, that contrary to customary interpretation of Regulation (EC) No. 261/2004, under ASL, passengers on disrupted flights who choose a refund (rather than reroute), are still entitled to care services from the airline (or reimbursement of expenses incurred in lieu thereof) subject to: (1) presenting the airline with proof of purchase of an alternative flight ticket to the same destination at an earlier or proximate date; and (2) the expenses being reasonable. In any event, passengers would not be entitled to reimbursement for care services in an amount exceeding the value of those provided to passengers opting for a reroute with the airline. Also worth mentioning is a Supreme Court ruling, issued on 8 April 2024, rejecting an appeal filed following the dismissal by a district court of a motion to certify a class action regarding the right of 'no-show' passengers to receive a refund of government airport taxes.^[7] By dismissing the appeal, the Supreme Court found that airlines enjoy freedom of pricing, which allows them to choose whether they wish to collect government tax from a passenger (in which case, a refund of said tax would be due if the passenger were not to show for the flight) or refrain from collecting the tax from passengers (in which case no entitlement to a refund would arise). Lastly, in a ruling of 10 April 2024 the Supreme Court upheld a decision of a district court approving a motion to certify a class action against El-Al, the Israeli national air carrier, finding that it had breached its obligation to disclose to passengers the fact that certain of its aircraft have seats that cannot be adjusted to allow passengers to lean backwards during a flight.^[8] In its decision, the Supreme Court ruled, inter alia, that the impossibility of such adjustment is a 'material detail' (as defined in the Israeli Consumer Protection Law) that needs to be disclosed to passengers prior to purchase of the ticket.

In the context of regulatory developments, on 27 December 2023, the Committee for National Infrastructures approved Sub-Tall 80 A – Haifa Airport, which allows for regulation and expansion of the use of the airport for commercial and general flights to international and national destinations, while establishing restrictions on construction and land uses in the area surrounding the airport.^[9] Another regulatory update relates to the adoption by the Israeli legislature of the Law regarding Powers of Collection and Analysis of Passenger Name Record (PNR) Data of Passengers Travelling to or from Israel 5783-2023, which has been in force since 3 April 2023. On 19 April 2023, the National Centre for Passenger Information Analysis (NCPIA) issued a 60-day notice to air carriers to commence implementation of the new legislation. On 3 August 2023, SITA Advanced Travel Solutions Ltd was officially chosen by NCPIA to establish and operate computerised data systems within the Passenger Information Gateway at the NCPIA. On 4 August 2023, NCPIA issued requirements for air carriers to establish an interface with SITA. This interface will facilitate the transmission of both passenger and crew data to NCPIA in accordance with the new law.

Legal framework for liability

International carriage

Israel is party to several international aviation-related conventions governing the liability of air carriers in international carriage, including the Warsaw Convention 1929, the Guadalajara Convention 1961 and the Montreal Convention 1999, as well as their respective protocols. These conventions have been given effect in Israeli domestic law by the Air Transport Law 1980 (ATL). Section 3B of the ATL provides that where both the Montreal Convention and another of the conventions adopted by the ATL apply, the Montreal Convention will govern.

Section 10 of the ATL provides that the liability for damage, including liability for the death of a passenger, of a carrier under the ATL (i.e., the liability of a carrier under a convention made applicable in Israel by the ATL) substitutes the liability of the carrier under any other Israeli law. The Israeli Supreme Court has implemented this rule (the 'exclusivity of grounds of action rule'), holding that where a claim is governed by the ATL, a passenger will not be able to rely on other provisions of domestic law.^[10]

Israel is also party to the Chicago Convention on International Civil Aviation 1944 (the Chicago Convention), adopted into domestic law by the Air Navigation Law 2011 (ANL), and to the Tokyo Convention 1944 on offences and certain other acts committed on board aircraft given domestic effect by the Air Navigation Regulations (Offences and Jurisdiction) 1971.

In contrast, Israel is not a party to the Convention on International Interests in Mobile Equipment and the Protocol on Matters Specific to Aircraft Equipment concluded in Cape Town on 16 November 2001.^[11]

Internal and other non-convention carriage

The ATL provides that the Montreal Convention shall apply, *mutatis mutandis*, to internal flights within Israel.^[12] The Aviation Services Regulations (Compensation and Assistance for Flight Cancellation or Change of Conditions) (Internal Flights) 2013 (enacted under the ASL) provide (in modifying the rule under the ASL applying to international flights) that a flight delay of three hours or more for an internal flight shall be treated as cancellation of the flight and vest passengers with the right to compensation accordingly.^[13]

Under Section 338(a)(2) of the Penal Law 1977, the reckless or negligent operation of an aircraft, in a way that could endanger human life or result in injury, is a criminal offence punishable by a prison sentence of up to three years.

General aviation regulation

Civil aviation operations (including the operation of helicopters and gliders) are governed by the ANL and the regulations enacted thereunder. The ANL regulates the identification and registration of aircraft, licensing and training of personnel, airworthiness of aircraft, general operating and flight rules, commercial air services and air navigation services.

Passenger rights

Passenger rights are regulated pursuant to the ATL by the Montreal Convention (or other applicable convention) and the ASL. The ASL is a pro-consumer act of legislation that regulates passengers' rights and carriers' duties, including those relating to payment of compensation (without the need to prove damage) in the case of flight delays, cancellations, denial of boarding and downgrading.^[14] The ASL also provides that in cases of flight delays of two hours or more and flight cancellations, the carrier is obliged to provide passengers with ground assistance, including communications services, food and beverages and, in some cases, hotel accommodation.

