

# **CONVENTION ON INTERNATIONAL CIVIL AVIATION**

Signed at Chicago,  
on 7 December 1944

# **PART I**

# **AIR NAVIGATION**

## **CHARTER I**

## **GENERAL PRINCIPLES AND APPLICATION OF THE CONVENTION**

# Article 1

## *Sovereignty*

The contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory. {99-c,5}

# Article 2

## *Territory*

For the purposes of this Convention the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State.

# Article 3

## *Civil and state aircraft*

- a) This Convention shall be applicable only to **civil aircraft**, and shall **not** be applicable to **state aircraft**
- b) Aircraft used in military, customs and police services shall be deemed to be state aircraft.
- c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.
- d) The contracting States undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft. { 3,181,180 }

# Article 3bis

a. The contracting States recognize that every State must refrain from resorting to the use of **weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered.** This provision shall not be interpreted as modifying in any way the rights and obligations of States set forth in the Charter of the United Nations.

# Article 4

## ***Misuse of civil aviation***

Each contracting State agrees **not to use civil aviation for any purpose *inconsistent*** with the aims of this Convention. {99}

# **Article 5**

## ***Right of non-scheduled flight***

Each contracting State agrees that all aircraft of the other contracting States, being aircraft not engaged in scheduled international air services shall have the right, to make stops for non-traffic purposes without the necessity of obtaining prior permission.



# Article 6

## *Scheduled air services*

**No scheduled** international air service may be operated over or into the territory of a contracting State, **except with the special** permission or other authorization of that State, and in accordance with the terms of such permission or authorization. {9}

# Article 12

## *Rules of the air*

Each contracting State undertakes to adopt measures to insure that **every aircraft** flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, **wherever** such aircraft may be, **shall comply** with the **rules** and regulations relating to the flight and maneuver of aircraft there in force.

# Article 12

## *Rules of the air (cont.)*

Each contracting State undertakes to keep its own regulations in these respects *uniform*, to the greatest possible extent, with those established from time to time under this Convention over the high seas, the rules in force shall be those established under this Convention.

Each contracting State undertakes *to insure the prosecution* of all persons violating the regulations applicable. {99}

# Article 16

## *Search of aircraft*

The **appropriate authorities** of each of the contracting States shall **have the right**, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to **inspect** the certificates and other documents prescribed by this Convention. {7}

# **CHAPTER III NATIONALITY OF AIRCRAFT**

# **Article 17**

## ***Nationality of aircraft***

**Aircraft have the nationality of the State in which they are registered. { 19 }**

# Article 18

## *Dual registration*

An aircraft **cannot** be validly **registered** in **more than one State**, but its registration may be changed from one State to another. { 18-a }

# **Article 19**

## ***National laws governing registration***

The registration or **transfer** of registration of aircraft in any contracting State shall be made **in accordance with its laws and regulations.** { 18,20 }



# Article 20

## *Display of marks*

Every aircraft engaged international air navigation **shall bear** its appropriate nationality and registration marks. {10-c,177-a,179-a}

# Article 21

## *Report of registrations*

Each contracting State undertakes to supply to any other contracting State or to the International Civil Aviation Organization, on demand, information concerning the registration and ownership of any particular aircraft registered in that State. {18-c}

# CHAPTET IV

## MEASURES TO FACILITATE AIR NAVIGATION

# Article 25

## *Aircraft in distress*

Each contracting State undertakes to provide such measures of assistance to aircraft in *distress* in its territory as it may find practicable, and to permit, **subject to control by its own authorities, the owners of the aircraft or authorities of the State in which the aircraft is registered to provide such measures of assistance as may be necessitated by the circumstances..{ 149,157 }**

# Article 26

## *Investigation of accidents*

the State in which the **accident occurs** will **institute** an inquiry into the circumstances of the accident, in accordance, so far as its laws permit

. The State in which the aircraft is **registered shall be given the opportunity** to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State. {140,141,143,145-a}

**CHAPTER V**  
**CONDITIONS TO BE**  
**FULFILLED WITH RESPECT**  
**TO AIRCRAFT**

# Article 29

## *Documents carried in aircraft*

Every aircraft of a contracting State, engaged in international navigation, **shall carry** the following documents in conformity with the conditions prescribed in this Convention:

# Article 29

## *Documents carried in aircraft*

- (a) Its certificate of registration;
- (b) Its certificate or airworthiness;
- (c) The appropriate licenses for each member of the crew;
- (d) Its journey log book;
- (e) If it is equipped with radio apparatus, the aircraft radio station license;
- (f) If it carries passengers, a list of their names and places of embarkation and destination;
- (g) If it carries cargo, a manifest and detailed declarations of the cargo. {52-a,52-b,53 }



# **Article 30**

## ***Aircraft radio equipment***

(a) Aircraft of each contracting State may, in or over the territory of other contracting States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the contracting State whose territory is flown over shall be in accordance with the regulations prescribed by that State.

