

**STATUS OF CHINA  
WITH REGARD TO INTERNATIONAL AIR LAW INSTRUMENTS**

		<b>Date of Signature</b>	<b>Date of Ratification or Accession</b>	<b>Effective Date</b>
1.	Convention on International Civil Aviation Chicago, 7/12/44	7/12/44	20/2/46 <sup>1,2,12</sup>	4/4/47
2.	International Air Services Transit Agreement Chicago, 7/12/44	-	-	- <sup>16,17</sup>
3.	International Air Transport Agreement Chicago, 7/12/44	-	-	- <sup>3</sup>
4.	Protocol on the Authentic Trilingual Text of the Convention on International Civil Aviation Buenos Aires, 24/9/68	-	15/2/74	15/2/74 <sup>4</sup>
5.	Protocol on the Authentic Quadrilingual Text of the Convention on International Civil Aviation Montreal, 30/9/77	-	24/4/84 <sup>12</sup>	16/9/99
*6.	Protocol on the Authentic Quinquelingual Text of the Convention on International Civil Aviation Montreal, 29/9/95	29/9/95 <sup>24</sup>	-	-
*7.	Protocol on the Authentic Six-Language Text of the Convention on International Civil Aviation Montreal, 1/10/98	1/10/98 <sup>24</sup>	-	-
8.	Article 93 <i>bis</i> Montreal, 27/5/47		24/3/48 <sup>2</sup>	20/3/61
9.	Article 45 Montreal, 14/6/54		28/2/74 <sup>2,12</sup>	28/2/74
10.	Articles 48(a), 49(e) and 61 Montreal, 14/6/54		28/2/74 <sup>2,12</sup>	28/2/74
11.	Article 50(a) Montreal, 21/6/61		28/2/74 <sup>2</sup>	28/2/74
12.	Article 48(a) Rome, 15/9/62		28/2/74 <sup>2,12</sup>	11/9/75
13.	Article 50(a) New York, 12/3/71		28/2/74 <sup>2,12</sup>	28/2/74
14.	Article 56 Vienna, 7/7/71		28/2/74 <sup>2</sup>	19/12/74
15.	Article 50(a) Montreal, 16/10/74		21/7/75 <sup>2</sup>	15/2/80
16.	Protocol of Amendment (Final paragraph, Russian Text) Montreal, 30/9/77		26/4/84 <sup>2</sup>	17/8/99
17.	Article 83 <i>bis</i> Montreal, 6/10/80		23/7/97 <sup>12</sup>	23/7/97
18.	Article 3 <i>bis</i> Montreal, 10/5/84		23/7/97 <sup>12</sup>	1/10/98
19.	Article 56 Montreal, 6/10/89		23/7/97 <sup>23</sup>	18/4/05
20.	Article 50(a) Montreal, 26/10/90		23/7/97 <sup>23</sup>	28/11/02

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*21.	Protocol of Amendment (Final paragraph, Arabic Text) Montreal, 29/9/95		23/7/97	-
*22.	Protocol of Amendment (Final paragraph, Chinese Text) Montreal, 1/10/98		8/9/99	-
*23.	Article 50(a) Montréal, 6/10/16		-	-
*24.	Article 56 Montréal, 6/10/16		-	-
25.	Convention on the International Recognition of Rights in Aircraft Geneva, 19/6/48	19/6/48	28/4/00	27/7/00 <sup>13,15</sup>
26.	Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface Rome, 7/10/52	-	-	-
27.	Protocol to Amend the Rome Convention of 1952 Montreal, 23/9/78	-	-	-
28.	Convention for the Unification of Certain Rules relating to International Carriage by Air Warsaw, 12/10/29	-	20/7/58	18/10/58 <sup>5</sup>
29.	Protocol to Amend the Warsaw Convention of 1929 The Hague, 28/9/55	-	20/8/75	18/11/75 <sup>5</sup>
30.	Convention, Supplementary to the Warsaw Convention, for the Unification of Certain Rules relating to International Carriage by Air Performed by a Person Other than the Contracting Carrier Guadalajara, 18/9/61	-	-	- <sup>6</sup>
*31.	Protocol to Amend the Warsaw Convention of 1929 as Amended by The Hague Protocol of 1955 Guatemala City, 8/3/71	-	-	-
32.	Additional Protocol No. 1 Montreal, 25/9/75	-	-	-
33.	Additional Protocol No. 2 Montreal, 25/9/75	-	-	-
*34.	Additional Protocol No. 3 Montreal, 25/9/75	-	-	-
35.	Montreal Protocol No. 4 Montreal, 25/9/75	-	-	-
36.	Convention for the Unification of Certain Rules for International Carriage by Air Montreal, 28 May 1999	28/5/99	1/6/05	31/7/05 <sup>22</sup>
37.	Convention on Offences and Certain Other Acts Committed on Board Aircraft Tokyo, 14/9/63	-	14/11/78	12/2/79 <sup>7,8,14</sup>

