Ratifications - State's Perspective

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CAAS
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Presentation Outline

- State Ratification Steps/Process

- State Declarations

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State Ratification Steps/Process

- CAA/Transport Ministry takes the **lead** or identifies & work with lead Government Agency

- Identify **State's obligations** under the treaty, including specific **ratification requirements** (e.g. declarations that need to be made)

- Conduct inter-government agency, industry & public **consultations**

- Confirm **declarations** & notifications to be made *

- Obtain **approval for ratification**

- Prepare **implementing legislation**

- Conduct **further consultations** (intra-government, industry & public)

- Finalise **legislation** & undertake **law making/parliamentary process**

- Prepare & lodge **ratification/accession instrument(s) [with accompanying declarations where needed]** *

- Effect **entry into force** notification/procedures *

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State Ratification Steps/Process

1. **LEAD GOVERNMENT AGENCY**

2. **IDENTIFY TREATY OBLIGATIONS & RATIFICATION REQUIREMENTS**

3. **CONSULTATIONS (GOVT, INDUSTRY, PUBLIC)**

4. **CONFIRM DECLARATIONS**

5. **RATIFICATION APPROVAL**

6. **IMPLEMENTING LEGISLATION**

7. **RATIFICATION**

10. **ENTRY INTO FORCE of (a) Treaty for ratifying State (b) State's Implementing legislation**

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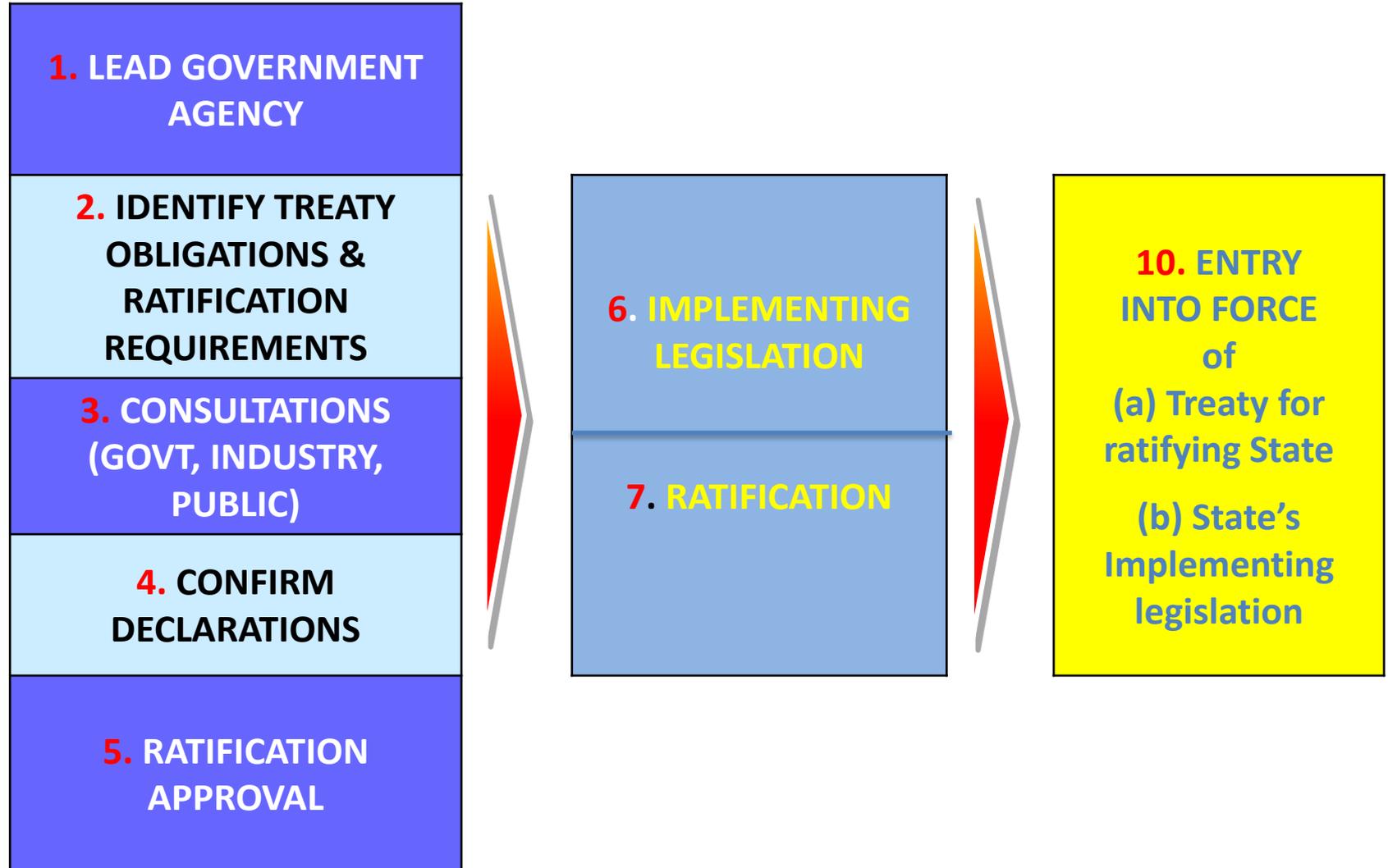
State Declarations

Montreal Convention 1999	Art 56 – Extension to territorial units
Cape Town Convention 2001*	Art 54(2) – Mandatory declaration Arts 39, 40, 52(1), 53 & 60 – Opt in declarations Arts 8(1), 9(1), 10, 13, 43, 50(1), 54(1) & 55 – Opt out declarations
Cape Town Aircraft Protocol 2001*	Art VIII, X, XI, XII, XIII, XIX, XXIV(2) & XXIX, XXX(2) – Opt in declarations Art XXX(5) – Opt out declarations
Beijing Convention 2010	Art 21, para 4, sub-para (a) – Jurisdiction Art 21, para 4, sub-para (b) – Family exemptions from liability
Beijing Protocol 2010	Art XXII, para (a) – Jurisdiction Art XXII, para (b) – Family exemptions from liability
Montreal Protocol 2014	Nil

* *Please check against information on UNIDROIT website as not all the declarations are listed here*

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Many thanks
Merci beaucorp

for your attention!