Although very similar to Regulation (EC) No. 261/2004, the ASL includes a number of innovations, such as:

1. the determination that both a delay of eight hours or more and the bringing forward of a flight are considered flight cancellation, and that the bringing forward of a flight by more than eight hours entitles the passenger to the same compensation as that to which a passenger of a cancelled flight is entitled;
2. the authority granted to the court to impose exemplary damages on the carrier in cases of non-compliance with the ASL; and
3. the obligation of a flight operator to station representatives for the provision of assistance to passengers in the exercise of their rights under the ASL at every airport from which the operator commences flights to and from Israel (provided, with respect to flights to Israel, that the passengers hold a return ticket to Israel, including a flight with a stopover).^[15]

In the spirit of the pro-consumer nature of the ASL, the Israeli courts have given a narrow interpretation to the provision in the ASL exempting the carrier from the obligation to compensate passengers in the case of cancellation of flights where the cancellation was caused by special circumstances beyond the carrier's control that could not have been prevented even if the carrier had done everything in its power to do so. In general, therefore, technical malfunctions in an aircraft will not constitute special circumstances,^[16] unless the malfunction is proved to be rare and not to have been preventable by the performance of proper maintenance. In a judicial decision reflecting the same approach, the court held that for an airline to avoid payment of compensation for cancellation of a flight and, in particular, for it to prove that it has done everything within its power to prevent the cancellation, it may be necessary for the airline to prove that it was not able to lease an alternative aircraft or to purchase tickets for its passengers on the flight of another airline.^[17]

Passengers' rights relating to the purchase and cancellation of flight tickets are regulated by the Israeli Consumer Protection Law 1981 (CPL),^[18] which, in certain circumstances, including transactions made at a distance (by telephone, email, etc.) and, subject to certain conditions, entitles consumers to cancel transactions without cause and to the reimbursement of the price paid, less a small cancellation fee per ticket.^[19]

The carriage of disabled passengers is governed by the Israeli Regulations for Equal Rights for People with Disabilities (Regulation of Access to Public Transport Services), 2003 (RER). The RER lays down certain technical qualifications for the use of aircraft, including a provision that an aircraft shall not be operated for the carriage of passengers if it is not adequately adapted for the disabled.^[20] Section 14 provides that disabled persons have the

right to a suitable escort at the terminal and at the crossing from the terminal to the aircraft; the right to have the appropriate person at the airport of destination notified regarding their expected arrival; and the right to have their wheelchair loaded in a manner enabling it to be placed at their disposal immediately upon disembarking from the aircraft, provided the carrier has received at least 48 hours' prior notice of the disabled person's expected arrival.

Other legislation

Loud noise generated on low-altitude flight routes near populated areas may constitute a nuisance to residents of those areas. With a view to reducing the extent of this nuisance, the Israeli Ministry of Environmental Protection, in conjunction with the Israel Airports Authority, has issued rules governing the construction and planning of airports. Other measures directed to the same purpose include the imposition of night and weekend curfews and the requirement that compliance by an aircraft with the Flight Regulations (Aircraft Noise) 1977 is a condition for issue of a flight permit.

Israel has strict anti-bribery rules. It is a member of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, and gave domestic effect to the Convention on 11 June 2008 by adding Section 291A to the Penal Law 1977, providing that a person giving a bribe to a foreign public official for an activity related to their position to obtain, secure or promote business activity or other advantage in respect of business activity shall be deemed to have committed bribery under Section 291 of the Penal Law.

Licensing of operations

Licensed activities

Commercial operation of aircraft

The Licensing of Aviation Services Law 1963 (LASL) and the ANL regulate the licensing of aviation-related activities. An Israeli individual or entity will not be permitted to operate aircraft for commercial purposes without a commercial operating licence (COL) from the MOT and an air operator certificate (AOC) from the CAAI.^[21]

Foreign individuals and entities are not eligible for an Israeli COL or AOC. To obtain a COL, the applicant operator must submit evidence of its financial resources, details regarding its operations, crew qualifications and experience, and consumer-related details. The MOT has the power to grant, suspend and cancel the COL and determine its period of validity.

The issue of an AOC is conditional on possession of a COL and subject to proof that the applicant possesses adequate aircraft and facilities for the operations in question. A detailed list of requirements for the AOC application is set out in the Air Navigation Regulations (Operation of Aircraft and Flight Rules) 1981 (ANR).^[22] The CAAI will grant an AOC only if it is satisfied that the applicant is capable of performing the operations in question in a safe manner. The AOC will be valid for a period of two years and may be renewed by an application filed at least 60 days prior to expiry.^[23]

For commercial aviation operations from, to and within Israel, the operator must obtain operating permits from the CAAI.

Licensing of aviation-related activities

According to the ANL, an individual shall not perform a function in connection with the operation of an aircraft, the performance of aircraft inspections or the provision of air traffic management services without possessing a licence from the CAAI unless they are in possession of this licence from a competent authority in a contracting party to the Chicago Convention.^[24]

The following are other activities that require a licence:

1. the training of aviation workers;
2. the operation of an entity for aircraft maintenance and repair of a unit for the provision of air traffic management services and of an airport or a landing strip;
3. the manufacture of aircraft for marketing;
4. the transportation of dangerous goods; and
5. training for operating, or the commercial operation of, a hang-glider, powered hang-glider, paraglider, powered paraglider, powered parachute, unmanned flying model, kite or rocket, radio models, small aeroplanes and training aeroplanes.^[25]

The conditions for the grant of licences are set out in the ANL and the ANR. The CAAI has the authority to revoke, suspend and limit licences granted if, inter alia, one (or more) of the conditions for receiving the licence is no longer met or the licensee has violated any of the conditions of the licence or any of the provisions of the ANR.^[26]

Ownership rules

According to the LASL, a COL will only be granted to an Israeli operator that is one of the following: an individual who is a permanent resident of Israel without a principal place of business outside Israel or an Israeli citizen who has a principal place of business in Israel; or a company incorporated in Israel without a principal place of business outside Israel and controlled by an Israeli citizen or a permanent resident of Israel, or by another person in accordance with the provisions of an international aviation convention to which Israel is a contracting party.^[27]

Regarding foreign carriers, there are no explicit rules relating to nationality or citizenship, but the LASL authorises the MOT to refuse to grant an operating permit if the applicant carrier is deemed a potential danger to the security of Israel.^[28] For commercial flights, details of the air carrier's ownership, including the nationality of owners and their respective shares of ownership, must be provided in the application for an operating permit.^[29]

Foreign carriers

Pursuant to the LASL, foreign carriers must obtain an operating permit from the CAAI for operation of passenger^[30] or cargo flights from, to or within Israel.

Commercial flights

According to the LASL and the AIP, a foreign operator wishing to fly to and from Israel must be eligible to carry out the flights under the provisions of a bilateral or multilateral agreement to which the state of the foreign operator and Israel are contracting parties.