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38.	Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft Montréal, 4/4/14	4/4/14	-	-
39.	Convention for the Suppression of Unlawful Seizure of Aircraft The Hague, 16/12/70	-	10/9/80	10/10/80 <sup>9</sup>
40.	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation Montreal, 23/9/71	-	10/9/80	10/10/80 <sup>10,21</sup>
41.	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23/9/71 Montreal, 24/2/88	24/2/88 <sup>11</sup>	5/3/99	4/4/99 <sup>19</sup>
42.	Convention on the Marking of Plastic Explosives for the Purpose of Detection Montreal, 1/3/91	-	-	- <sup>18</sup>
43.	Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation Beijing, 10/9/10	10/9/10	-	-
44.	Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft Beijing, 10/9/10	10/9/10	-	-
45.	Convention on International Interests in Mobile Equipment Cape Town, 16/11/01	16/11/01	3/2/09 <sup>25</sup>	1/6/09
46.	Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment Cape Town, 16/11/01	16/11/01	3/2/09 <sup>26</sup>	1/6/09
*47.	Convention on Compensation for Damage Caused by Aircraft to Third Parties Montréal, 2/5/09	-	-	-
*48.	Convention on Compensation for Damage to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft Montréal, 2/5/09	-	-	-
49.	International COSPAS-SARSAT Programme Agreement Paris, 1/7/88		26/2/97	28/3/97 <sup>20</sup>
50.	Convention on the Privileges and Immunities of the Specialized Agencies, 21/11/47 – application to ICAO (Annex III), 21/6/48		11/9/79	11/9/79

\* Not in force

**NOTES**

<sup>1</sup> A letter dated 15/2/74 from the Government of the People's Republic of China advised ICAO that "the Government of the People's Republic of China has decided to recognize the Convention on International Civil Aviation, which the then

Government of China signed in Chicago on 9 [sic] December 1944 and of which an Instrument of Ratification was deposited by it on 20 February 1946”.

2 Notification issued by the Government of the People’s Republic of China dated 5 June 1997:

“The Convention on International Civil Aviation done on 7 December 1944, of which the Government of the People’s Republic of China informed its admission on 15 February 1974, and Protocols Amending the Convention on 27 May 1947, on 14 June 1954, on 21 June 1961, on 15 September 1962, on 24 September 1968, on 12 March and 7 July 1971, on 16 October 1974, on 30 September 1977 . . . will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997 . . .

The Government of the People’s Republic of China will assume responsibility for the international rights and obligations arising from the application of the above Convention and Protocols to the Hong Kong Special Administrative Region.”

3 The International Air Transport Agreement was signed on behalf of the Chinese Government on 7/12/44 and was ratified by the latter on 6/6/45 (with effect from the same date). The Agreement was subsequently denounced by the Chinese Government on 11/12/46, which denunciation took effect on 11/12/47.

4 A letter dated 15/2/74 from the Government of the People’s Republic of China advised ICAO that the latter had decided to adhere to the Protocol on the Authentic Trilingual Text of the Convention on International Civil Aviation.

5 Declaration that the Warsaw Convention “shall of course apply to the entire Chinese territory including Taiwan”.

Notification by the Embassy of the People’s Republic of China dated 16 June 1997:

“ . . . In accordance with the Joint Declaration of the Government of the People’s Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland signed on 19 December 1984, the People’s Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People’s Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People’s Government of the People’s Republic of China. In this connection I am instructed by the Minister of Foreign Affairs of the People’s Republic of China to make the following notification. The Convention for the Unification of Certain Rules Relating to International Carriage by Air done in Warsaw on 12 October 1929 to which the Government of the People’s Republic of China deposited its instrument of accession on 20 July 1958 and the Protocol Amending the Convention for the Unification of Certain Rules Relating to International Carriage by Air done in Warsaw on 12 October 1929 to which the Government of the People’s Republic of China deposited its instrument of accession on 20 August 1975 (hereinafter referred to as the Convention and Protocol) will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Government of the People’s Republic of China will assume responsibility for the international rights and obligations arising from the application of the above Convention and Protocol to the Hong Kong Special Administrative Region.”

Notification by the Embassy of the People’s Republic of China dated 8 October 1999:

“In accordance with the Joint Declaration of the Government of the People’s Republic of China and the Government of the Republic of Portugal on the Question of Macao signed on 13 April 1987, the Government of the People’s Republic of China will resume the exercise of sovereignty over Macao with effect from 20 December 1999. Macao will, with effect from that date, become a Special Administrative Region of the People’s Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People’s Government of the People’s Republic of China.

