



OACI

Organización de Aviación Civil Internacional  
Oficina para Norteamérica, Centroamérica y Caribe

NOTA DE ESTUDIO

NACC/DCA/07 — NE/10  
30/08/17

**Séptima Reunión de Directores de Aviación Civil de Norteamérica, Centroamérica y Caribe  
(NACC/DCA/07)**

Washington, D. C., Estados Unidos, 19 al 21 de septiembre de 2017

**Cuestión 9 del  
Orden del Día:**

**Otros asuntos**

**PROMOCIÓN DE LA RATIFICACIÓN DE INSTRUMENTOS DE DERECHO AERONÁUTICO**

(Presentada por la Secretaría)

<b>RESUMEN EJECUTIVO</b>	
Esta nota subraya la importancia para el desarrollo y el crecimiento de la aviación civil en el ámbito mundial de la ratificación de los diferentes tratados de derecho aeronáutico y recuerda a la Reunión sobre la página web de la OACI sobre Derecho aeronáutico para su seguimiento.	
<b>Acción:</b>	Refiérase a la sección 3.
<b>Objetivos Estratégicos:</b>	<ul style="list-style-type: none"><li>• Seguridad Operacional</li><li>• Capacidad y eficiencia de la navegación aérea</li><li>• Seguridad de la aviación y facilitación</li><li>• Desarrollo económico del transporte aéreo</li><li>• Protección del medio ambiente</li></ul>

**1. Introducción**

1.1 Los tratados de derecho aeronáutico son acuerdos bajo el derecho internacional establecidos por actores del derecho internacional, a saber Estados soberanos y organizaciones internacionales. Estos tratados son instrumentos de partes dispuestas que asumen obligaciones entre sí, y cualquier parte que no cumpla con sus obligaciones se le puede responsabilizar bajo el derecho internacional.

1.2 Aumentar el número de partes a instrumentos de derecho aeronáutico es un objetivo clave de la OACI para lograr perfeccionar los beneficios de la unificación de las reglas internacionales que personifican estos instrumentos.

1.3 Como fomento a este objetivo crítico, la OACI considera crítico promover la ratificación de instrumentos de derecho aeronáutico internacional.

## 2. Discusión

2.1 La Asamblea de la OACI en su 39 periodo de sesiones celebrada en Montreal del 27 de septiembre al 6 de octubre de 2016 adoptó Resoluciones que instaban la ratificación de instrumentos de derecho aeronáutico internacional que han sido elaborados y adoptados bajo los auspicios de la Organización. Refiérase a las Resoluciones A39-5, A39-7, A39-9, A39-10, A39-11 (Apéndice C), A39-15 (Apéndice A) y A39-18 (Apéndice B), adjuntas como **Apéndice A** (disponible únicamente en inglés).

2.2 Para que los Estados y Oficinas Regionales de la OACI apoyen este objetivo, se elaboró un sitio web con una Colección de Tratados de la OACI (<https://www.icao.int/secretariat/legal/Pages/TreatyCollection.aspx>). Este sitio web contiene recursos útiles para la preparación de notas informativas, incluyendo formularios actualizados del estado de ratificación de Estados. El sitio web también contiene un documento titulado "Información actual para los Estados sobre asuntos de ratificación" (incluido en el **Apéndice B** (disponible únicamente en inglés) para fácil referencia), que podría servir como prototipo para una nota informativa de un Estado. También pueden encontrarse en el sitio web paquetes administrativos para asistir a los Estados a convertirse en partes de los tratados de derecho aeronáutico internacional.