An application for an operating permit for commercial scheduled flights must be submitted to the CAAI according to the provisions of CAAI Directive AT.1.1.400.^[31] The granting of the permit will be subject to the submission of commercial details relating to, inter alia:

1. ownership;
2. principal place of business;
3. an AOC issued by an appropriate foreign authority;
4. proof of adequate insurance coverage;
5. confirmation of the appointment of local representatives for service of process and for communications with the Israeli aviation authorities;
6. confirmation of valid licences and medical certificates for the crew according to the Chicago Convention; and
7. certifications relating the registration of aircraft, airworthiness and noise.

Additional documents may be required by the Security Division of the MOT for the approval of the operator with respect to security, such as annually renewed confirmations by the operator and the relevant airport that they will comply with the MOT's Security Directive, which prescribes security-related standards on subjects such as passenger and baggage checks, aircraft protection and security procedures for in-flight catering services.^[32]

In addition, the applicant must provide a commitment in accordance with the LASL to appoint a representative for provision of assistance to passengers in the exercise of their rights under the ASL at every airport from which the operator commences flights to and from Israel (including, in the case of flights to Israel, to passengers holding a return ticket to Israel, including a flight with a stopover),^[33] as well as appoint an Israeli representative authorised to act on its behalf under the LASL and constituting an address for service of court documents.^[34]

Non-scheduled commercial flights

To carry out non-scheduled commercial flights, a foreign operator must apply for and be granted an operating permit according to CAAI Directive AT.1.1.402.^[35] The application requirements are similar to those relating to an application for an operating permit for scheduled commercial flights and also include, where applicable, the submission to the CAAI of any relevant charter agreement.

Cargo charter flights

CAAI Directive AT.1.1.402 also applies to cargo charter flights. A cargo charter flight is defined as a flight where a person or a tour operator hires the capacity of an aeroplane for the sole purpose of cargo transportation.^[36] Additional requirements, pertaining specifically to cargo, are stipulated in AIP Israel GEN 1.4,^[37] which covers issues relating to customs, agricultural shipments and live animal importation. Further, as part of the approval process, and in obtaining ASOC's approval, the flights must meet the security requirements set out in the MOT Security Directive, which apply to cargo flights.^[38] The main purpose of the Directive is to prevent the loading of explosives and weapons, incendiaries and other destructive substances or items onto aircraft.^[39]

Overflight

According to the AIP, prior permission is not required for overflight of Israeli airspace or technical stops in Israel if a flight is operated by an aircraft registered in a country that is party to the International Air Services Transit Agreement or if the relevant bilateral air services agreement allows overflying the Israeli airspace or making stops in Israel for non-traffic purposes. In theory, prior permission should not be required for non-scheduled flights operated by aircraft registered in a country that is party to the Chicago Convention and has diplomatic relations with Israel.^[40] In other cases, prior permission will need to be obtained. In practice, prior notification of all overflights should be submitted to the ASOC at least five working days prior to the date of the flight.^[41] In view of Israel's special geopolitical situation, such flights may be made subject to the high-risk security requirements set out in MOT's Security Directive and applicable to flights landing in Israel.

Safety

Israel complies with the accepted international standards in the field of safety. The Israeli safety regulations are based on the Chicago Convention, the safety rules of the International Civil Aviation Organization and the US Federal Aviation Regulations.^[42] Israel is a participating state in the European SAFA programme. Furthermore, in 2016, Israel entered into a collaboration agreement with Eurocontrol, the European Organisation for the Safety of Air Navigation, which engages in airspace planning and air traffic management.^[43] The collaboration agreement provides Israel with access to aviation services, including air navigation services and control, in a way that increases its ability to prevent flight delays and manage air traffic more efficiently and safely.^[44]

Airworthiness

The CAAI is responsible for the issue and renewal of airworthiness certificates. The grant of an operating permit by the CAAI will be subject to the submission by the carrier of an airworthiness certificate, according to standards specified in the ANL, the LASL and the Air Navigation Regulations (Procedures for Documentation of Aircraft and Aircraft Parts) 1977, and the CAAI's directives.^[45]

Maintenance

The aviation maintenance requirements are regulated in the ANL, in Chapter 7 of the ANR and in the CAAI directives. The air operator is under a duty to perform routine aircraft inspection and maintenance and to repair any malfunctions detected in the aircraft, and to ensure that all staff members have the proper qualifications.^[46] In December 2017, to bring the Israeli standards in line with the European regulations, the MOT enacted the Air Navigation Regulations (Safety Management System) 2017, which deal with organisational aspects of safety management such as assignment of responsibilities, raising awareness, education and documentation duties.

Accident reporting

There is a duty in Israel to report to the chief investigator of the MOT and to the CAAI on the occurrence of safety-related incidents in the aviation field.^[47] The ANL grants the supervisor of the CAAI investigatory powers, including the authority to demand any information or document.^[48] The CAAI maintains and operates a system for reporting investigated incidents for the purpose of improving civil aviation safety.^[49] A new legislative proposal suggests establishing an independent authority within the MOT that will investigate safety-related incidents in civil aviation, in order to be better aligned with international standards.^[50]

Insurance

The MOT regulates the insurance obligations of aircraft operators in Israel. The Aviation Regulations (Compulsory Insurance in the Commercial Operation of Aircraft) 2017 (ARCI), which entered into force on 27 June 2018, are based on the European regulations on this subject. According to the ARCI, an operating permit will be granted only if the aircraft is insured.^[51] This insurance cover is required with respect to every aircraft that may be used in the carrier's operations, including under charter arrangements, joint ticketing arrangements or any other similar arrangement between air operators.^[52] The insurance must cover damage caused to passengers, baggage, cargo and third parties, as well as damage caused by terror events.^[53]

According to the ARCI,^[54] confirmation of existing insurance must include a declaration that the air operator complies with the requirements of the ARCI or the European insurance regulations.^[55]

Competition

Supervision of competition in Israel, including in the aviation sector, is carried out by the Israeli Competition Authority in accordance with Israel's Economic Competition Law 1988 (the Competition Law).^[56] The Competition Law deals with restrictive arrangements, mergers and acquisitions of companies, and monopolies.

