



ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 22: Other high-level policy issues to be considered by the Executive Committee

INFRACTION OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION BY THE REPUBLIC OF BELARUS

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

This working paper presents an update on Assembly Resolution A41-1, *Infraction of the Convention on International Civil Aviation by the Republic of Belarus* adopted by the 41st Session of the Assembly in connection with the event involving Ryanair Flight FR4978 in Belarus airspace on 23 May 2021. Assembly Resolution A41-1 urgently called upon the Republic of Belarus to take appropriate action in view of the infraction of Article 4 of the *Convention on International Civil Aviation* (Chicago, 1944 – the “Chicago Convention”). The Resolution further requested the Council to remain seized of the matter and to report back to the Assembly as appropriate. Given that there have been no developments or further information received from the Republic of Belarus regarding actions taken to address or resolve the infraction identified in the Resolution, the Council decided that it was appropriate to report back to the Assembly on the status of compliance with Assembly Resolution A41-1.

Action: The Assembly is invited to take note of the developments with respect to Assembly Resolution A41-1 and, as such, to restate that Assembly Resolution A41-1 remains in force as attached to this Working Paper, and to urge the Republic of Belarus to take appropriate actions to remedy the situation.

<i>Strategic Goals:</i>	This working paper relates to Strategic Goals: <i>Every Flight is Safe and Secure, Aviation Delivers Seamless, Accessible, and Reliable Mobility for All, The International Civil Aviation Convention and other Treaties, Laws and Regulations address all Challenges, and The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All</i>
<i>Financial implications:</i>	This working paper has no direct financial implications
<i>References:</i>	C-DEC 235/7 A41-1, <i>Infraction of the Convention on International Civil Aviation by the Republic of Belarus</i> A41-WP/429, <i>Infractions of the Convention on International Civil Aviation by the Republic of Belarus</i> Doc 7559, <i>Rules of Procedure for the Council</i> Doc 7300, <i>Convention on International Civil Aviation</i>

1. BACKGROUND

1.1 The 41st Session of the Assembly (Montréal, 27 September – 7 October 2022) adopted Assembly Resolution A41-1, *Infraction of the Convention on International Civil Aviation by the Republic of Belarus*. The Assembly endorsed the determination of the ICAO Council that, based on the findings of the Report of the Fact-Finding Investigation Team (FFIT) instituted by the Secretary General pursuant to a decision of the ICAO Council, the actions of the Government of the Republic of Belarus in knowingly participating in or being involved in providing information about a false bomb threat to Ryanair Flight FR4978 leading to its diversion to land at Minsk Airport, and thereby deliberately endangering the safety and security of a commercial passenger aircraft and the lives of all those on board, amounted to the use of civil aviation by the Republic of Belarus for a purpose inconsistent with the aims of the *Convention on International Civil Aviation* (Chicago, 1944 – the “Chicago Convention”) which is a flagrant and serious violation of its Article 4.

1.2 Assembly Resolution A41-1 urgently called upon the Republic of Belarus to take appropriate action in view of the above infraction of Article 4 of the Chicago Convention and requested the Council to remain seized of this matter and to report back to the Assembly as appropriate.

2. DEVELOPMENTS

2.1 At the Seventh Meeting of its 235th Session held on 13 June 2025, the Council, following consideration of an Oral Report from the Secretary General (Revision No. 1, 6 June 2025), noted that there had been no developments or further information received from the Republic of Belarus regarding the actions taken to address or resolve the infraction identified in Assembly Resolution A41-1.

2.2 Accordingly, the Council decided that it was appropriate to report back to the Assembly during its 42nd Session on the status of compliance by the Republic of Belarus with Assembly Resolution A41-1.

3. CONCLUSIONS AND ACTION BY THE ASSEMBLY

3.1 The Council invites the Assembly to take note of the developments with respect to Assembly Resolution A41-1 as set out in paragraph 2 of this Working Paper and, as such, to restate that Assembly Resolution A41-1 remains in force as attached in the **Appendix** to this Working Paper, and to urge the Republic of Belarus to take appropriate actions to remedy the situation.

APPENDIX

Resolution A41-1: Infraction of the Convention on International Civil Aviation by the Republic of Belarus

Recalling the Decision of the ICAO Council of 27 May 2021 concerning the incident involving Ryanair Flight FR4978 in the Republic of Belarus airspace on 23 May 2021;

Having considered the report of the Fact-Finding Investigation Team (FFIT) instituted by the Secretary General pursuant to that decision of the Council;

Bearing in mind the provisions and principles of the *Convention on International Civil Aviation*, while the primary objective of ICAO continues to be that of ensuring the safety and security of international civil aviation worldwide;

Considering the paramount importance of preserving the safety of international civil aviation as enshrined in the *Convention on International Civil Aviation* and its Annexes;

Noting that the ICAO Council, on 18 July 2022, determined that, based on the facts established by the FFIT, a number of senior officials of the Government of Belarus had knowingly participated or were involved in providing information about a false bomb threat to Ryanair Flight FR4978 leading to its diversion to land at Minsk Airport;

Further noting that the ICAO Council concluded with grave concern, that based on the facts established by the FFIT, the safety of Ryanair Flight FR4978 was endangered when a false bomb threat was communicated to the flight crew, on the instructions of senior government officials of the Republic of Belarus, and that 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 all those on board, amounted to a flagrant and serious violation of the *Convention on International Civil Aviation*;

Recalling that the use of civil aviation by any State for any purpose inconsistent with the aims of the *Convention on International Civil Aviation* would contravene the spirit of the said Convention, its Preamble as well as its Article 4;

Considering that the ICAO Council further decided to submit this matter to the 41st Session of the ICAO Assembly, in accordance with Article 54 k) of the *Convention on International Civil Aviation*;

The Assembly:

1. *Endorses* the determination of the ICAO Council that, based on the findings of the FFIT Report, the actions of the Government of the Republic of Belarus in knowingly participating in or being involved in providing information about a false bomb threat to Ryanair Flight FR4978 leading to its diversion to land at Minsk Airport, and thereby deliberately endangering the safety and security of a commercial passenger aircraft and the lives of all those on board, amounted to the use of civil aviation by the Republic of Belarus for a purpose inconsistent with the aims of the *Convention on International Civil Aviation* which is a flagrant and serious violation of its Article 4;

2. *Condemns* 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 all those on board;
3. *Deplores* the fact that, notwithstanding notice of the infraction of Article 4 of the *Convention on International Civil*, the Republic of Belarus has failed to take appropriate action within a reasonable time after notice of the said infraction;
4. *Urgently calls* upon the Republic of Belarus to take appropriate action in view of this infraction of Article 4 of the *Convention on International Civil Aviation*;
5. *Requests* the Council to remain seized of this matter and to report back to the Assembly as appropriate; and
6. *Instructs* the Secretary General to immediately draw the attention of all Contracting States to this resolution.

— END —