

INTERNATIONAL CIVIL AVIATION ORGANIZATION

A32-WP/29

EX/8

3/7/98

ASSEMBLY — 32ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 14: **Amendment of the *Convention on International Civil Aviation* regarding the authentic Chinese Text**

DRAFT RESOLUTION RELATING TO THE AMENDMENT OF THE FINAL CLAUSE OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION REGARDING THE AUTHENTIC CHINESE TEXT

REFERENCES

Doc 7300/7, *Convention on International Civil Aviation*

Doc 9662, *Assembly Resolutions in force* (as of 4 October 1995) (A31-16)

1. INTRODUCTION

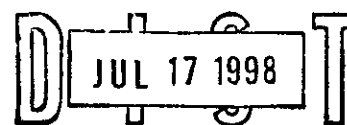
1.1 The 31st Session of the Assembly adopted Resolution A31-16 requesting the Secretary General to prepare the authentic Chinese text of the *Convention on International Civil Aviation* (Chicago Convention).

2. ACTION TAKEN BY THE COUNCIL

2.1 At the 3rd Meeting of its 151st Session on 30 May 1997, the Council considered the procedure for the approval and adoption of the authentic Chinese text of the Chicago Convention and decided to convene, concurrently with the 32nd Session of the Assembly, a Diplomatic Conference for the purpose of approving the authentic Chinese text of the Convention and amendments thereto.

2.2 At the 11th Meeting of its 152nd Session on 3 December 1997, the Council considered the final draft authentic Chinese text of the Convention to be distributed as a working document of the Diplomatic Conference together with the following draft text of an amendment to the Final Clause of the Convention:

“Done at Chicago the seventh day of December 1944 in the English language. The texts of this Convention drawn up in the English, Arabic, Chinese, French, Russian and Spanish languages are of equal authenticity. These texts shall be deposited in the archives of the Government of the United States of America, and certified true copies shall be transmitted by



that Government to the Governments of all the States which may sign or adhere to this Convention. This Convention shall be open for signature at Washington, D.C.”

(*Note.* — As regards the sequence of languages listed in this clause, each language version will refer to its own language first, followed by the other languages in alphabetical order.)

2.3 The Council agreed to submit the above-mentioned draft text of amendment for consideration by the 32nd Session of the Assembly.

3. **ACTION BY THE ASSEMBLY**

3.1 The Assembly is invited to approve the resolution as set out in **Appendix A**.

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APPENDIX A

RESOLUTION FRAMED BY THE EXECUTIVE COMMITTEE AND RECOMMENDED FOR ADOPTION BY THE ASSEMBLY

Resolution 14/1

Amendment of the *Convention on International Civil Aviation* regarding the authentic Chinese text

The Assembly of the International Civil Aviation Organization,

Having met in its Thirty-second Session at Montreal on 22 September 1998,

Having noted that it is the general desire of Contracting States to take action to ensure that the Convention on International Civil Aviation done at Chicago on 7 December 1944 is available as the authentic Chinese text,

Having considered it necessary to amend, for the purpose aforesaid, the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944,

1. *Approves*, in accordance with the provisions of Article 94(a) of the Convention aforesaid, the following proposed amendment which is to replace the present text of the final paragraph of the said Convention:

“Done at Chicago the seventh day of December 1944 in the English language. The texts of this Convention drawn up in the English, Arabic, Chinese, French, Russian and Spanish languages are of equal authenticity. These texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the Governments of all the States which may sign or adhere to this Convention. This Convention shall be open for signature at Washington, D.C.”

2. *Specifies*, pursuant to the provisions of the said Article 94(a) of the said Convention, one hundred and twenty-four (124) as the number of Contracting States upon whose ratification the proposed amendment aforesaid shall come into force, and

3. *Resolves* that the Secretary General of the International Civil Aviation Organization draw up a Protocol, in the English, Arabic, Chinese, French, Russian and Spanish languages each of which shall be of equal authenticity embodying the proposed amendment above-mentioned and the matter hereinafter appearing:

- a) The Protocol shall be signed by the President of the Assembly and its Secretary General.
- b) The Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation.

- c) The instruments of ratification shall be deposited with the International Civil Aviation Organization.
- d) The Protocol shall come into force in respect of the States which have ratified it on the date on which the 124th instrument of ratification is so deposited.
- e) The Secretary General shall immediately notify all States parties to the said Convention of the date of deposit of each ratification of the Protocol.
- f) The Secretary General shall immediately notify all States parties to the said Convention of the date on which the Protocol comes into force.
- g) With respect to any Contracting State ratifying the Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

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