In general, restrictive arrangements are unlawful and thus prohibited under the Competition Law, unless expressly permitted or exempted by: (1) any of the statutory exemptions set out in section 3 of the Competition Law; (2) any of the block exemptions

applicable under Israeli Law; or (3) an individual exemption granted by the Israel Competition Authority (ICA) upon application made to it, or granted by the Competition Tribunal.

Following legislative changes worldwide that revoked exemptions for restrictive arrangements between carriers, amendment No. 10 to the Competition Law enacted in 2007 significantly limited the exemption in that Law applying to arrangements in the field of aviation. As a result, arrangements between Israeli carriers, or those in which one of the parties is an Israeli carrier or maintains an activity in Israel, became restrictive arrangements necessitating receipt of regulatory approval. Following signature of the United States–Israel Open Skies Agreement^[57] in 2010 and the EU–Israel Open Skies Agreement^[58] in 2012, two block exemptions relating to aviation were enacted: a block exemption for code-share arrangements between air carriers relating to destinations covered by the Open Skies Agreements,^[59] and a block exemption relating to technical arrangements between carriers, arrangements for the lease of aircraft, frequent flyer arrangements, interline arrangements and flight capacity marketing arrangements (the Air Carrier Block Exemption).^[60] In July 2022, the ICA announced that the block exemption for code-share arrangements would not be extended, as its provisions were already included, in practice, in the block exemption for arrangements between carriers.^[61]

A restrictive arrangement that is not covered by the block exemptions or the additional exemptions listed in Chapter B of the Competition Law requires the prior approval of the Competition Tribunal or a specific exemption granted by the Commissioner of the Competition Authority.

The Air Carrier Block Exemption

The Air Carrier Block Exemption is a sectorial block exemption, which enables air carriers to collaborate in various respects without the regulatory burden of notifying the ICA and obtaining its prior approval. The Air Carrier Block Exemption exempts arrangements between air carriers that concern the marketing of flight capacity, leasing, technical cooperation, frequent flyer arrangements, connection arrangements, code-sharing arrangements, etc., subject to satisfaction of the cumulative criteria for obtaining such exemption as specified therein.

In addition, on 25 November 2018, an amendment to the Air Carrier Block Exemption was introduced, whereby parties may self-assess the impact of their agreement on competition in the relevant market in Israel, even if they do not meet the 'safe harbour' criteria of the block exemption (the Self-Assessment Provision). In so far as the parties meet the Self-Assessment Provision, the agreement will not be subject to a specific exemption or approval.

The Self-Assessment Provision exempts an agreement between air carriers, as long as the following cumulative criteria are met with respect to its effect on the pertinent Israeli market.^[62]

1. The main objective of the arrangement is not to reduce or eliminate competition;
2. the arrangement does not include any restraints that are superfluous to its objective; and
- 3.

the restraints in the arrangement do not limit competition in a significant part of the market affected by the arrangement, or are liable to limit competition in a significant part of such market, but do not substantially harm competition in that market.

The Competition Law provides that any person who is party to a restrictive arrangement that has not been approved or has not been exempted in accordance with the Competition Law or by a block exemption pursuant to the Competition Law, or that acts otherwise in contravention of the Competition Law, will be liable to imprisonment or a fine, or both.^[63]

Following the exposure of the existence of the alleged cartel in 2006, investigations against various airlines have been initiated around the world; criminal proceedings have been conducted, some of which have ended in convictions in accordance with plea bargains; and several civil lawsuits, by way of class action, have ended in settlements.

A motion to certify a class action regarding the Air Cargo cartel was also filed in Israel in 2013 against four airlines (El Al Israel Airlines and three other international airlines). The class action alleges that the airlines were parties to a global cartel concerning the carriage of cargo to and from Israel between 2000 and 2006.^[64] According to the action, the airlines coordinated prices of several items in the cargo carriage tariff, agreed to avoid discounts and exchanged information on earnings and prices. The amount claimed in the class action is 613 million new Israeli shekels. In January 2020, the Central District Court in Israel certified the class action. Application to the Supreme Court for leave to appeal the certification was filed by the airlines and then withdrawn by them on the Court's recommendation and dismissed (2 June 2022).^[65] The class action is pending before the Central District Court in Israel and a pre-trial hearing is scheduled for September 2024. In March 2024, the three international airlines being sued in the class action (i.e., except for El Al) filed a motion to approve a settlement agreement with the plaintiff, which is also pending.

The Competition Law also regulates mergers and acquisitions. A merger that meets one of the thresholds established under the ECL will be subject to notification to and the approval of the Commissioner of the Competition Authority.^[66] A merger will not be approved if there is a reasonable fear that it will significantly affect competition in the sector or will harm the public with regard to the following: the level of prices of an asset or service; low quality of the asset or service; the quantity of the asset or the scope of services supplied; or the frequency and conditions of the supply.^[67]

Wrongful death

Owing to the pre-emption of claims rule (also known as the exclusivity of grounds of action rule), which applies by virtue of Section 10 of the ATL,^[68] claims relating to the death of passengers in international carriage by air will be subject only to the provisions of the ATL and the Montreal Convention (or other conventions as applicable) adopted by the ATL. Accordingly, in the event of death of a passenger, the carrier will not be able to exclude or limit its liability for damages not exceeding 100,000 special drawing rights (SDRs).^[69] The carrier is not liable for damages exceeding 100,000 SDRs if the death of the passenger is proved not to have been caused by the negligence or other wrongful act or omission of

the carrier, its employees and agents, or is proved to have stemmed from the negligence or other wrongful act or omission of a third party.^[70]

The ATL provides that a court dealing with a claim filed for damages resulting from the death of a passenger may issue orders it deems just or helpful having regard to the provisions of the ATL limiting the liability of the carrier, to the rights of other persons entitled to claim damages, whether in or outside Israel, for the death of that passenger and regarding other claims that have been or may be filed, whether in or out of Israel, with respect to the death of that passenger.^[71] The ATL also provides that where there are several claimants as a result of the death of one passenger, and the aggregate amount of damages due to all of them exceeds the liability of the carrier under the other provisions of the ATL, the court will award to each claimant, out of the aggregate amount of damages due, an amount proportionate to the amount of damages that it would have awarded to that claimant.^[72]

We are not aware of Israeli case law relating to the death of a passenger during carriage by air and providing an authoritative interpretation of the relevant provisions.