In this connection, I am instructed by the Minister of Foreign Affairs of the People’s Republic of China to inform your Excellency of the following:

The Convention for the Unification of Certain Rules relating to International Carriage by Air, done on 12 October 1929, as amended by the Hague Protocol done on 28 September 1955 (hereinafter referred to as the Convention), to which the Government of the People’s Republic of China deposited its instrument of accession on 20 August 1975, will apply to the Macao Special Administrative Region with effect from 20 December 1999.

The Government of the People’s Republic of China will assume responsibility for the international rights and obligations arising from the application of the above Convention and Protocol to the Macao Special Administrative Region.”

- <sup>6</sup> Notification issued by the Government of the People's Republic of China dated 12 June 1997: The Convention, which applies to Hong Kong at present, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.
- <sup>7</sup> The Government of the People's Republic of China does not consider itself bound by Article 24, paragraph 1, of the Tokyo Convention. Furthermore, the Instrument of Accession by that Government to the Tokyo Convention contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification by the Chiang clique usurping the name of China in regard to the above-mentioned Convention".
- <sup>8</sup> Notification issued by the Government of the People's Republic of China dated 5 June 1997: "The Convention . . . to which the Government of the People's Republic of China deposited its instrument of accession on 14 November 1978, will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Government of the People's Republic of China also makes the following declaration:  
The reservation to Paragraph 1 of Article 24 of the Convention made by the Government of the People's Republic of China when it deposited its instrument of accession on 14 November 1978 will also apply to the Hong Kong Special Administrative Region.  
The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Hong Kong Special Administrative Region."
- <sup>9</sup> The Government of the People's Republic of China does not consider itself bound by Article 12, paragraph 1, of The Hague Convention. Furthermore, the Instrument of Accession by that Government to The Hague Convention contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above-mentioned Convention by the Taiwan authorities in the name of China".
- <sup>10</sup> The Government of the People's Republic of China does not consider itself bound by Article 14, paragraph 1, of the Montreal Convention. Furthermore, the Instrument of Accession by that Government to the Montreal Convention contains the following declaration: "The Chinese Government declares illegal and null and void the signature and ratification of the above-mentioned Convention by the Taiwan authorities in the name of China".
- <sup>11</sup> Notification issued by the Government of the People's Republic of China dated 12 June 1997:  
"It is provided both in Section XI of Annex 1 to the Joint Declaration, 'Elaboration by the Government of the People's Republic of China of its Basic Policies Regarding Hong Kong', and Article 153 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China . . . that international agreements to which the People's Republic of China is not a party but which are implemented in Hong Kong may continue to be implemented in the Hong Kong Special Administrative Region.  
In accordance with the above provisions, I am instructed by the Minister of Foreign Affairs of the People's Republic of China to make the following notification:  
The Protocol . . . which applies to Hong Kong at present, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.  
Within the above ambit, responsibility for the international rights and obligations of a party to the Protocol will be assumed by the Government of the People's Republic of China."
- The Government of the People's Republic of China made the following reservation at the time of ratification of the Protocol: "the reservation made by the People's Republic of China, when it adhered to the Convention, on paragraph 1 of Article 14 of the 'Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation' done at Montreal on 23 September 1971 is also applicable to this Protocol."
- <sup>12</sup> By a Note dated 6 December 1999, the Government of the People's Republic of China advised the International Civil Aviation Organization that the Convention on International Civil Aviation and this Protocol shall apply to the Macao Special Administrative Region with effect from 20 December 1999.
- <sup>13</sup> Notification issued by the Government of the People's Republic of China dated 9 December 1999: The Convention . . . which applies to Macao at present, shall continue to apply to the Macao Special Administrative Region with effect from 20 December 1999.

<sup>14</sup> Notification issued by the Government of the People's Republic of China dated 6 December 1999:

“The Convention . . . to which the Government of the People's Republic of China deposited the instrument of accession on 14 November 1978, will apply to the Macao Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 24 of the Convention shall also apply to the Macao Special Administrative Region.

The Government of the People's Republic of China shall assume responsibility for the international rights and obligations arising from the application of the Convention to the Macao Special Administrative Region.”

<sup>15</sup> The following notification was made by the Government of the People's Republic of China when depositing its instrument of adherence on 28 April 2000:

“1. The Government of the People's Republic of China does not recognize the signing of the *Convention* . . . by the old Chinese Government;

2. The *Convention* . . . does not apply *ex tempore* in the Hong Kong Special Administrative Region of the People's Republic of China until notified otherwise by the Government of the People's Republic of China.”