## **Article 30**

### ***Aircraft radio equipment (cont.)***

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered. { 11 }

# Article 31

## *Certificates of airworthiness*

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered. { 10-b, 18-c, 45-b }

# **Article 32**

## ***Licenses of personnel***

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered. { 10-f,87,88 }

## **Article 32**

### ***Licenses of personnel (cont.)***

(b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State. {89-a}

# Article 33

## *Recognition of certificates and licenses*

Certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the requirements under which such certificates or licenses were issued or rendered valid are equal to or above the minimum standards which may be established from time to time pursuant to this Convention. {45-a,89-a}

# Article 34

## *Journey log books*

There shall be maintained in respect of every aircraft engaged in international navigation a journey log book in which shall be entered particulars of the aircraft, its crew and of each journey, in such form as may be prescribed from time to time pursuant to this Convention. {53-d,46-c,46-d}

# CHAPTER VI

# INTERNATIONAL STANDARD AND RECOMENDED PRACTICES



## Article 37

### *Adoption of international standards and procedures*

Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with:

# **Article 37**

## ***Adoption of international standards and procedures(cont.)***

- a) Communications systems and air navigation aids, including ground marking;
- b) Characteristics of airports and landing areas;
- c) Rules of the air and air traffic control practices;
- d) Licensing of operating and mechanical personnel;
- e) Airworthiness of aircraft;
- f) Registration and identification of aircraft;
- g) Collection and exchange of meteorological information;
- h) Log books;
- i) Aeronautical maps and charts;
- j) Customs and immigration procedures;
- k) Aircraft in distress and investigation of accidents;

and such other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate. {4,23-c,47-a,83,89-a,99,101,115-a,122-a,149-a}

# **Article 38**

## ***Departures from international standards and procedures***

Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard.

# **Article 38**

## ***Departures from international standards and procedures(cont.)***

In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.

# Article 39

## *Endorsement of certificates and licenses*

(a) Any aircraft or part thereof with respect to which there exists an international standard of airworthiness or performance, and **which failed** in any respect to satisfy that standard at the time of its certification, shall have endorsed on or attached to its airworthiness certificate a complete enumeration of the details in respect of which it so failed .{45}

## Article 39

### *Endorsement of certificates and licenses (cont.)*

(b) Any person holding a license who does not satisfy, in full the conditions laid down in the international standard relating to the class of license or certificate which he holds shall have endorsed on or attached to his license a complete enumeration of the particulars in which he does not satisfy such conditions.

{89-a}

# Article 40

## Validity of endorsed certificate and licenses

No aircraft or personnel having certificates or licenses so endorsed shall participate in international navigation , except with the permission of the State or States whose territory is entered . The registration or use of any such aircraft , or of any certificated aircraft part , in any State other than that in which it was originally certificated shall be at the discretion of the State into which the aircraft or part is imported .(45,52,53,87,88).

# Article 41

## Recognition of existing standards of airworthiness

The provisions of this Chapter shall not apply to aircraft and aircraft equipment of types of which the prototype is submitted to the appropriate national authorities for certification prior to a date three years after the date of adoption of an international standard of airworthiness for such equipment.

(18c,24f,50,51).



## **Article 42**

### **Recognition of existing standards of competency of personnel**

The provisions of this Chapter shall not apply to personnel whose licenses are originally issued prior to a date one year after initial adoption of an international standard of qualification for such personnel; but they shall in any case apply to all personnel whose licenses remain valid five years after the date of adoption of such standard.(87,88,89,90).

**PART II**  
**THE INTERNATIONAL CIVIL  
AVIATION ORGANIZATION**

**CHAPTER VII**  
**THE ORGANIZATION**

# **Article 57**

## ***Duties of Commission***

The Air Navigation Commission shall:

- a) Consider, and recommend to the Council for adoption, modifications of the Annexes to this Convention;
- b) Establish technical subcommissions on which any contracting State may be represented, if it so desires;
- c) Advise the Council concerning the collection and communication to the contracting States of all information which it considers necessary and useful for the advancement of air navigation.

# CHAPTER XI

# PERSONNEL

# **CHAPTER XVI**

## **JOINT OPERATING ORGANIZATIONS AND POOLED SERVICES**

## Article 77

### *Joint operating organizations permitted*

**Nothing** in this Convention shall prevent **two or more** contracting States from constituting joint air transport operating organizations or international operating agencies and from pooling their air services on any routes or in any regions,

## Article 83 bis

### *Transfer of certain functions and duties*

**a.** Notwithstanding the provisions of Articles 12,30,31 and 32a, when an aircraft registered in a contracting State is operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business or, if he has no such place of business, his permanent residence in another contracting State, the State of registry may, by agreement with such other State, transfer to it all or part of its functions and duties as States of registry in respect of that aircraft under Articles 12,30,31 and 32a. The State of registry shall be relieved of responsibility in respect of the functions and duties transferred.

## Article 83 bis

### *Transfer of certain functions and duties (cont.)*

**b.** The transfer shall not have effect in respect of other contracting States before either the agreement between States in which it is embodied has been registered with the Council and made public pursuant to Article 83 or the existence and scope of the agreement have been directly communicated to the authorities of the other contracting State or States concerned by a State party to the agreement.

**c.** The provisions of paragraphs a and b above shall also be applicable to cases covered by Article 77 .



# CHAPTER XVIII

# DISPUTES AND DEFAULT

# CHAPTER XX

# ANNEXES

## **Article 90**

### ***Adoption and amendment of Annexes***

(a) The adoption by the Council of the Annexes described in Article 54, subparagraph (1), shall require the vote of two-thirds of the Council at a meeting called for that purpose and shall then be submitted by the Council to each contracting State. Any such Annex or any amendment of an Annex shall become effective within three months after its submission to the contracting States or at the end of such longer period of time as the Council may prescribe, unless in the meantime a majority of the contracting States register their disapproval with the Council.

# Article 90

## *Adoption and amendment of Annexes*

### (cont.)

(b) The Council shall immediately notify all contracting States of the coming into force of any Annexes or amendment thereto.

# CHAPTER XXI

## RATIFICATIONS, ADHERENCES, AMENDMENTS, AND DENUNCIATIONS

# **Article 91**

## ***Ratification of Convention***

(a) This Convention shall be subject to ratification by the signatory States. The instruments of ratification shall be deposited in the archives of the Government of the United States of America, which shall give notice of the date of the deposit to each of the signatory and adhering States.