



**INTERNATIONAL
CIVIL AVIATION
ORGANIZATION**





ICAO



Introducing Key Air Law Treaties - Background, Overview of Policy Objectives and Ratification Status

—
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Overview of Presentation

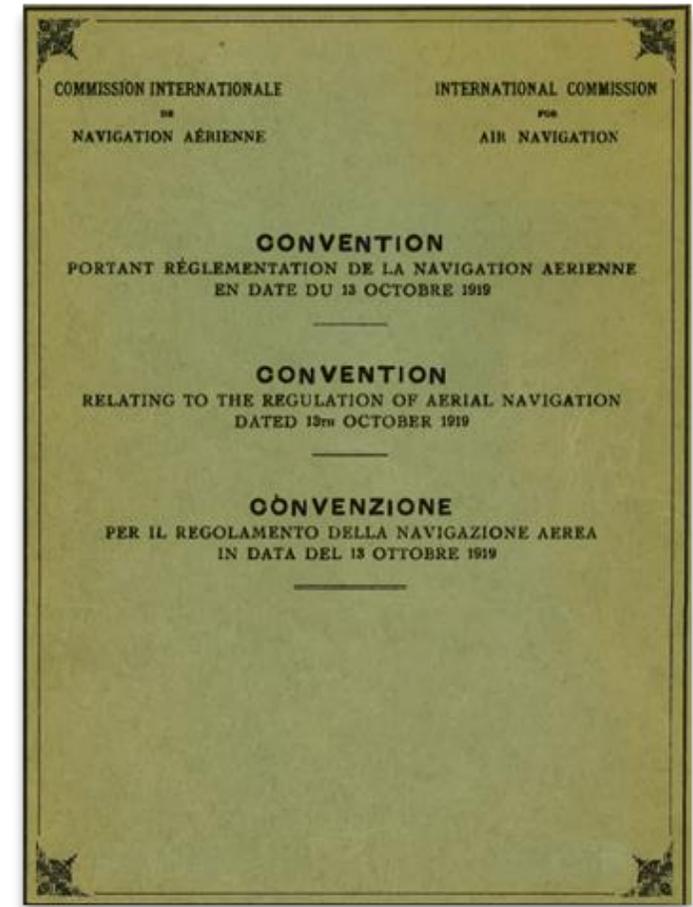
1. Air law treaty development over the last 100 years
2. Treaty making process at ICAO
3. Background and benefits of key international air law treaties
4. Resources to promote ratification



1. Air Law Treaty Development over the last 100 Years

Air law treaties adopted prior to the 1944 Chicago Conference

- Paris Convention 1919 on the regulation of aerial navigation
- Warsaw Convention 1929 on air carrier liability (passengers and cargo)
- Rome Convention 1933 on precautionary attachment of aircraft
- Rome Convention 1933 and Brussels Protocol 1938 on liability to third parties
- Brussels Convention 1938 on assistance and salvage of aircraft or aircraft at sea



1. Air Law Treaty Development over the last 100 Years

Treaties adopted after the 1944 Chicago Conference

Air Carrier Liability (passengers and cargo)

- Hague Protocol 1955
- Guadalajara Convention 1961
- Guatemala City Protocol 1971
- Additional Protocol Nos. 1, 2 and 3 1975
- Montreal Protocol No 4 1975
- Montreal Convention 1999

Liability to Third Parties (damages on the ground)

- Rome Convention 1952
- Montreal Protocol 1978
- General Risks Convention 2009
- Unlawful Interference Compensation Convention 2009

Aviation Safety and Security

- Protocol on Article 83 *bis* of the Chicago Convention 1980
- Tokyo Convention 1963
- Hague Convention 1970
- Montreal Convention 1971
- VIA Protocol 1988
- MEX Convention 1991
- Beijing Convention and Protocol 2010
- Montréal Protocol 2014

Aircraft Financing

- Geneva Convention 1948
- Cape Town Convention 2001
- Aircraft Protocol 2001

2. Treaty Making Process at ICAO

- Amendments to the Chicago Convention
- Other International Air Law Instruments



2. Treaty Making Process at ICAO

Amendments to the Chicago Convention

- Article 94 (a) of the Convention:

