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WORKING PAPER

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**Thirteenth North American, Central American and Caribbean Directors of Civil Aviation Meeting
(NACC/DCA/13)**

Santo Domingo, Dominican Republic, 4-7 August 2025

Agenda Item 8: Preparation for the Forty-Second ICAO Assembly and Ratification of International Air Law Instruments

RATIFICATION OF INTERNATIONAL AIR LAW TREATIES

(Presented by the Secretariat)

EXECUTIVE SUMMARY

This paper presents actions taken by ICAO with respect to the promotion of the ratification of international air law treaties since the Twelfth North American, Central American and Caribbean Directors of Civil Aviation Meeting (Placencia, Belize, 9-11 July 2024). It also provides an overview of the NACC States' responses to actions taken by ICAO, including depositary actions, since the aforesaid meeting. The paper concludes with proposed future actions to accelerate ratification of international air law treaties.

Action:	Refer to Section 3.
Strategic Objectives:	<ul style="list-style-type: none">• Safety• Air Navigation Capacity and Efficiency• Security & Facilitation• Economic Development of Air Transport• Environmental Protection

1. INTRODUCTION

1.1 At the Twelfth North American, Central American and Caribbean Directors of Civil Aviation Meeting, held in Placencia, Belize, 9-11 July 2024, the DGCA's were informed on actions taken by ICAO with respect to the promotion of the ratification of international air law treaties. Said paper discussed the benefits of six international air law treaties¹ and invited States that had not yet ratified those treaties, to

¹ The six international air law treaties highlighted were: the *Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 50 (a)]* (Doc 10077) and the *Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 56]* (Doc 10076) (Montréal, 2016) (2016 Protocols on Articles 50(a) and 56 of the Chicago Convention); the *Convention for the Unification of Certain Rules for International Carriage by Air* (Doc 9740) (Montreal, 1999) (Montreal Convention 1999); the *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* (Doc 9960) and the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Doc 9959) (Beijing, 2010) (Beijing Convention and Protocol 2010); and the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Doc 10034) (Montréal, 2014) (Montréal Protocol 2014).

do so. Information pertaining to the ratification process and an overview of the resources available for States to assist them with ratification were also provided.

1.2 Following this information, the NACC/DCA/12 meeting adopted Conclusion 12/12 encouraging States to: a) become parties to the six international air law treaties and to any other international air law treaties that they have not yet ratified; b) nominate a Focal Point for the Ratification of International Air Law Treaties and to inform the ICAO NACC Regional Office accordingly; c) participate in the Third Edition of the Civil Aviation Legal Advisers Forum (CALAF) in London, United Kingdom, from 26 to 28 November 2024, in the ICAO International Air Law Course, as well as other similar events for the continuous training and development of their legal advisers with regard to ratification and implementation of international air law instruments and to consider hosting from time to time such events in their States; d) inform ICAO by 31 October 2024 of their further progress towards the ratification of international air law treaties by updating/using the DGCA tracking matrix; e) contact the ICAO LEB Treaty Section for any information or assistance with regard to ratification matters at treaty@icao.int or officeleb@icao.int; and f) report on the progress made by NACC States at the NACC/DCA/13 meeting.

2. Discussion

Actions taken to promote the ratification of international air law treaties

2.1 Since the NACC/DCA/12, ICAO has taken the following actions with a view to promoting the ratification of international air law treaties:

- a) Following up Conclusion 12 of the NACC/DCA/12 meeting, ICAO discussed and recalled its actions during the different missions and meetings to States and International Organizations.
- b) CALAF/3: The Third Edition of the Civil Aviation Legal Advisers Forum (CALAF) was held in London, United Kingdom from 26 to 28 November 2024. 175 legal experts from 54 States and six international organizations participated in the event, including participants from NACC States. The Forum commemorated 80 years since the adoption of the Chicago Convention and featured discussions on the legal and regulatory best practices shaping the future of international aviation, with input from industry, academia and legal practitioners. The Forum also featured discussions on States' obligations under the Cape Town Convention and Aircraft Protocol of 2001, their relationship with national civil aviation law and practice, and on the roles of the Supervisory Authority and the Registrar of the International Registry.

Depositary actions by NACC States

2.2 Ten depositary actions by NACC States have been recorded by ICAO since NACC/DCA/12, i.e., ratification of the 2016 Protocols on Articles 50(a) and 56 of the Chicago Convention by Saint Vincent and the Grenadines on 26 June 2024, by Saint Kitts and Nevis on 2 May 2025 and by Barbados on 6 June 2025; ratification of the 2010 Beijing Convention and Protocol by Saint Kitts and Nevis on 28 March 2025; and ratification of the 1984 Protocol Introducing Article 3 *bis* of the Chicago Convention by Saint Vincent and the Grenadines on 26 June 2024 and by Grenada on 30 September 2024.

Tracking progress by NACC States towards ratification

2.3 To date, 7 States out of 22 in the region have nominated Focal Points and/or reported on the internal process for ratification. Only 3 States have ratified the six key treaties, and 13 out of the 22 NACC States have ratified the 2016 Protocols regarding Articles 50(a) and 56 of the Chicago Convention. However, faster progress is needed on treaties addressing emerging threats like cyber-attacks and unruly passengers, specifically the 2010 Beijing Convention and Protocol, and the 2014 Montréal Protocol. Furthermore, while the 1999 Montreal Convention has broad acceptance, universal ratification remains essential to ensure standardized air carrier liability rules for all travellers.

