**Can Arbitration resolve International Aviation disputes?**

**Author**: Mr. Vishwam Jindal

National Law University, Delhi

**E-mail**: [jindalvishwam@gmail.com](mailto:jindalvishwam@gmail.com)

**Phone No**: +91-9958867718

**Abstract**

On systematic classification, aviation disputes are either commercial or non-commercial. Whereas the former requires interpretation of bilateral arrangements, the latter concerns the Chicago convention. In any case, ADR methods are unique to aviation disputes. A careful reading of Article 84 and 85 of the Chicago convention portray the importance of arbitration while appealing a decision of the ICAO. Furthermore, the fact that commercial disputes are increasingly resorting to international arbitration cannot be disputed. In cases of non-commercial disputes, the Chicago convention is silent on the scope of appellate review i.e. whether or not new matters could be introduced. This is a grey area where international arbitration could score brownie points for solving disputes over matters that are hindering future growth. This paper seeks to study the pattern of dispute resolution in the international aviation sector. The researcher believes that arbitration holds the key to future international dispute resolution in the aviation sector. Any doubts to the contrary can be removed by studying the landmark aviation disputes resolved by arbitration. It is not assailed that arbitration has been used infrequently under the bilateral agreements; however it has demonstrably been successful in each case at fashioning an acceptable outcome.