International Civil Aviation Organization

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WORKING PAPER

LEGAL COMMITTEE – 40TH SESSION

(Montréal, 26 – 30 October 2026)

Agenda Item 2: Consideration of the General Work Programme of the Legal Committee

PROMOTION OF THE RATIFICATION OF INTERNATIONAL AIR LAW INSTRUMENTS

(Presented by the Latin American Association of Air and Space Law – ALADA)

1. INTRODUCTION

1.1 Ratification of and accession to international air law instruments are essential to promoting uniformity, safety and the adaptation of the legal framework to the evolution of international civil aviation.

1.2 In this context, it is appropriate to strengthen strategies for promoting ratification through mechanisms that make it possible to ascertain the positions of States at an early stage and foster consensus-building.

1.3 This Working Paper considers the introduction of preparatory mechanisms for exchanges, taking into account practices developed in other international organizations.

2. ANALYSIS

2.1 Prior knowledge of the observations or differing views of States can facilitate dialogue and enable the work to focus on those aspects requiring further consideration.

2.2 For this purpose, preparatory meetings, including those held virtually, and the advance submission of observations may constitute useful tools for structuring exchanges and facilitating the subsequent consideration of the issues raised.

2.3 Experience gained in other international organizations suggests that these mechanisms may be considered as a means of fostering progressive dialogue among States and contributing to consensus-building.

2.4 Where differences persist with respect to certain provisions, the mechanisms permitted under the international law of treaties may be considered, where appropriate, including reservations under the terms provided for in the 1969 *Vienna Convention on the Law of Treaties*.

[1] English, Arabic, Chinese, French, Russian and Spanish versions provided by the Latin American Association of Air and Space Law (ALADA)

2.5 On this basis, ALADA considers it appropriate to explore the introduction of preparatory working arrangements to complement activities aimed at promoting ratification and facilitate the participation of States in international air law instruments.

3. CONCLUSIONS

3.1 The introduction of preparatory arrangements can contribute to a more orderly consideration of the positions of States, foster consensus-building and facilitate broader participation in international air law instruments.

4. ACTION PROPOSED TO THE COMMITTEE

4.1 The Legal Committee is invited to:

a) take note of the considerations set out in this Working Paper;

b) consider the desirability of introducing preparatory arrangements, including through virtual means, to facilitate prior exchanges among States; and

c) consider the possibility of centralizing the observations received, with a view to guiding the consideration of those aspects requiring further attention at the relevant meetings.

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