

NOTES ON PROCEDURE TO BECOME A MEMBER STATE OF ICAO

For the information of States who are considering becoming a Member State of the International Civil Aviation Organization (ICAO), Document 7300/9 - *Convention on International Civil Aviation* - which is the basic constitutional document of the Organization, is available on the ICAO website at www.icao.int, under “About ICAO”.

In order to become a Member State of ICAO, it is necessary, in accordance with the provisions of Article 92 of the Convention, to deposit with the Government of the United States of America, the depositary State of the Convention, an instrument of adherence to the Convention which shall take effect thirty days after receipt of the instrument. An outline of a model format for an instrument of adherence is enclosed; such an instrument should be addressed to:

Depositary Officer
Office of the Legal Adviser – Treaty Affairs (L/T)
U.S. Department of State
L/T
HST Room 1135
Washington DC 20520-1135
U.S.A.
Tel.: (202) 647-3089

A number of amendments to the Convention have been adopted from time to time by the ICAO Assembly. These amendments relate primarily to the provisions for cessation of membership under certain conditions, determination of the permanent seat of the Organization, frequency of meetings of the Assembly, size of the permanent Council, membership of the Air Navigation Commission, final paragraph of the Convention relating to the Russian, Arabic and Chinese texts, lease, charter and interchange of aircraft and non-use of weapons against civil aircraft. A list of these amendments, for which the Organization is the depositary, is attached. All amendments with the exception of those adopted in 1995, 1998 and 2016, have entered into force.

In accordance with the *Vienna Convention on the Law of Treaties*, concluded at Vienna on 23 May 1969 (Article 40, paragraph 5 (a) refers), any State which becomes a party to a treaty after the entry into force of the amending agreement shall, failing an expression of a different intention by that State, be considered as a party to the treaty as amended. Therefore, adherence to the Chicago Convention at this time would be considered as adherence to the Convention as amended by the thirteen Protocols of amendment currently in force (Nos. 1 through 13 of the attached list). The remaining four Protocols of amendment (Nos. 14 through 17) may be ratified by depositing instrument(s) of ratification with the Organization. An instrument of ratification may cover more than one amendment.

The Chicago Convention was adopted in 1944 in the English language only, but its final paragraph provided for authentic English, French and Spanish texts. In 1968, the Protocol on the Authentic Trilingual Text of the Convention was adopted, establishing that the text of the Convention in the French and Spanish languages annexed to the Protocol and the English-language text of the Convention adopted in 1944 were of equal authenticity. In 1977, the Protocol on the Authentic Quadrilingual Text of the Convention introduced the Russian text of the Convention. These Protocols being in force, States adhering to the Chicago Convention at this time are deemed to have simultaneously accepted them. In 1995 and 1998, Protocols on the Authentic Quinquelingual and Six-Language Texts adopted the Arabic and Chinese texts of the Convention. These Protocols are not yet in force. States are encouraged to accept these Protocols by depositing instruments of acceptance with the Government of the United States.

For more details and ratification (acceptance) packages, please contact the Legal Affairs and External Relations Bureau of ICAO by e-mail: treaty@icao.int, facsimile: +1 (514) 954-8032 or telephone: +1 (514) 315-3505.

On the subject of contributions, the assessments of Member States in ICAO are based on a percentage scale calculated using a methodology approved by the ICAO Assembly, which takes into consideration the relative national income as provided by the UN and scheduled civil aviation capacity as provided by the Member State to the Air Transport Bureau, in conformity with its obligation to file statistical information with ICAO as set out in Article 67 of the *Convention on International Civil Aviation*. The scales are established within a minimum of 0.06% and a maximum of 25% of the total annual budget. As a general indication, the assessment of a State at the minimum level would be approximately CAD\$ 67 000 for **each** of the years 2026, 2027 and 2028. In addition, there is an assessed advance to the Working Capital Fund (a one-time payment at the time of membership and subject to adjustment at the beginning of each triennial budgetary period); the advance to the Working Capital for a new Member State which is assessed at the minimum level is approximately U.S.\$ 4 800.

**NOTIFICATION OF ADHERENCE
BY THE
(NAME OF GOVERNMENT)**

WHEREAS the Convention on International Civil Aviation (hereinafter referred to as “the Convention”) was signed at Chicago on 7 December 1944;

WHEREAS Article 92 of the Convention provides that the Convention shall be open for adherence by non-signatory States and that adherence shall be effected by a notification addressed to the Government of the United States of America;

AND WHEREAS the (name of Government) has authorized and empowered (name and title of the Head of State, Head of Government or Minister for External Affairs) to adhere to the Convention on behalf of (name of State);

NOW THEREFORE, the (name of Government), having considered the said Convention, *HEREBY ADHERES* thereto, and undertakes faithfully to carry out all the stipulations therein contained;

AND BY THESE PRESENTS notifies the Government of the United States of America of its adherence to the Convention.

IN WITNESS THEREOF, I have signed this Notification of Adherence and affixed hereunto the Seal of (name of State) at (place) on (date).

(Original signature by Head of State,
Head of Government or Minister
for External Affairs)

(Original Seal)

(date)

Depositary Officer
Office of the Legal Adviser – Treaty Affairs (L/T)
U.S. Department of State
L/T
HST Room 1135
Washington DC 20520-1135
U.S.A.

Sir or Madam,

I have the honour to send you herewith, for deposit, the Notification of Adherence by the (name of Government) to the Convention on International Civil Aviation, signed at Chicago on 7 December 1944.

I should be grateful if, in due course, you would kindly inform me of the date of deposit of this Notification of Adherence and of the corresponding date of entry into force for the (name of State) of this Convention.

Accept, Sir, the assurances of my highest consideration.

(signature)

AMENDMENTS TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

1. Amendment (Article 93 *bis*), signed at Montreal on 27 May 1947
2. Amendment to Article 45, signed at Montreal on 14 June 1954
3. Amendment to Articles 48(a), 49(e), and 61, signed at Montreal on 14 June 1954
4. Amendment to Article 50(a), signed at Montreal on 21 June 1961
5. Amendment to Article 48(a), signed at Rome on 15 September 1962
6. Amendment to Article 50(a), signed at New York on 12 March 1971
7. Amendment to Article 56, signed at Vienna on 7 July 1971
8. Amendment to Article 50(a), signed at Montreal on 16 October 1974
9. Amendment (final paragraph referring to the authentic Russian text), signed at Montreal on 30 September 1977
10. Amendment (Article 83 *bis*), signed at Montreal on 6 October 1980
11. Amendment (Article 3 *bis*), signed at Montreal on 10 May 1984
12. Amendment to Article 56, signed at Montreal on 6 October 1989
13. Amendment to Article 50(a), signed at Montreal on 26 October 1990
14. Amendment (final paragraph referring to the authentic Arabic text), signed at Montreal on 29 September 1995
15. Amendment (final paragraph referring to the authentic Chinese text), signed at Montreal on 1 October 1998
16. Amendment to Article 50(a), signed at Montréal on 6 October 2016
17. Amendment to Article 56, signed at Montréal on 6 October 2016