“Any proposed amendment to this Convention must be approved by a two-thirds vote of the Assembly and shall then come into force in respect of States which have ratified such amendment when ratified by the number of contracting States specified by the Assembly. ***The number so specified shall not be less than two-thirds of the total number of contracting States.***”

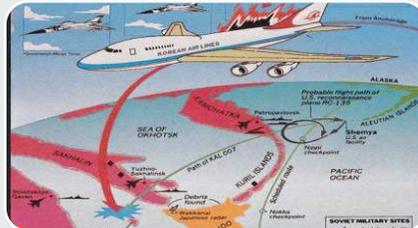


Amendments to the Chicago Convention



Institutional and procedural changes

- Membership, Assembly sessions, permanent seat, budget and languages



Article 3 bis

- Prohibition of use of weapons against civil aircraft



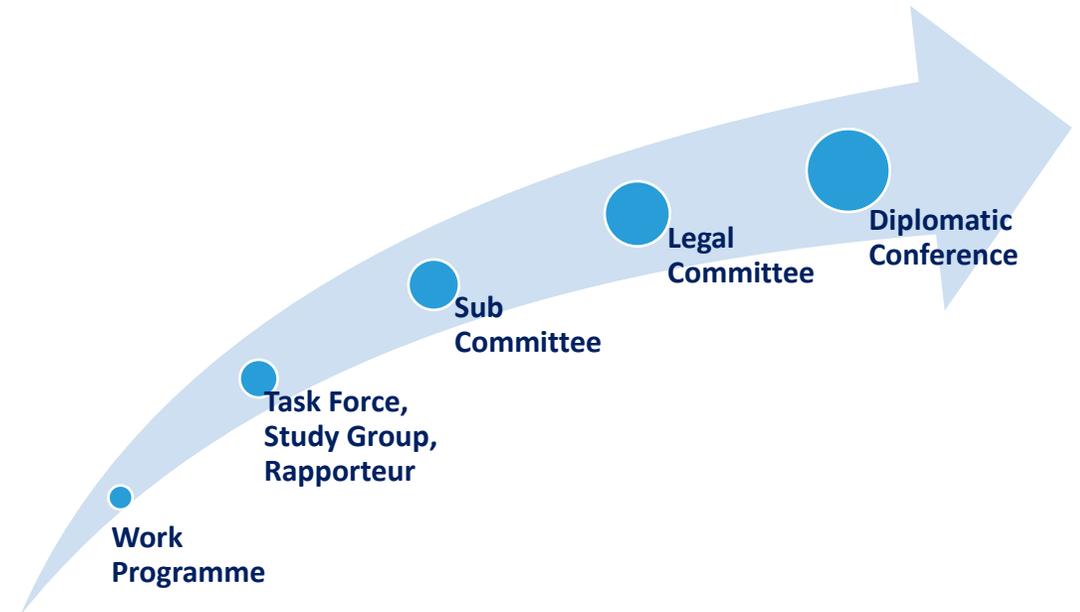
Article 83 bis

- Transfer of state of registry responsibility on leased, chartered aircraft

2. Treaty Making Process at ICAO

Other International Air Law Instruments

- Procedure for approval of draft Conventions (A42-5, Appendix B)
- Legal Committee may establish sub-Committees, working groups, task forces
- Council considers draft text of a new treaty
- Council convenes Diplomatic Conference to adopt the text
- Last instrument adopted is the Montréal Protocol 2014



2. Treaty Making Process at ICAO

Depositary Functions

- ICAO is the Depositary of almost 40 international air law treaties
- Ceremony of deposits
- Information for States available on the ICAO Treaty Collection Website ([icao.int/treaty](https://www.icao.int/treaty))



3. Background and Benefits of Key Treaties

Ratification of International Air Law Treaties:

- The 42nd Session of the ICAO Assembly recognized in several Resolutions that unification of international rules could only be achieved through universal participation by all ICAO Member States.
- Called upon States that have not done so to consider becoming parties to international air law treaties.

