

**ADMINISTRATIVE PACKAGE FOR RATIFICATION OF OR ACCESSION TO THE CONVENTION ON THE MARKING
OF PLASTIC EXPLOSIVES FOR THE PURPOSE OF DETECTION**

1) **Full Name of Instrument:**

Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991. (ICAO Doc 9571)

2) **History:**

International Conference on Air Law, Montreal, 12 February to 1 March 1991.

3) **Summary:**

This Convention requires each State Party to prohibit and prevent the manufacture in its territory of unmarked plastic explosives. Plastic explosives will be marked by introducing during the manufacturing process any one of the four detection agents agreed upon by the Conference and defined in the Technical Annex to the Convention. The Convention also requires each State Party to prohibit and prevent the movement into or out of its territory of unmarked explosives and to exercise strict and effective control over the possession of any existing stocks of unmarked explosives. Stocks of plastic explosives not held by authorities performing military and police functions are to be destroyed or consumed for purposes not inconsistent with the objectives of the Convention, marked or rendered permanently ineffective, within a period of three years from the entry into force of the Convention in respect of the State concerned.

The Convention also established an International Explosives Technical Commission consisting of not less than fifteen members, nor more than nineteen members, experts in the field of manufacture or detection of, or research in, explosives. The Commission evaluates technical developments relating to the manufacture, marking and detection of explosives, reports its findings, through the Council of ICAO, to all States Parties and international organizations concerned, and proposes amendments to the Technical Annex to the Convention, as required (history of amendments to the Technical Annex is attached).

The Convention assigns specific functions to the Council of ICAO with respect to, *inter alia*, the appointment of members to the International Explosives Technical Commission, the procedure regarding amendments to the Annex and measures to facilitate the implementation of the Convention.

4) **Main reasons for ratification:**

The Convention enhances aviation security by introducing measures for the marking and detection of plastic explosives and by prohibiting and preventing the manufacture of unmarked plastic explosives.

5) **Entry into force:**

The Convention entered into force on 21 June 1998.

6) **Depositary:**

The Secretary General
Attention: Legal Bureau
International Civil Aviation Organization
999 University Street
Montreal, Canada
H3C 5H7

Attachments:

- History of amendments to the Technical Annex
- Model Instrument of Ratification or Accession

Important: When depositing its instrument of ratification, acceptance, approval or accession, each State must declare whether or not it is a Producer State, in accordance with Article XIII, paragraph 2 of the Convention - see model instruments. If not contained in the instrument of ratification or accession itself, this declaration may be submitted as a separate original document signed by an appropriate authority, and may read as follows (square brackets as applicable):

“In accordance with Article XIII, paragraph 2 of the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*, done at Montreal on 1 March 1991, the Government of [State] hereby declares that the [State] [is] [is not] a producer of plastic explosives.”

History of amendments to the Technical Annex

The International Explosives Technical Commission (IETC) evaluates technical developments relating to the manufacture, marking and detection of explosives. It reports its findings to the States Parties through the Council. It makes recommendations to the Council for amendments to the Technical Annex. The Council, on the recommendations of the Commission, proposes to States Parties amendments to the Technical Annex.

If a proposed amendment has not been objected to by five or more States Parties by means of written notification to the Council within ninety days from the date of notification of the amendment by the Council, it shall be deemed to have been adopted, and shall enter into force one hundred and eighty days thereafter or after such other period as specified in the proposed amendment for States Parties not having expressly objected thereto.

1. The first amendment to the Technical Annex, to delete ortho-Mononitrotoluene (o-MNT) from the list of detection agents, entered into force on 27 March 2002.
2. The second amendment to the Technical Annex, to increase the minimum concentration level of 2,3-Dimethyl-2,3-dinitrobutane (DMNB) detection agent from 0.1 per cent to 1.0 per cent by mass, entered into force on 19 December 2005.

**MODEL
INSTRUMENT OF RATIFICATION
BY THE
(NAME OF STATE)**

WHEREAS the Convention on the Marking of Plastic Explosives for the Purpose of Detection (hereinafter referred to as “the Convention”) was concluded at Montreal on 1 March 1991;

WHEREAS the Convention came into force on 21 June 1998;

WHEREAS the Convention was signed on behalf of (name of State) on (date);

AND WHEREAS Article XIII, paragraph 2, of the Convention specifies that the latter is subject to ratification, acceptance or approval by signatory States;

NOW THEREFORE, the (name of State), having considered the said Convention, hereby *RATIFIES* it, and undertakes faithfully to carry out all the stipulations therein contained.

IN SO DOING, the (name of State) *DECLARES*, pursuant to Article XIII, paragraph 2, of the Convention, that the (name of State) (is/is not) a producer State of plastic explosives.

IN WITNESS THEREOF, I have signed this Instrument of Ratification and affixed hereunto the Seal of the (name of State).

Date

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

Seal

**MODEL
INSTRUMENT OF ACCESSION
BY THE
(NAME OF STATE)**

WHEREAS the Convention on the Marking of Plastic Explosives for the Purpose of Detection (hereinafter referred to as “the Convention”) was concluded at Montreal on 1 March 1991;

WHEREAS the Convention came into force on 21 June 1998;

AND WHEREAS Article XIII, paragraph 1, of the Convention specifies that any State which does not sign the Convention may accede to it at any time;

NOW THEREFORE, the (name of State), having considered the said Convention, hereby *ACCEDES* thereto, and undertakes faithfully to carry out all the stipulations therein contained.

IN SO DOING, the (name of State) *DECLARES*, pursuant to Article XIII, paragraph 2, of the Convention, that the (name of State) (is/is not) a producer State of plastic explosives.

IN WITNESS THEREOF, I have signed this Instrument of Accession and affixed hereunto the Seal of the (name of State).

Date

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

Seal