Establishing liability and settlement

Procedure

There is no sector-specific regulation regarding the fora and mechanisms to be used in the settlement of claims, so the general rules of Israeli civil procedure are applicable.^[73] In January 2021, new Civil Procedure Regulations came into force (the New Regulations).^[74] The New Regulations provide^[75] that within 30 days of the filing of the last pleading, the parties shall conduct a preliminary meeting the purpose of which is, inter alia, to assess the possibility of resolving the dispute by an alternative dispute mechanism. Not being sector-specific, this preliminary hearing is relevant for all civil proceedings, including aviation-related claims. In addition, in claims for more than 36,400 new Israeli shekels filed in the magistrates' courts,^[76] the parties are required to attend a mandatory 'information, introduction and coordination' meeting with a court-appointed mediator to consider the possibility of conducting mediation.^[77] These regulations apply only to civil claims filed after 1 January 2021; claims filed prior to that date will continue to be governed by the Civil Procedure Regulations 1984 (although certain provisions in the New Regulations may apply to such claims).

Claims under the ATL and the Montreal Convention (and other applicable Conventions) must be brought within two years of the time the cause of action arises.^[78] Claims under the ASL^[79] must be brought within four years of the time the cause of action arises.^[80] In other cases, the general rules relating to prescription of claims laid down in the Israeli Prescription Law, 1958 will apply. That Law provides, subject to certain qualifications, that any action, other than an action relating to land, shall not be brought after the expiry of seven years from the date on which the cause of action arose.

Subject to the court having jurisdiction to entertain an action filed against the defendant concerned, there is no restriction regarding who may be joined as a defendant to the action (e.g., carrier, owner, pilot or manufacturer).^[81] Where the damage is caused to a claimant by

the fault of two or more persons, then, in principle, and unless the court directs otherwise, each tort-feasor is liable to the plaintiff for all the damage (i.e., liability is joint and several). However, on the application of one of the tort-feasors, the court may direct the contribution by one tort-feasor to another as it deems just and fit in the circumstances.^[82]

Carriers' liability towards passengers and third parties

The nature of a carrier's liability will depend on the cause of action concerned. It is strict in the case of Convention liability, when the relevant conditions of liability contained in the Convention are met. Any Convention liability will also be subject to an applicable limit of liability stated therein.^[83] Otherwise, liability will generally be fault based. The plaintiff usually bears the burden of proof, but there are circumstances in which the burden is transferred to the defendant. The requisite standard of proof is the balance of probability.

Even though the plaintiff usually bears the burden of proof, in claims based on negligence, the *res ipsa loquitur* rule may result in the transfer of the burden of proof to the defendant carrier. In claims based on the ASL, the burden to prove that a delay or cancellation was caused because of extraordinary circumstances lies with the flight operator or organiser.

Product liability

There is no Israeli legislation dealing specifically with liability for defective or damaged products in the aviation sector, so that such liability is governed by the general regime under the Liability for Defective Products Law 1980 (LDPL) and the Civil Wrongs Ordinance (New Version). The LDPL establishes strict liability and provides that a manufacturer must compensate any person who has suffered bodily harm as a result of a defect in a manufactured product.^[84] Note, however, that in circumstances where the Montreal Convention applies, liability may be limited in accordance with the provisions of the Convention.

Compensation

According to the Israeli aviation legislation (giving effect to the international conventions), the duty of the air carrier to compensate an injured party is based on the principle of strict liability, subject to proof of damage and the monetary limits laid down in the conventions and reflected in the Israeli legislation.

The Supreme Court has held that the term 'bodily injury' within the meaning of Article 17 of the Warsaw Convention^[85] should be construed broadly, so as to enable the award of damages for mental injury alone.^[86] In November 2019, the Tel Aviv District Court rendered a fundamental ruling reaffirming that, in accordance with Israeli law, compensation for mental anguish in baggage claims may be awarded by virtue of the Montreal Convention (which applies in Israel pursuant to the ATL). However, the total compensation would still be limited to the maximum amount specified in the Convention for baggage claims.^[87] An application for leave to appeal this ruling was dismissed by the Supreme Court on 14 June 2022, the Court thus confirming that the Montreal Convention does not exclude the possibility of awarding compensation to passengers for mental distress.^[88]

The ASL provides for statutory compensation without proof of damage in the case of denied boarding and delay or cancellation of flights, as well as for exemplary damages in the case a carrier fails to fulfil its obligations under the ASL.^[89]

In August 2020, a district court, in a decision on seven motions to certify class actions against various airlines, and having regard to the exclusivity of grounds of action rule, held that an air carrier may not be sued on additional grounds other than breach of the ASL in circumstances in which the Montreal Convention applies.^[90] The court also ruled that fixed sum statutory compensation under the First Schedule to the ASL cannot be claimed within the framework of a class action because it is a remedy that does not require proof of damage.^[91]

In addition to compensation stemming from aviation legislation, passengers who have sustained physical or mental injury in connection with air carriage may also be eligible for additional compensation under Israeli law. For example, the National Insurance Law 1968 (NIL) provides for payment by the National Insurance Institute of a general disability pension to a person covered by the NIL who has a physical, psychological or mental disability resulting in limited earning capacity.

Drones

Israeli aviation regulations enacted in the 1970s and the beginning of the 1980s currently constitute the regulatory framework for the operation of drones and model aeroplanes (together, unmanned aerial vehicles (UAVs)).^[92] Because of the increasing use of UAVs for various purposes in recent years, and the realisation that UAVs pose a threat to air safety (for example, in February 2019, takeoffs and landings at Israel's TLV airport were suspended because of the proximity of drones),^[93] the CAAI has circulated two sets of draft regulations governing the public use of drones (weighing from 250 grams to 25 kilograms) and model aeroplanes (weighing up to 150 kilograms).^[94] In view of the simplicity of the US Federal Aviation Administration Regulations^[95] dealing with this topic, and the experience gained from their implementation since their introduction in 2016, the draft regulations prepared by the CAAI rely on the US model rather than the corresponding European provisions.^[96] The proposed regulations will deal with the central aspects of UAV operation, such as the requirements relating to the UAV operator (principally, minimum age and the need for a licence), requirements regarding UAV software and hardware, and strict rules regarding the operation of drones in public places (including a ban on operation without direct eye contact, in proximity to an airport or within residential neighbourhoods). After a long approval process by several ministries, the draft regulations were recently discussed by the Economics Committee of the Israeli legislature on 10 April 2024.^[97] Although the Committee discussed the draft regulations on seven different occasions in the first quarter of 2024, as at the time of writing, they are still at early stages of the legislative procedure. However, since massive use of drone warfare has been made by Israel's enemies during the Israel-Hamas war,^[98] a special, time-limited regulation that requires all civil drones to carry an RID (Remote Identification) system and to send identification and operation data in real time to the air traffic control unit has been approved by the Economics Committee.^[99]