Doc 10184

Assembly Resolutions in Force
(as of 7 October 2022)



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3. Background and Benefits of Key Treaties

Overview of Selected Treaties



Montreal Convention 1999 (air carrier liability): 143 Parties (37 African States); Universal application for uniform regime



Beijing Convention 2010 (security and safety): 56 Parties (22 African States); deals with new and emerging threats using aircraft, BCN weapons, cyber attacks



Beijing Protocol 2010 (security and safety): 57 Parties (21 African States); deals with new forms of unlawful seizure including by any technological means



Montréal Protocol 2014 (unruly and disruptive passengers): 58 Parties (21 African States); expands jurisdiction beyond State of registry, and promotes enforcement



2016 Protocol on Art. 50 (a) of the Chicago Convention (increase in the size of Council); 121 ratifications (31 African States), 128 needed: broader representation on the Council



2016 Protocol on Art. 56 of the Chicago Convention (increase in the size of the ANC): 121 ratifications (31 African States), 128 needed; broader representation on the ANC

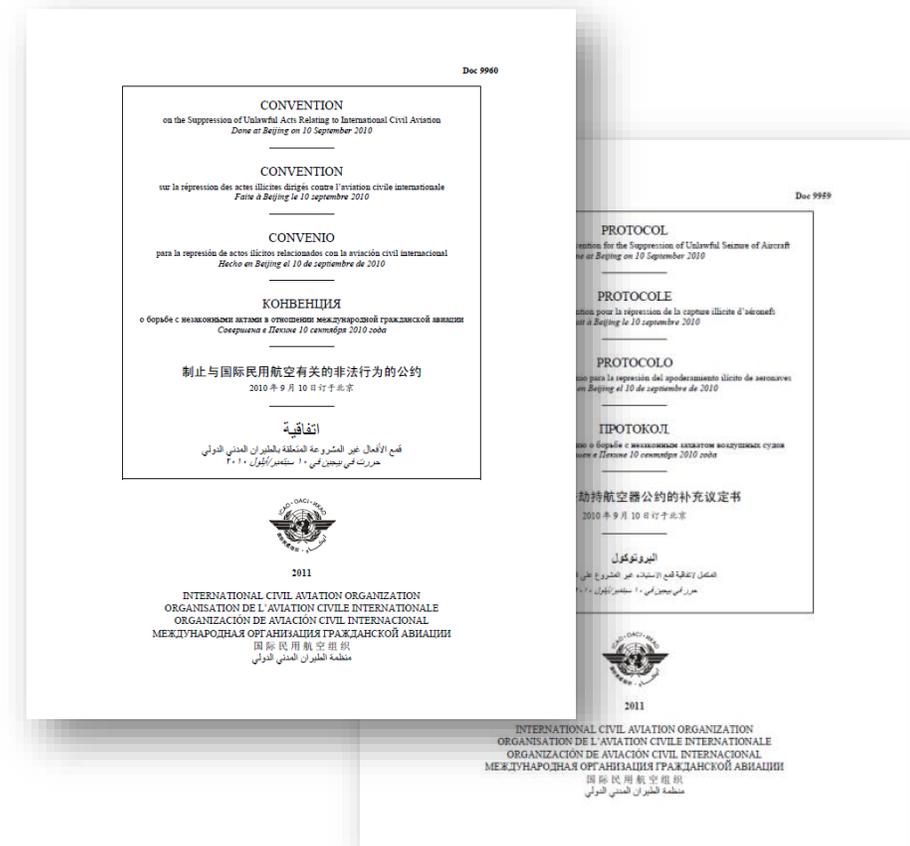
Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999

- Assembly Resolution A39-9: *Promotion of the Montréal Convention of 1999* urging all States to ratify this Convention.
- As of 24 February 2026, the Convention has 143 Parties (37 African States).



Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft, both done at Beijing on 10 September 2010

- Assembly Resolution A39-10: *Promotion of the Beijing Convention and the Beijing Protocol of 2010*, urging all States to sign and ratify these treaties.
- As of 24 February 2026, 56 States have ratified the Beijing Convention (22 African States) and 57 States have ratified the Beijing Protocol (21 African States).
- The Beijing Protocol entered into force on 1 January 2018 and the Beijing Convention on 1 July 2018.



