



**Address by the Council President
of the International Civil Aviation Organization,
Mr. Salvatore Sciacchitano,
to the Meeting of the United Nations Security Council
on “Threats to International Peace and Security”**

*Briefing on the forced landing of the Ryanair flight by Belarus
(New York, 31 October 2022)*

*Excellency MICHEL XAVIER BIANG, President of the United Nations Security Council
Excellencies,
Ladies and gentlemen,*

It is my pleasure to address the United Nations Security Council on behalf of the International Civil Aviation Organization (ICAO), the United Nations specialized agency for civil aviation, established by the *Convention on International Civil Aviation adopted in Chicago in 1944*.

As mandated by the Chicago Convention, ICAO works with its 193 Member States and the civil aviation industry, to adopt standards and recommended practices, and foster consensus on policies and global plans to enhance safety, security, and sustainability of international aviation. ICAO also coordinates and facilitates assistance and capacity building for States, and conducts audits of their oversight performance in the areas of aviation safety and security.

As I have been invited today to this meeting of the United Nations Security Council on “Threats to International Peace and Security” to provide a “*briefing on the forced landing of the Ryanair flight by Belarus*”, allow me to outline what happened and how ICAO addressed the issue.

On 23 May 2021, Ryanair Flight 4978 traveling from Athens, Greece, to Vilnius, Lithuania, was diverted over Belarus airspace and landed at Minsk Airport, following information provided by the Belarusian air traffic controller of a bomb threat onboard the aircraft.

This event immediately raised doubts and concerns among several ICAO Member States who called for ICAO’s action, particularly as two passengers were detained after landing in Minsk.

On 27 May 2021, the ICAO Council decided to undertake a fact-finding investigation of the event acting under article 55-e) of the Chicago Convention, which states that *the Council may investigate, at the request of any contracting State, any situation which may appear to present avoidable obstacles to the development of international air navigation; and, after such investigation, issue such reports as may appear to it desirable*.

The Council requested the ICAO Secretariat to prepare a report that would present the available facts and relevant legal instruments and identify any gaps in order to safeguard international civil aviation, and called upon States to collaborate with the investigation.

I wish to clarify here that this investigation does not fall within the scope of the Chicago Convention's Annex 13 - Aircraft Accident and Incident Investigation, which are under State responsibility, in case of an aircraft accident or incident.

Pursuant to the foregoing decision of the Council, on 3 June 2021 the Secretary General instituted a Fact-Finding Investigation Team (FFIT), composed of seven staff members specialized in air traffic control, operational safety, and international air law and aviation security and led by the deputy director, aviation security and facilitation of the air transport bureau.

With the support and cooperation of many States connected to the event, the team gathered a considerable amount of information and materials, and had the opportunity to travel to various States to conduct interviews of relevant actors and witnesses, despite the COVID-19 constraints.

The investigation established that, after entering Belarusian airspace, the pilots were informed by the controller of Minsk Area Control Center of a bomb threat on board, and on the fact that this bomb would explode over Vilnius. The pilots were invited to divert to land in Minsk and deliberately left with no other option, and despite their multiple requests to be put in contact with their operations centre in order to coordinate a decision, no attempt was made by the Minsk Area Control Centre to do so.

According to the authorities of Belarus, a first email was received at 09:25 UTC followed by a second email at 09:56:45 UTC, both containing identical information about the bomb threat. On the other hand, information obtained from the email service provider shows that only the second email was sent to Minsk Airport at 09:56:45 UTC, 26 minutes after the information was communicated by the controller to the pilots.

The FFIT could not verify that Belarus received the threat email at 09:25 UTC that allegedly triggered the actions by its authorities, as they did not provide logs of the email server nor the email files in their original format including their metadata, citing their erasure in accordance with their data retention policy.

Moreover, no cellular phone records of the personnel involved, documenting the time and duration of the calls and person or entity contacted were made available by Belarus to support the alleged sequence of events related to the transmission of the bomb threat information from Minsk airport personnel to the Minsk Area Control Centre, those statements could not be supported by evidence.

The FFIT report was first presented to the Council in January 2022. As there were some gaps and missing information, the report was not able to identify responsibilities at this stage, and in view of new developments made public by two States around the same period, the Council decided that the investigation should continue.

Prior to the issuance of the report in January 2022, the FFIT was neither able to meet with, nor interview the Minsk ACC controller who was assigned to the Ryanair flight. The authorities of Belarus informed the Team that this individual did not report for duty after his summer leave and that they had no information on his whereabouts and no way to contact him.

Subsequently, with the assistance of the authorities of the United States, the FFIT gained access to interview the controller whose testimony materially contradicts the information and materials provided by the authorities of Belarus about the events of 23 May 2021 including with regard to the email as the origin of the bomb threat information, and reflects the involvement of an unidentified individual who had been given access to the Minsk ACC.

The FFIT had access to audio recordings made by the air traffic controller during the event and their transcripts, supporting his statements with verified material evidence. These audio recordings were compared to those already in possession of the FFIT as detailed in the Appendix I of the investigation report.

The additional information and materials gathered helped to fill some of the remaining gaps and led to the conclusion that Belarus senior officials orchestrated the deliberate diversion of the flight under the false pretext of a bomb threat as presented in the final report of the FFIT, which was considered by the Council on 18 July 2022.

The actions of the State of Belarus amounted to the use of civil aviation for a purpose inconsistent with the aims of the Chicago Convention, which is a contravention of its article 4.

In the light of the above, the ICAO Council decided that the said actions of the Government of Belarus amount to an infraction of the Chicago Convention, to be reported to the ICAO Assembly and that the final report of the FFIT be forwarded to the United Nations Secretary-General for information and any appropriate further action. The report was duly forwarded to the UN Secretary-General on 12 August 2022.

Finally, during its 41st Session, held from 27 September to 7 October, the ICAO Assembly acknowledged that there was an infraction of the Chicago Convention by Belarus and adopted Resolution A41-1, condemning the actions of the Government of the Republic of Belarus in committing an act of unlawful interference that deliberately endangered the safety and security of Ryanair Flight FR 4978 and the lives of those on board.

I wish to thank His Excellency Ambassador MICHEL XAVIER BIANG, President of the Security Council for inviting me today and for giving ICAO the opportunity to address this esteemed Security Council, and I will be happy to answer any question you may have.

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