Voluntary reporting

To the best of our knowledge, there are currently no voluntary reporting provisions in Israel. However, a recent regulatory proposal suggests the introduction of systems designed to receive both voluntary and involuntary reports on incidents of civil aviation, as required by Annex 19 to the Chicago Convention.^[100]

Outlook and conclusions

The continued post-covid-19 growth of the aviation sector in Israel ceased at once following the terrorist attack by Hamas on Israel on 7 October 2024 and the outbreak of the *Iron Swords* war, which continues at the time of writing. Steps towards normalisation with Saudi Arabia, which were expected to have a positive effect on the aviation market in Israel, are currently on hold.

Due to the strong performance of, and confidence in, Israel's anti-missile systems ('Iron Dome', 'David's Sling' and 'Arrow'), the Israeli airspace has remained, on the whole, open for commercial flights throughout the war.^[101] At the same time, while Israeli airlines continue to fly to and from Israel, almost all foreign airlines initially suspended their operations to Israel,^[102] and only recently, when the situation became clearer, began reactivating routes to Israel.^[103]

As a consequence of population growth, the tiny size of Israel and a lack of vacant areas in the central region of the country (which leads, among other things, to the evacuation of military bases and airports from the centre and to the construction of residential and office towers), the local airport in the city of Herzliya, in the centre of the country – which serves as the main airport for civilian helicopters – is expected to be closed in the near future. With a view to establishing alternatives, the authorities have begun searching for suitable sites for five helipads in the Tel Aviv area, including roofs of existing buildings, in locations to be approved.^[104]

Endnotes

- 1 Signed and initialled by Israel and the EU Member States on 30 July 2012 and approved by the Israeli government on 21 April 2013. Ratified by the European Parliament on 20 June 2020: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32020D0952>. ^ [Back to section](#)
- 2 Ben Gurion International Airport Activity Summary Annual Report 2012 and Annual Report Ben Gurion International Airport for 2018: <https://www.iaa.gov.il/media/lpgbdeew/%D7%93%D7%95%D7%97-%D7%A4%D7%A2%D7%99%D7%9C%D7%95%D7%AA-%D7%A9%D7%A0%D7%AA%D7%99-%D7%A0%D7%AA%D7%91%D7%92-2019.pdf> ^ [Back to section](#)
- 3 Annual Report Ben Gurion 2022: www.iaa.gov.il ^ [Back to section](#)

- 4 Annual Report Ben Gurion Airport 2023 (pgs. 3-4): www.iaa.gov.il. ^ [Back to section](#)
- 5 The Aeronautical Information Publication (AIP) is published by the Civil Aviation Authority of Israel (CAAI) and is prepared in accordance with the Standards and Recommended Practices (SARPs) of Annex 15 to the Convention on International Civil Aviation and the Aeronautical Information Services Manual (ICAO Doc 8126). ^ [Back to section](#)
- 6 Class Action 9511-11-19 *Shirly Maoz et al v. Ryanair DAC* (Nevo Database, 31 March 2024). ^ [Back to section](#)
- 7 Civil Appeal 7936/22 *Vlad Gorshomov v. Wizz Air Hungary Ltd et al* ^ [Back to section](#)
- 8 Civil Leave to Appeal 901/24 *El Al v. Irit Rubin*. ^ [Back to section](#)
- 9 <https://haipo.co.il>. ^ [Back to section](#)
- 10 Civil Appeal 36/84 (Supreme Court) *Teichner v. Air-France, French Air Lines* (6 January 1987); see also Civil File 1818/03 (District Court) *El-Al Israel Airlines Ltd v. David* (7 July 2004). ^ [Back to section](#)
- 11 In a decision dated 15 June 2006, the Israeli government approved the accession of Israel to the Convention and the related Protocol, and authorised the Minister of Foreign Affairs to implement the decision (this has not been done to date). ^ [Back to section](#)
- 12 Section 5(a) of the ATL. ^ [Back to section](#)
- 13 Because domestic flights are relatively cheap, the sums awarded in cases of flight delay or cancellation are low (again modifying the provisions under the ASL for international flights). ^ [Back to section](#)
- 14 As in European Regulation 261/2004, the sum of compensation is dependent on the flight distance. ^ [Back to section](#)
- 15 The relevant provision has been inserted into the Licensing of Air Services Law 1963 by Section 23 of the ASL. ^ [Back to section](#)
- 16 See Leave to Appeal 60392-02-17 *Ukraine International Airlines v. Sharon Zehavi* (6 December 2017). ^ [Back to section](#)
- 17 See Leave to Appeal 50976-02-19 *Anat Sharon v. Aeroflot Russian Airlines* (26 February 2019). ^ [Back to section](#)