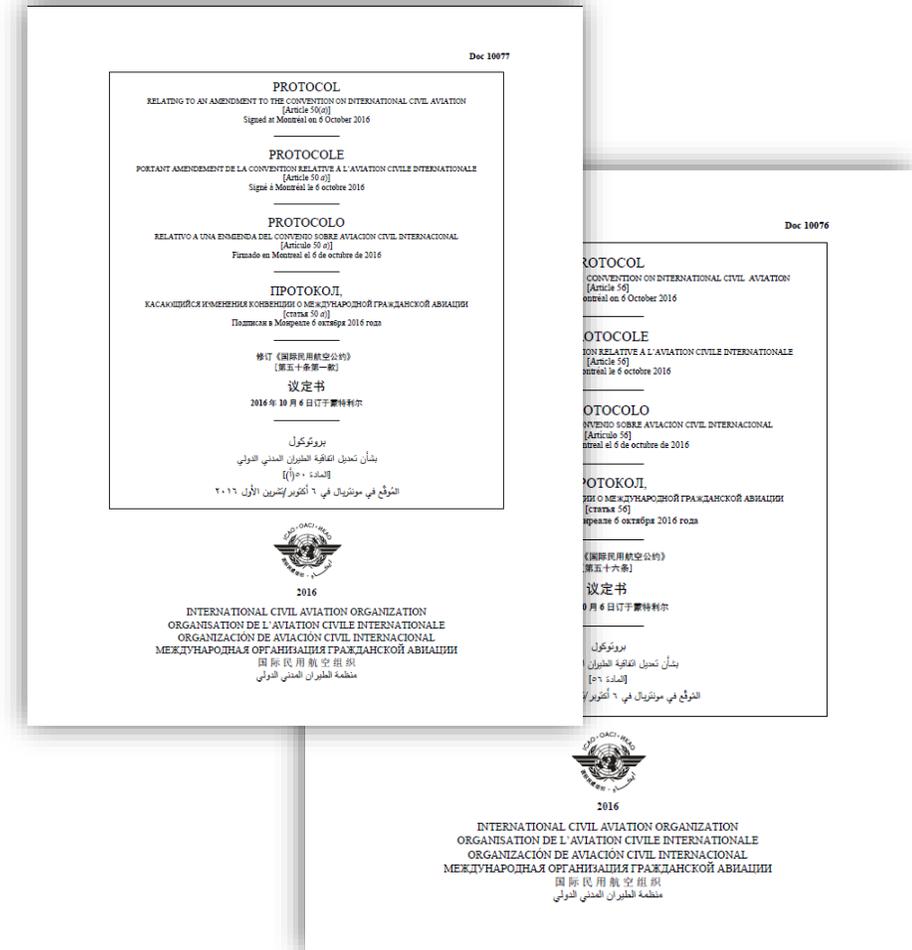
Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, done at Montréal on 4 April 2014

- Assembly Resolution A42-5, Appendix C urges all States that have not done so to ratify this Protocol.
- As of 24 February 2026, 58 Member States have ratified the Protocol (21 African States).



2016 Protocols amending Articles 50(a) and 56 of the Chicago Convention

- The 39th Session of the Assembly approved amendments to Articles 50 (a) and 56 of the Chicago Convention.
- The amendment to Article 50 (a) increases the membership of the Council from **36 to 40**, while the amendment to Article 56 increases the membership of the Air Navigation Commission from **19 to 21**.
- As of 24 February 2026, 120 States have ratified these two Protocols (31 African States); 128 ratifications needed for entry into force.