<sup>16</sup> By note of 3 June 1997, the Ambassador of the People's Republic of China informed the U.S. Secretary of State of the application of the Convention to the Hong Kong Special Administrative Region of the People's Republic of China, following that country's resumption of the exercise of sovereignty over Hong Kong with effect from 1 July 1997. The Ambassador's note contained the following Declaration: “The execution of Chapter 18 must not, as a principle, prejudice the sovereignty of the People's Republic of China.” In a separate note of 3 June 1997, the U.S. Secretary of State was informed as follows:

“The International Air Services Transit Agreement done at Chicago on 7 December 1944 (hereinafter referred to as the ‘Agreement’), which applies to Hong Kong at present, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.

Within the above ambit, responsibility for the international rights and obligations of a party to the Agreement will be assumed by the Government of the People's Republic of China.”

<sup>17</sup> By note of October 6, 1999, the Ambassador of the People's Republic of China informed the U.S. Secretary of State that “. . . the International Air Services Transit Agreement done at Chicago on 7 December 1944 (hereinafter referred to as the ‘Agreement’) which applies to Macao at present, will continue to apply to the Macao Special Administrative Region with effect from 20 December 1999. Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a party to the Agreement.”

<sup>18</sup> By a Note dated 20 March 2001, received on 22 March 2001, the Government of the People's Republic of China informed the International Civil Aviation Organization with regard to the application of the Convention to the Hong Kong Special Administrative Region of the People's Republic of China:

“In accordance with Section 11, Appendix 1 of the Joint Declaration of the People's Republic of China and the United Kingdom of the Great Britain and Northern Ireland and Article 153 of the Basic Law of the Hong Kong Administrative Region of the People's Republic of China, international agreements to which the People's Republic of China is not a party but which are implemented in Hong Kong may continue to be implemented in the Hong Kong Special Administrative Region. In view of this, the above-mentioned Convention remains to be applicable to Hong Kong Special Administrative Region after July 1, 1997. Meanwhile, according to Article 13 of the Convention, the Government of the People's Republic of China also wishes to make the following declaration: The Hong Kong Special Administrative Region is not a producer region of Plastic Explosives.

Within the above ambit, responsibility for the international rights and obligations of a party to the Convention will be assumed by the People's Republic of China.”

<sup>19</sup> By a note from the Ambassador of the People's Republic of China to the U.S. Secretary of State, dated 19 September 2002, the People's Republic of China extended the Protocol to the Macao Special Administrative Region of the People's Republic of China.

- <sup>20</sup> Association with the Programme as a Ground Segment Provider deposited with IMO. Before that, association with the Programme as a User State, deposited with IMO on 19 October 1992, effective from 18 November 1992 to 28 March 1997.
- <sup>21</sup> By a Note dated 29 November 1999, the Government of the People's Republic of China informed the Government of the United States as follows:  
"The Convention . . . to which the Government of the People's Republic of China deposited an instrument of accession on 10 September 1980, will apply to the Macao Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:  
The reservation made by the Government of the People's Republic of China to paragraph 1 of Article 12 of the Convention will also apply to the Macao Special Administrative Region.  
The Government of the People's Republic of China shall assume responsibility for the international rights and obligations arising from the application of the Convention to the Macao Special Administrative Region."
- <sup>22</sup> (A) The instrument of ratification by China contains the following declaration:  
"The Convention does not apply in the Hong Kong Special Administrative Region of the People's Republic of China until notified otherwise by the Government of the People's Republic of China."  
(B) In addition, the Representative of China on the Council of ICAO made the following declaration at the time of deposit of the instrument of ratification:  
"The Convention applies in the Macao Special Administrative Region of the People's Republic of China."  
(C) By a letter dated 20 October 2006, the Representative of China on the Council of ICAO made the following statement on behalf of the Government of the People's Republic of China (PRC):  
"Article 153 of the Basic Law of the Hong Kong Special Administrative Region of the PRC provides that the application to the Hong Kong Special Administrative Region of the PRC of international agreements to which the PRC is or becomes a party shall be decided by the Central People's Government in accordance with the circumstances and needs of the Region and after seeking the views of the Government of the Region.  
In consultation with the Government of the Hong Kong Special Administrative Region, the Government of the PRC has decided to apply the Convention in the Hong Kong Special Administrative Region of the PRC from the date of December 15, 2006."
- <sup>23</sup> By a letter dated 8 July 2005, the Ambassador of the People's Republic of China in Ottawa advised of the application of this Protocol to the Macao Special Administrative Region of the People's Republic of China.
- <sup>24</sup> Signed without reservation as to acceptance.
- <sup>25</sup> At the time of ratification of the Cape Town Convention, China made declarations under Articles 39(1)(a), 39(1)(b), 39(4), 40, 50(1), 53, 54(1), 54(2) and 55.
- <sup>26</sup> At the time of ratification of the Cape Town Protocol, China made declarations under Articles XIX, XXIX(1),XXX(1), (2) and (3).