- 18 The Israeli District Court in CA 54491-01-15 *Bashan v. EasyJet Airline Company Ltd* decided that the CPL does not apply to foreign airlines with no permanent presence in Israel. An appeal to the Israeli Supreme Court (Civil Appeal 5089/20) was filed and later withdrawn (2 June 2022) on the Court's recommendation. [^ Back to section](#)
- 19 Civil Further Appeal 5783/14 *Adv. Lior Zemach v. El Al* (12 September 2017). [^ Back to section](#)
- 20 Chapter 3 of the RER. [^ Back to section](#)
- 21 Section 2 of the LASL. [^ Back to section](#)
- 22 Section 374 of the ANR. [^ Back to section](#)
- 23 *ibid.*, Sections 373 and 375. [^ Back to section](#)
- 24 Sections 2 and 4 of the ANL. [^ Back to section](#)
- 25 Sections 13, 21, 52, 74, 87 and 88 of the ANL. [^ Back to section](#)
- 26 Section 8 of the LASL. [^ Back to section](#)
- 27 Section 1 of the LASL. [^ Back to section](#)
- 28 *ibid.*, Section 5. [^ Back to section](#)
- 29 ATF 1.1.400A, Commercial specifications of a Foreign Air Carrier applying for an operating permit to and from Israel, Air Transport Handbook. [^ Back to section](#)
- 30 According to the 'Criteria for the approval of foreign air carrier flights that may constitute operating a base in Israel' (AP 1.1.400, Revision 1, Air Operator Certification, issued by the CAAI on 10 February 2019), as of 31 March 2019, operating permits are not granted to foreign air carriers for passenger air services using a method of operation in which the same aircraft is based in Israel continuously and operates flights to multiple (approved) destinations, thus effectively operating as if it were an Israeli air carrier. [^ Back to section](#)
- 31 Directive AT.1.1.400 Granting an Operating Permit for Scheduled Flights to and from the State of Israel. [^ Back to section](#)
- 32 Security Directives of the MOT Emergency, Security and Cyber Division, 1 January 2023. [^ Back to section](#)
- 33 Section 8C(a1) of the LASL. ATF 1.1.400C, Commitment to appoint a representative of an Air Carrier at airports, Air Transport Handbook. [^ Back to section](#)
- 34 *ibid.*, Section 8c(b)(1). [^ Back to section](#)

- 35** Directive AT.1.1.402 'Granting an Operating Permit for Charter Flights to and from the State of Israel' (Directive AT.1.1.402). [^ Back to section](#)
- 36** 'Definitions' section to Directive AT.1.1.402. [^ Back to section](#)
- 37** AIP Israel GEN 1.4, Entry, Transit and Departure of Cargo (11 August 2022). [^ Back to section](#)
- 38** Security Directive 2023 – Security Measures for Foreign Flights Carrying Commercial Cargo and Entering the Israeli FIR. [^ Back to section](#)
- 39** *ibid.*, Section 1.A. [^ Back to section](#)
- 40** www.icao.int/publications/Documents/7300_cons.pdf. [^ Back to section](#)
- 41** ASOC controls the security procedures for the arrival of aircraft into and passage through Israeli airspace. [^ Back to section](#)
- 42** Explanatory notes to the ANL Draft, p. 1. [^ Back to section](#)
- 43** www.eurocontrol.int/about-us. [^ Back to section](#)
- 44** <https://web.archive.org/web/20160619001131/www.eurocontrol.int/article/s/comprehensive-agreement-states>. [^ Back to section](#)
- 45** CAAI Directive AW 1.4.103 (2015) Issuance/Renewal/Modification of Certificate of Airworthiness, CAAI Directive AW 1.4.231 (2015) Airworthiness Directives Publication, CAAI Directive AW 1.4.301 (2014) Issuance of Initial Certificate of Airworthiness. [^ Back to section](#)
- 46** Regulation 127 of the ANR. [^ Back to section](#)
- 47** Section 107 of the ANL empowers the MOT to appoint a chief investigator to coordinate the investigation of safety-related incidents. [^ Back to section](#)
- 48** Sections 96 and 114 of the ANL. [^ Back to section](#)
- 49** CAAI Directives GEN 4.0.500 (2014) Report on Safety-Related Incident – Receipt and Handling. [^ Back to section](#)
- 50** Draft Bill for the Authority of Civil Safety Investigation 5783-2023, HH (Gov.) 1630 1100, https://fs.knesset.gov.il/25/law/25_ls1_2658621.pdf. [^ Back to section](#)
- 51** Regulations 2-3 and 6 of the ARCI. [^ Back to section](#)
- 52** Regulation 5 of the ARCI. [^ Back to section](#)

- 53** Regulation 2-4 of the ARCI. ^ [Back to section](#)
- 54** Regulation 12 of the ARCI. ^ [Back to section](#)
- 55** Regulation (EC) No. 785/2004 (as amended by Regulation (EU) No. 285/2010 and Commission Delegated Regulation (EU) 2020/1118). ^ [Back to section](#)
- 56** As amended from time to time. ^ [Back to section](#)
- 57** Officially known as the Air Transport Agreement between the Government of the State of Israel and the Government of the United States of America. ^ [Back to section](#)
- 58** Officially known as the Euro-Mediterranean Aviation Agreement. ^ [Back to section](#)
- 59** Restrictive Trade Practices Rules (Block Exemption for Arrangements between Air Carriers Concerning Marketing Flight Capacity to Destinations Covered by Open Skies Agreement) (Temporary Order) 2012. This block exemption was valid until 9 November 2022. ^ [Back to section](#)
- 60** Restrictive Trade Practices Rules (Block Exemption for Arrangements between Air Carriers) (No. 2), 2013 (Block Exemption Rules 2013). This block exemption was valid until 1 December 2023. ^ [Back to section](#)
- 61** Notice of the Commissioner of the Competition Authority's intention not to extend the Block Exemption for Arrangements between Air Carriers Concerning Marketing Flight Capacity to Destinations Covered by the Open Skies Agreement (Temporary Order) 2012: www.gov.il/he/Departments/news/interncarriageair. ^ [Back to section](#)
- 62** Section 7a of the Air Carrier Block Exemption. ^ [Back to section](#)
- 63** Section 47 of the Competition Law. ^ [Back to section](#)
- 64** CA 10538-02-13 *Hatzlaha For Promoting a Fair Society (R.A.) v. El-Al Israeli Airlines et al* (19 January 2020). ^ [Back to section](#)
- 65** CA 3183/20 *Lufthansa et al v. Hatzlaha Foundation* (18 May 2020). ^ [Back to section](#)
- 66** Section 19 of the Competition Law. ^ [Back to section](#)
- 67** Section 21(a) of the Competition Law. ^ [Back to section](#)
- 68** The Air Transport Law 1980. ^ [Back to section](#)
- 69** Article 21(1) of the Montreal Convention. ^ [Back to section](#)
- 70** Article 21(2) of the Montreal Convention. ^ [Back to section](#)

