

**ADMINISTRATIVE PACKAGE
FOR RATIFICATION OF OR ACCESSION TO THE
PROTOCOL TO AMEND THE CONVENTION
ON OFFENCES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT
(MONTRÉAL PROTOCOL, 2014)**

1) **Full Name of Instrument:**

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, done at Montréal on 4 April 2014 (Doc 10034).

2) **History:**

International Conference on Air Law to Consider Amending the *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 1963), Montréal, 26 March to 4 April 2014.

3) **Summary:**

The Montréal Protocol amends the *Convention on Offences and Certain Other Acts Committed on Board Aircraft*, done at Tokyo on 14 September 1963 (Tokyo Convention, 1963). The Protocol expands the grounds of jurisdiction by recognizing, under certain conditions, the competence of the State of landing and the State of the operator to exercise jurisdiction over offences and acts on board aircraft. The establishment of such jurisdiction over offences is mandatory if the criteria set out in the Protocol are met.

The Protocol extends legal recognition and certain protections to in-flight security officers. It also contains provisions addressing such issues as coordination among States, due process and fair treatment, and the right to seek recovery under national law.

4) **Main reasons for ratification:**

The Montréal Protocol is the result of collective efforts by the international community to expand the scope of the Tokyo Convention to enable States other than the State of registration to exercise jurisdiction over unruly passengers. By expanding the scope of jurisdiction on a mandatory basis, it will strengthen the capacity of States to curb the escalation of the severity and frequency of unruly behavior on board aircraft. The Protocol also recognizes the desire of many States to assist each other in curbing unruly behavior and restoring good order and discipline on board aircraft.

5) **Entry into force:**

In accordance with its Article XVI, the Protocol shall be open to all States for signature at the headquarters of ICAO in Montréal until it enters into force.

In accordance with its Article XVIII, the Protocol shall enter into force on the first day of the second month following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession.

6) **Depositary:**

Secretary General
International Civil Aviation Organization (ICAO)
Attention: Legal Affairs and External Relations Bureau
999 Robert-Bourassa Boulevard
Montréal, Québec
Canada H3C 5H7

Attachments

Model instrument of ratification, acceptance or approval and model instrument of accession

**MODEL INSTRUMENT OF [RATIFICATION] [ACCEPTANCE] [APPROVAL]
OF THE MONTRÉAL PROTOCOL OF 2014**

**(To be signed by the Head of State, Head of Government
or Minister for Foreign Affairs)**

WHEREAS the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* was adopted at Montréal on 4 April 2014;

WHEREAS the said Protocol was signed on behalf of the Government of [name of State] on [date];

AND WHEREAS Article XVII, paragraph 1, of the Protocol specifies that this Protocol is subject to ratification, acceptance or approval by the signatory States;

NOW THEREFORE I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs], declare that the Government of [name of State], having considered the above-mentioned Protocol, *[RATIFIES] [ACCEPTS] [APPROVES]* the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of [ratification] [acceptance] [approval] at [place] on [date].

[Signature] and [Seal]

MODEL INSTRUMENT OF ACCESSION TO THE MONTRÉAL PROTOCOL

**(To be signed by the Head of State, Head of Government
or Minister for Foreign Affairs)**

WHEREAS the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* was adopted at Montréal on 4 April 2014;

AND WHEREAS Article XVII, paragraph 2, of the Protocol specifies that any State which does not ratify, accept or approve this Protocol may accede to it at any time;

NOW THEREFORE I, [name and title of the Head of State, Head of Government or Minister for Foreign Affairs], declare that the Government of [name of State], having considered the above-mentioned Protocol, *ACCEDES* to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of accession at [place] on [date].

[Signature] and [Seal]