Upcoming actions to promote the ratification of international air law treaties

2.4 In the interest of increasing momentum, States are encouraged to participate in the following upcoming events:

- a) Third ICAO Treaty Event: The Third ICAO Treaty Event will be held on 23 and 24 September 2025 at ICAO Headquarters in the margins of the 42nd Session of the ICAO Assembly, during which ICAO Member States will be afforded an opportunity to deposit instruments of ratification to the six key treaties highlighted at footnote 1 or to any other treaty for which ICAO acts as depositary, or to consult on treaty matters with the Legal Affairs and External Relations Bureau (LEB);
- b) CALAF/4: The Fourth Edition of CALAF will be held in The Bahamas in February 2026 featuring presentations and discussions by legal advisers of civil aviation regulatory bodies on topical legal subjects of interest to the international aviation community including air law treaties; and
- c) IALC: The NACC Regional Office will host the delivery of an International Air Law Course during 2026.

2.5 **Appendix A** to this paper provides an updated form indicating the status of NACC States with respect to ratification of the six international air law treaties highlighted above. **Appendix B** contains the tracking matrix, which was appended to State letter of 3 March 2025, which DGCA's/Focal Points are again invited to submit to the Organization to inform of their State's further progress towards ratification of international air law treaties. DGCA's are reminded that the tracking matrix can be filled/updated by the Focal Points whenever a State reaches an important milestone in the ratification process, such as when the ratification proposal is presented to the competent authority or organ for approval, or receives

executive and/or legislative approval, and when the ratifying legislation is published or gazetted, as applicable.

3. Action by the Meeting

3.1 The Meeting is invited to encourage NACC States to:

- a) become parties to the six treaties highlighted at footnote 1 of this paper, and to any other international air law treaty that they have not yet ratified;
- b) nominate a Focal Point for the Ratification of International Air Law Treaties, if they have not already done so and to inform the ICAO NACC Regional Office accordingly;
- c) participate in the third ICAO Treaty Event in September 2025, in the fourth edition of the Civil Aviation Legal Advisers Forum (CALAF) in Bahamas in February 2026, in the ICAO International Air Law Course as well as other similar events for the continuous training and development of their legal advisers with regard to ratification and implementation of international air law instruments and to consider hosting from time to time such events in their States;
- d) inform ICAO by 1 October 2025 of their further progress towards the ratification of international air law treaties by updating/using the DGCA tracking matrix set out in Appendix B to this paper; and
- e) contact the ICAO LEB Treaty Section (treaty@icao.int) for any information or assistance with regard to ratification matters.

APPENDIX/APÉNDICE A
STATUS OF STATES IN THE NAM/CAR REGIONS WITH RESPECT TO SELECTED
INTERNATIONAL AIR LAW TREATIES¹
ESTADO DE LOS ESTADOS DE LAS REGIONES NAM/CAR CON RESPECTO A TRATADOS
INTERNACIONALES DE DERECHO AERONÁUTICO SELECTOS
(As of 1 July 2025)/(Al 1 de julio de 2025)

State/Estado	Article/ Artículo 50 (a) (2016) ² (114 Ratifications/ Ratificaciones)	Article/ Artículo 56 (2016) ² (114 Ratifications/ Ratificaciones)	Mtl Convention/ Convenio de Montreal (1999) (141 Parties/Partes)	Beijing Convention/ Convención (2010) (56 Parties/ Partes)	Beijing Protocol/ Protocolo (2010) (57 Parties/ Partes)	Mtl Protocol /Protocolo (2014) (53 Parties/Partes)
Antigua and Barbuda						
Bahamas						
Barbados	X	X	X			
Belize	X	X	X			
Canada	X	X	X			
Costa Rica			X			
Cuba	X	X	X	X	X	X
Dominica						
Dominican Republic/ República Dominicana	X	X	X	X	X	X
El Salvador	X	X	X			

¹ Yellow highlight indicates new ratifications since NACC/DCA/12/2024.

² Not in force.

State/Estado	Article/ Artículo 50 (a) (2016) ² (114 Ratifications/ Ratificaciones)	Article/ Artículo 56 (2016) ² (114 Ratifications/ Ratificaciones)	Mtl Convention/ Convenio de Montreal (1999) (141 Parties/Partes)	Beijing Convention/ Convención (2010) (56 Parties/ Partes)	Beijing Protocol/ Protocolo (2010) (57 Parties/ Partes)	Mtl Protocol /Protocolo (2014) (53 Parties/Partes)
Grenada						
Guatemala	X	X	X			
Haiti						
Honduras	X	X	X	X	X	X
Jamaica	X	X	X			
Mexico	X	X	X			
Nicaragua	X	X	X			
Saint Kitts and Nevis	X	X		X	X	X
Saint Lucia				X	X	
Saint Vincent and the Grenadines	X	X	X			
Trinidad and Tobago						
United States			X			

**APPENDIX B
DGCA RATIFICATION TRACKING MATRIX**

[NAME OF THE MEMBER STATE]/					
	TREATY PROPOSED BY DCA 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
PROTOCOL OF AMENDMENT TO ARTICLE 50(a) OF THE CHICAGO CONVENTION, 2016 (Not in force)					
PROTOCOL OF AMENDMENT TO ARTICLE 56 OF THE CHICAGO CONVENTION, 2016 (Not in force)					
MONTREAL CONVENTION 1999					
BEIJING CONVENTION 2010					
BEIJING PROTOCOL 2010					
MONTRÉAL PROTOCOL 2014					

- END—