



## DIRECTORS GENERAL OF CIVIL AVIATION-MIDDLE EAST REGION

### Fourth Meeting (DGCA-MID/4) (Muscat, Oman, 17-19 October 2017)

#### Agenda Item 6: Aviation Security

#### MONTREAL PROTOCOL 2014 ON DEALING WITH UNRULY PASSENGERS

(Presented by AACO)

#### SUMMARY

In this working paper, we incorporate the benefits provided by Montreal Protocol 2014, whereby the 1963 Tokyo Convention was amended to deal with unruly passengers. We call on civil aviation authorities in the Middle East region to work towards accession to the new protocol if they have not yet done so.

<b>Strategic goals:</b>	to reduce the incidents involving unruly passengers on flights in order to enhance aviation security and safety; to reduce costs incurred by aviation companies as a consequence of such incidents.
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### 1. INTRODUCTION

1.1. A large number of unruly passengers do not face prosecution because of the deficiencies in the 1963 Tokyo Convention that is the civil aviation law tool for dealing with unruly behaviors on flights. Therefore, ICAO Member States agreed upon the text of a new protocol in 2014 amending Tokyo Convention called the Montreal Protocol 2014.

1.2. The benefits which the new protocol provides for governments, aviation companies, and passengers are:

1. Expanding the jurisdiction of governments to include not only the State in which the airplane is registered but also the State in which it lands, along with guarantees and conditions that legalize the exercise of jurisdiction.
2. Clarifying what is prohibited on the flights of the concerned the airlines.

3. Recognizing the right of aviation companies to seek compensation for the cost resulting from the actions of an unruly passenger.

## **2. DEVELOPMENTS**

### **At the Arab region level:**

2.1. In its Ordinary Session No. 27 of 2014, the Council of Arab Ministers of Transport adopted Resolution No. 404, which calls on the Arab States to ratify Montreal Protocol 2014.

2.2. In its Session No. 29, held in October 2016, the Council of Arab Ministers of Transport adopted Resolution No. 434, in which it affirmed Resolution No.404 calling upon Arab States to ratify Montreal Protocol of 2014.

2.3. So far, three Arab States have ratified the protocol, namely the Kingdom of Bahrain, the Hashemite Kingdom of Jordan, and the Arab Republic of Egypt.

### **At the global level: Resolution of ICAO' General Assembly 39<sup>th</sup> Session**

2.4. The 39<sup>th</sup> Session of the General Assembly of ICAO adopted Resolution No. 18 that included the consolidated statement of continuing ICAO policies related to aviation security, in which ICAO urges the Member States to ratify Montreal Protocol 2014.

2.5. A total number of nine States have ratified the Protocol to date.

## **3. ACTION BY THE MEETING**

3.1. AACO recommends that the directors general of civil aviation in the Middle East:

- a) work towards the ratification of Montreal Protocol 2014;
- b) issue national legislation and conclude appropriate agreements to ensure proper enforcement of the exercise of judicial authority granted to them by the protocol;
- c) start implementing the protocol principles even before they ratify it; and
- d) Raise public awareness of the consequences of not following the instructions of the airplane crew or committing an offense.

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