1995 and 1998 Protocols providing for the Authentic Text of the Chicago Convention in Arabic and Chinese

Arabic Text

- 1995 Protocol [Final paragraph, Arabic Text] (71 ratifications, 11 African States), 122 ratifications needed (ICAO Depositary)
- 1995 Protocol on the Authentic Quinquelingual Text of the Convention on International Civil Aviation (accepted by 77 States, 18 African States) (US Depositary)

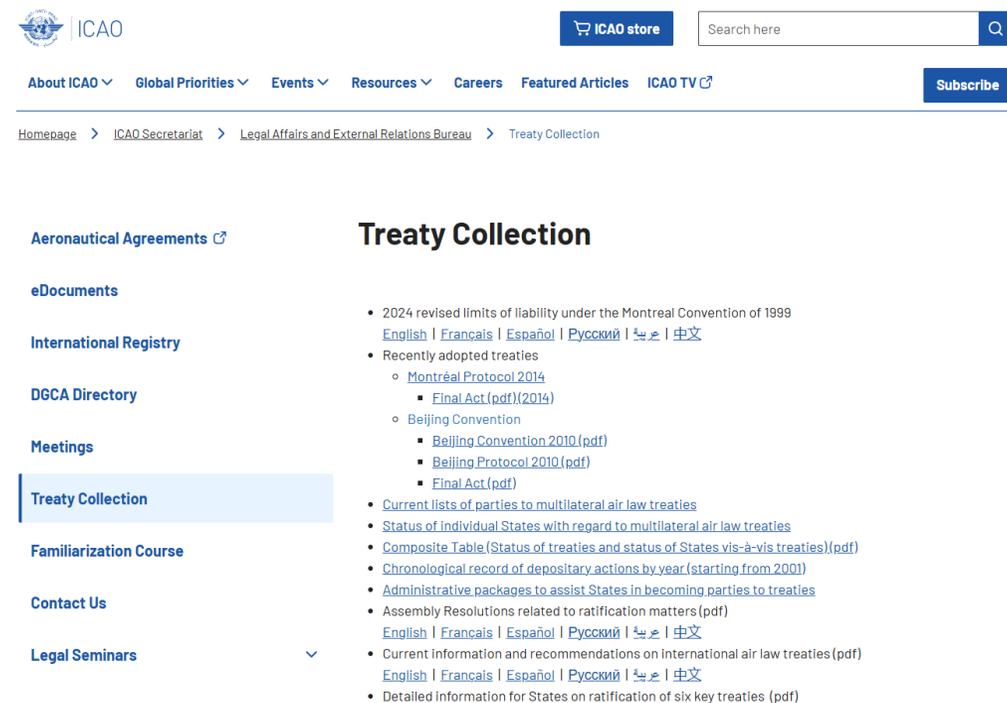
Chinese Text

- 1998 Protocol [Final paragraph, Chinese Text] (57 ratifications, 7 African States), 124 ratifications needed (ICAO Depositary)
- 1998 Protocol on the Authentic Six-Language Text of the Convention on International Civil Aviation (accepted by 58 States, 9 African States) (US Depositary)

4. Resources to promote ratification

ICAO Treaty Collection Website

- Administrative packages providing guidelines for the ratification of, or accession to, international air law instruments in order to assist States in the ratification/accession process.
- Lists of Parties to international air law instruments.
- Forms indicating the current status of individual ICAO Member States with respect to international air law instruments.



The screenshot shows the ICAO website's Treaty Collection page. The header includes the ICAO logo, a search bar, and navigation links such as 'About ICAO', 'Global Priorities', 'Events', 'Resources', 'Careers', 'Featured Articles', and 'ICAO TV'. A 'Subscribe' button is also present. The breadcrumb trail reads: 'Homepage > ICAO Secretariat > Legal Affairs and External Relations Bureau > Treaty Collection'.

