



International Civil Aviation Organization

WORKING PAPER

A42-WP/53

EX/23

30/7/25

ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

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

INFRACTIONS OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION BY THE RUSSIAN FEDERATION

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

This working paper presents an update on Assembly Resolution A41-2, *Infractions of the Convention on International Civil Aviation by the Russian Federation* adopted by the 41st Session of the Assembly. Assembly Resolution A41-2 endorsed the Council's determination that the violation of the territorial integrity and sovereignty of Ukraine by the Russian Federation, including its sovereign airspace, and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, constituted infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation* (1944 – “the Chicago Convention”). The Resolution urgently called upon the Russian Federation to cease the actions leading to the infractions of the Chicago Convention in order to strictly comply with the provisions of the Convention and its Annexes. The Resolution further requested the Council to remain seized of the matter and to report back to the Assembly as appropriate. No information has been received from the Russian Federation regarding actions taken to address or resolve the infractions identified in the Resolution in the period following the adoption of the said Resolution. The Council has decided that it is appropriate to report on the status of compliance with Assembly Resolution A41-2 to the 42nd Session of the Assembly.

Action: The Assembly is invited to take note of the developments with respect to Assembly Resolution A41-2 and, as such, to restate that Assembly Resolution A41-2 remains in force as attached to this Working Paper, and to urge the Russian Federation 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 <i>A41-2, Infraction of the Convention on International Civil Aviation by the Russian Federation</i> <i>A41-WP/430, Infractions of the Convention on International Civil Aviation by the Russian Federation</i> <i>Doc 7559, Rules of Procedure for the Council</i> <i>Doc 7300, Convention on International Civil Aviation</i>
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1. BACKGROUND

1.1 The 41st Session of the Assembly (Montréal, 27 September – 7 October 2022) adopted Assembly Resolution A41-2, *Infraction of the Convention on International Civil Aviation by the Russian Federation* in which the Assembly endorsed the determination of the ICAO Council that the violation of the territorial integrity and sovereignty of Ukraine by the Russian Federation, including its sovereign airspace, and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, constituted infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation* (Chicago, 1944 – the “Chicago Convention”). In this regard, Assembly Resolution A41-2 condemned the Russian Federation for the above infractions of the Chicago Convention and for seriously threatening the safety and security of international civil aviation.

1.2 Assembly Resolution A41-2 urgently called upon the Russian Federation to cease the actions leading to the infractions of the Chicago Convention in order to comply strictly with the provisions of the Chicago Convention and its Annexes. In addition, the Resolution urgently called upon the Russian Federation to resolve the issues related to the leased aircraft registered in other Contracting States that have been re-registered in the Russian Federation and to prevent the operation of those aircraft without valid certificates of airworthiness, so as to remedy the infractions of Articles 18, 19, 29 and 31 of the Chicago Convention. The Resolution further requested the Council to remain seized of this matter and report back to the Assembly as appropriate.

2. DEVELOPMENTS

2.1 At the Seventh Meeting of its 235th Session (13 June 2025), the Council noted, following consideration of an Oral Report from the Secretary General (Revision No. 1, 6 June 2025), that there had been no developments or further information received from the Russian Federation regarding the actions taken to address or resolve the infractions identified in Assembly Resolution A41-2.

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 Russian Federation with Assembly Resolution A41-2.

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 A41-2 as set out in section 2 of this Working Paper and, as such, to restate that Assembly Resolution A41-2 remains in force as attached in the **Appendix** to this Working Paper, and to urge the Russian Federation to take appropriate actions to remedy the situation.

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APPENDIX

Resolution A41-2: Infractions of the Convention on International Civil Aviation by the Russian Federation

Having considered the item concerning infractions of the *Convention on International Civil Aviation* by the Russian Federation;

Recalling that the United Nations General Assembly in adopting Resolution A/ES-11/L.1 on aggression against Ukraine reaffirmed its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine and deplored in the strongest terms the aggression by the Russian Federation against Ukraine in violation of the Charter of the United Nations;

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 of international civil aviation worldwide;

Considering the paramount importance of preserving the safety of international civil aviation, and that once a Contracting State has registered an aircraft, a number of safety-related obligations fall upon it by virtue of the *Convention on International Civil Aviation* and its Annexes;

Noting that the ICAO Council, on 25 February 2022, expressed its condemnation of the violation of the territorial integrity and sovereignty of Ukraine, including its sovereign airspace, which is inconsistent with Article 1 of the *Convention on International Civil Aviation* and urged the Russian Federation to cease its unlawful activities, to ensure the safety and security of international civil aviation in all affected areas and to respect its obligations under the *Convention on International Civil Aviation*;

Noting that on 15 June 2022, ICAO confirmed a significant safety concern (SSC) that remained unresolved by the Russian Federation, and on 22 June 2022 the ICAO Council considered a working paper submitted by 19 ICAO Council Member States which, in addition to the infraction of Article 1 of the *Convention on International Civil Aviation*, outlined infractions of Articles 18, 19, 29 and 31 pertaining to the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, and that in this connection the Council called on the Russian Federation to immediately cease and urgently remedy its infractions of the *Convention on International Civil Aviation*;

Considering that the Russian Federation failed to take appropriate action within a reasonable time after notice of the infractions, despite strong condemnations by the Council and its calls for compliance with the *Convention on International Civil Aviation*;

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 decision of the ICAO Council that the violation of the territorial integrity and sovereignty of Ukraine by the Russian Federation, including its sovereign airspace, and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness constitute infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation*, conforming to its Article 54 k);

2. *Deplores* that, in disregard of the concerns and condemnations expressed by the ICAO Council, the Russian Federation has continued these infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation*;
3. *Condemns* the Russian Federation for the violation of the sovereignty of the airspace of Ukraine and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, amounting to infractions of the *Convention on International Civil Aviation* and seriously threatening the safety and security of international civil aviation;
4. *Urgently calls* upon the Russian Federation to cease the actions leading to the infractions of the *Convention on International Civil Aviation* in order to comply strictly with the provisions of the *Convention on International Civil Aviation* and its Annexes;
5. *Urgently calls* upon the Russian Federation to resolve the issues related to the leased aircraft registered in other Contracting States that have been re-registered in the Russian Federation and to prevent the operation of those aircraft without valid certificates of airworthiness, so as to remedy the infractions of Articles 18, 19, 29 and 31 of the *Convention on International Civil Aviation*;
6. *Requests* the Council to remain seized of this matter and report back to the Assembly as appropriate; and
7. *Instructs* the Secretary General to immediately draw the attention of all Contracting States to this resolution.

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