CURRENT INFORMATION AND RECOMMENDATIONS TO STATES ON RATIFICATION MATTERS

The 37th Session of the ICAO Assembly adopted Resolutions A37-22 (Appendix C), A37-23 and A37-24 which urge States to ratify as soon as possible the treaties adopted under the auspices of ICAO.

Resolution A37-22 (Appendix C) urges States which have not done so to ratify all Protocols of amendment to the Chicago Convention, including in particular the Protocols introducing Articles 3 bis (1984) (Doc 9436) and 83 bis (1980) (Doc 9318) as well as those which are not yet in force, namely, the Protocols amending the final paragraph to add Arabic and Chinese to the authentic texts of the Convention (1995 and 1998) (Docs 9664 and 9722).

This Resolution also urges States to ratify other international air law treaties, in particular the Montreal Convention of 1999, the Cape Town instruments of 2001 and the latest treaties adopted in 2009 and 2010 which are not yet in force: the two Montreal Conventions of 2009 and the Beijing Convention and Protocol of 2010.

The International Conference on Air Law held at Montréal from 20 April to 2 May 2009 adopted the Convention on Compensation for Damage Caused by Aircraft to Third Parties (General Risks Convention) (Doc 9919) and the Convention on Compensation for Damage to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft (Unlawful Interference Compensation Convention) (Doc 9920). These Conventions establish rules for compensation for damage caused by aircraft to third parties arising from acts of unlawful interference or from general risks.

The Diplomatic Conference on Aviation Security held at Beijing from 30 August to 10 September 2010 adopted the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Doc 9960) and Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Doc 9959). Assembly Resolution A37-23 urges States to sign and ratify these treaties which broaden and strengthen the global aviation security regime to meet new and emerging threats.

Furthermore, Assembly Resolution A37-24 specifically promotes universal adoption of the Convention for the Unification of Certain Rules for International Carriage by Air (Montreal Convention, 1999) (Doc 9740). This Convention, which entered into force in 2003, establishes an updated regime to govern airline liability to passengers and shippers on international flights. It provides for an equitable, fair and convenient system that allows full compensation for losses.

The current status of air law treaties and administrative packages to assist States in their ratification can be found in the Treaty Collection.