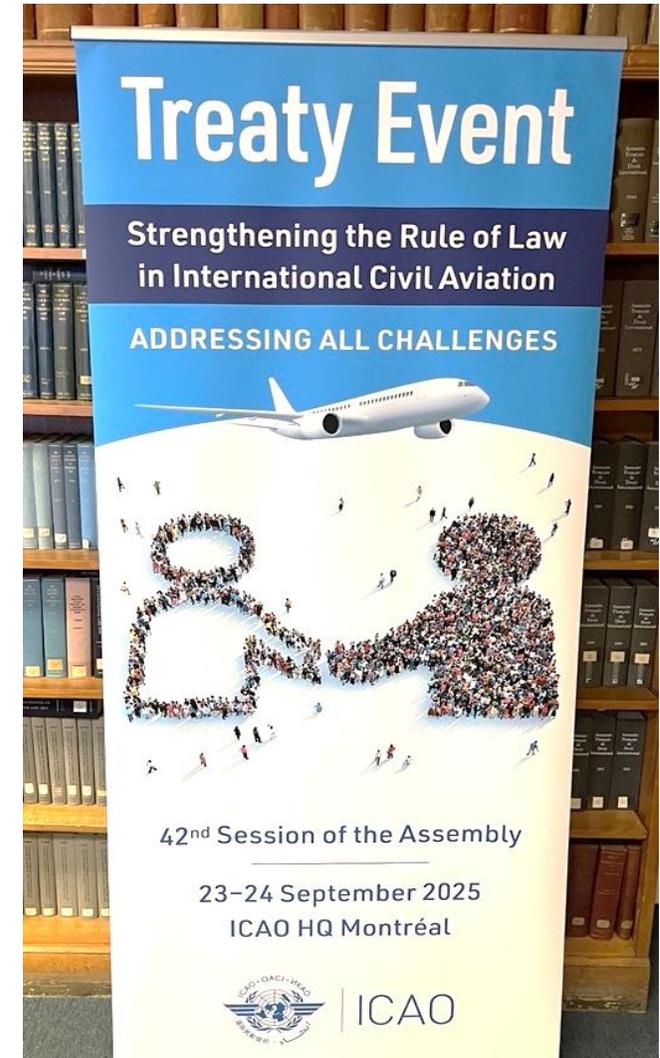
The main content area is titled 'Treaty Collection' and features a sidebar with navigation options: 'Aeronautical Agreements', 'eDocuments', 'International Registry', 'DGCA Directory', 'Meetings', 'Treaty Collection' (highlighted), 'Familiarization Course', 'Contact Us', and 'Legal Seminars'. The main content lists various treaties and documents, including:

- 2024 revised limits of liability under the Montreal Convention of 1999 (with links for English, Français, Español, Русский, العربية, 中文)
- Recently adopted treaties
 - Montreal Protocol 2014
 - Final Act (pdf) (2014)
 - Beijing Convention
 - Beijing Convention 2010 (pdf)
 - Beijing Protocol 2010 (pdf)
 - Final Act (pdf)
- Current lists of parties to multilateral air law treaties
- Status of individual States with regard to multilateral air law treaties
- Composite Table (Status of treaties and status of States vis-à-vis treaties) (pdf)
- Chronological record of depositary actions by year (starting from 2001)
- Administrative packages to assist States in becoming parties to treaties
- Assembly Resolutions related to ratification matters (pdf) (with links for English, Français, Español, Русский, العربية, 中文)
- Current information and recommendations on international air law treaties (pdf) (with links for English, Français, Español, Русский, العربية, 中文)
- Detailed information for States on ratification of six key treaties (pdf)

4. Resources to promote ratification

Key activities

- Supports delivery of the GAT Courses in International Air Law
- Hosts and facilitates legal seminars in ICAO regions
- Supports the Civil Aviation Legal Advisers Forum (CALAF)
- ICAO Treaty Event
- Consultations with States
- Promotion of ratification in regional events (e.g. DGCA meetings)
- Collaboration with UN agencies



4. Resources to promote ratification

Tracking Matrix for Treaty Ratification

[NAME OF THE MEMBER STATE]					
	TREATY PROPOSED BY DGCA TO COMPETENT AUTHORITY FOR RATIFICATION	TREATY SUBMITTED FOR APPROVAL TO LEGISLATURE OR OTHER COMPETENT AUTHORITY	AWAITING SUBMISSION OF THE INSTRUMENT OF RATIFICATION TO THE DEPOSITARY (E.G., ICAO)	TREATY NOT CONSIDERED FOR RATIFICATION	COMMENTS
[NAME OF TREATY]					
[NAME OF TREATY]					
[NAME OF TREATY]					
[...]					

ICAO Key Legal and Air Transport Events 2026



Conclusion/Questions

Thank You