- 71** Section 13 of the ATL. [^ Back to section](#)
- 72** Section 14 of the ATL. [^ Back to section](#)
- 73** The Israeli Class Action Law 2006 provides a specific mechanism for the approval of a settlement in a class action. The mechanism is not sector-specific and applies to any class action, including those in the aviation sector. [^ Back to section](#)
- 74** Civil Procedure Regulations 2018 (the New Regulations), which replaced the Israeli Civil Procedure Regulations 1984. [^ Back to section](#)
- 75** Regulations 34–35 of the New Regulations. [^ Back to section](#)
- 76** Except for claims for compensation due to bodily injuries, or claims based on the Compensation for Road Accident Victims Law 1975. [^ Back to section](#)
- 77** Regulation 37 of the New Regulations. [^ Back to section](#)
- 78** Section 15 of the ATL and Article 35 of the Montreal Convention. [^ Back to section](#)
- 79** The Aviation Services Law (Compensation and Assistance for Flight Cancellation or Change of Conditions) 2012. [^ Back to section](#)
- 80** Section 19 of the ASL. [^ Back to section](#)
- 81** See Civil File 2474/86 *Nezer v. Kanfonit* (1994). [^ Back to section](#)
- 82** Sections 11 and 84 of the Civil Wrongs Ordinance (New Version). The allocation of liability between wrongdoers *inter se* may be the subject of a contract between them (e.g., a contract whereby one party undertakes to indemnify and hold another harmless). [^ Back to section](#)
- 83** See, for example, Articles 21 and 22 of the Montreal Convention, as incorporated into Israeli law under Section 6 of the ATL. [^ Back to section](#)
- 84** Sections 1 and 2 of the LDPL. Section 4 of the LDPL lists a number of defences available to a manufacturer such as that arising if the manufacturer can prove that the defect that caused the damage manifested itself after the product had left the manufacturer's control, and provided that the product had undergone reasonable safety inspections. [^ Back to section](#)
- 85** Equivalent to Article 17(1) of the Montreal Convention. [^ Back to section](#)
- 86** Civ App 20/83 *Solomon Dadon v. Air France French Air Lines Ltd* (22 October 1984). [^ Back to section](#)

- 87** Leave to Appeal (Tel Aviv) 23465-07-17 *Iberia Airlines v. Flaisher-Peled et al* (20 November 2019). [^ Back to section](#)
- 88** Leave to Appeal 8456/19 *Iberia Airlines v. Flaisher-Peled* before the Supreme Court. [^ Back to section](#)
- 89** Section 11 of the ASL. [^ Back to section](#)
- 90** CA 2767-08-16 *Vaknin v. El Al Israel Airlines Ltd.* (16 March 2023; Sections 58–68); see also CF (Tel-Aviv) 7262-10-18 *Haziza el al v. Arkia Israeli Airlines* (10 January 2021), paragraph 12. [^ Back to section](#)
- 91** CA 44555-03-19 *Dahan v. Israil Company Ltd* (27 May 2020), paragraph 34; in CA 50259-07-19 *Shalom Itzhak Zoarez v. Israil aviation and Truism Ltd* (20 December 2020), paragraph 23; and in CA 59220-11-16 *Gelbert v. Arkia Israeli Airlines* (22 December 2021), paragraph 113. [^ Back to section](#)
- 92** Mainly, the Aviation Regulations (Operation of Aircraft and Flight Rules) 1981. [^ Back to section](#)
- 93** 'Drones briefly halt Ben Gurion flights' (*Times of Israel*, 2 February 2019), available at www.timesofisrael.com/jets-scrambled-after-civilian-plane-flies-over-sderot-without-coordination/. [^ Back to section](#)
- 94** The final versions were published on 2 March 2022 after receiving final confirmation from the Ministry of Justice: Aviation Regulations (Operation of a Small Drone), 2022; and Aviation Regulations (Operation of a Model Airplane), 2022. The draft regulations were recently discussed in the Economic Committee on 20 February 2024. [^ Back to section](#)
- 95** 14 CFR Section 107 – Small Unmanned Aircraft: https://ecfr.io/Title-14/cfr107_main-
.[^ Back to section](#)
- 96** Explanatory notes to the Draft Regulations, pp. 36–37. [^ Back to section](#)
- 97** Agenda of the Economic Committee, Knesset:
<https://main.knesset.gov.il/Activity/committees/Pages/AllCommitteesAgenda.aspx?Tab=3&ItemID=2217365>. [^ Back to section](#)
- 98** Liran Antebi and Matan Yanko-Avikasis, 'Life and Death in the Hands of the Drone: The Small, Cheap Devices Early in the Swords of Iron War' (*INSS*, 26 October 2023): <https://www.inss.org.il/wp-content/uploads/2023/10/No.-1772.pdf>. [^ Back to section](#)
- 99** The Aviation Regulations (Temporary Order - Iron Swords)(Remote Identification of Drones), 5783-2023: www.gov.il.
[^ Back to section](#)

- 100** Air Navigation Regulations (Reporting, Analysis and Tracking of Incidents in Civil Aviation) Draft, p. 1. [^ Back to section](#)
- 101** Except near and during the air attack carried out by Iran from its territory and the territory of other countries against Israel on the night between 13 and 14 April 2024, which included 110-130 ballistic missiles, about 185 UAVs and 36 cruise missiles. IDF Spokesman, 14 April 2024: www.idf.il; CBS, 16 April 2024, 'What Iran launched at Israel in its unprecedented attack, and what made it through the air defenses': <https://www.cbsnews.com/news/iran-israel-attack-what-weapons-launched-how-air-defenses-worked/>. [^ Back to section](#)
- 102** <https://www.mako.co.il/travel-news/israel/Article-869a98e55368c81027.htm>. [^ Back to section](#)
- 103** Aviation News, 1 May 2024, 'The airlines that are (not) returning to Israel in the meantime' (by Noam Rosen): <https://aviationnews.co.il>. [^ Back to section](#)
- 104** Globes, 2-3 May 2024, 'Tender for future transport in Tel Aviv: where will the helicopters land in the Tel Aviv area' (by Anat Daniely-Lev): <https://www.globes.co.il/news/article.aspx?did=1001477672>. [^ Back to section](#)



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