2.3 El contenido inicial del sitio web es así:

**Treaty Collection**

- Recently adopted treaties
  - Montréal Protocol 2014
    - Final Act (pdf) (2014)
  - Beijing Convention
    - Beijing Convention 2010 (pdf)
    - Beijing Protocol 2010 (pdf)
    - Final Act (pdf)
- Current lists of parties to multilateral air law treaties
- Status of individual States with regard to multilateral air law treaties
- Composite Table (Status of treaties and status of States vis-à-vis treaties) (pdf)
- Chronological record of depositary actions by year (starting from 2001)
- Administrative packages to assist States in becoming parties to treaties
- Assembly Resolutions related to ratification matters (pdf)
  - English | Français | Español | Русский | العربية | 中文
- Current information and recommendations on ratification matters (pdf)
  - English | Français | Español | Русский | العربية | 中文
- Aeronautical agreements and arrangements – (database of registered agreements DAGMAR)

2.4 Para recibir asistencia o realizar consultas con respecto al sitio web de la OACI sobre Colección de Tratados, se puede contactar a: [treaty@icao.int](mailto:treaty@icao.int).

**3. Acción por parte de la Reunión**

3.1 Se invita a la Reunión a:

- a) tomar nota del sitio web sobre tratados de derecho aeronáutico y su contenido;
- b) revisar el estado de los Estados con respecto a la ratificación de estos instrumentos de Derecho aeronáutico; y
- c) tomar las acciones apropiadas para esta ratificación.

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ASSEMBLY RESOLUTIONS RELATED  
TO RATIFICATION MATTERS

A39-5	
A39-7	Ratification of the Protocol amending Article 50 (a) of the <i>Convention on International Civil Aviation</i>
A39-9	Ratification of the Protocol amending Article 56 of the <i>Convention on International Civil Aviation</i>
A39-10	Promotion of the Montreal Convention of 1999
A39-11	Promotion of the Beijing Convention and the Beijing Protocol of 2010
A39-15	Consolidated statement of continuing ICAO policies in the legal field – Appendix C: Ratification of ICAO international instruments
A39-18	Consolidated statement of continuing ICAO policies in the air transport field – Appendix A: Economic regulation of international air transport Section I. Basic principles and long-term vision
	Consolidated statement on continuing ICAO policies related to aviation security – Appendix A: General policy

A39-5: Ratification of the Protocol amending Article 50 (a) of the *Convention on International Civil Aviation*

*Whereas* the Assembly has decided to amend Article 50 (a) of the Convention to provide for an increase in the size of the Council; and

*Whereas* the Assembly is of the opinion that it is highly desirable that the aforesaid amendment should come into force as soon as possible;

*The Assembly:*

1. *Recommends* to all Contracting States that they ratify most urgently the amendment to Article 50 (a) of the Convention; and

2. *Directs* the Secretary General to bring this resolution to the attention of Contracting States as soon as possible.

A39-7:           Ratification of the Protocol amending Article 56 of the *Convention on International Civil Aviation*

*Whereas* the Assembly has decided to amend Article 56 of the *Convention on International Civil Aviation* to provide for an increase in the size of the ANC; and

*Whereas* the Assembly is of the opinion that it is highly desirable that the aforesaid amendment should come into force as soon as possible;

*The Assembly:*

1. *Recommends* to all Contracting States that they ratify most urgently the amendment to Article 56 of the *Convention on International Civil Aviation*; and

2. *Directs* the Secretary General to bring this resolution to the attention of Contracting States as soon as possible.

A39-9:           Promotion of the Montreal Convention of 1999

*Recalling* its Resolution A37-22, Appendix C, relating to the ratification of instruments which have been developed and adopted under the auspices of the Organization, and Resolution A38-20, *Promotion of the Montreal Convention of 1999*;

*Recognizing* the importance of achieving a universal regime to govern airline liability to passengers and shippers on international flights;

*Recognizing* the desirability of an equitable, fair and convenient system for compensation for losses;

*The Assembly:*

1. *Urges* all Contracting States to support and encourage the universal adherence to the *Convention for the Unification of Certain Rules for International Carriage by Air*, done at Montreal on 28 May 1999 (Montreal Convention of 1999);

2. *Urges* all Contracting States that have not done so to become Parties to the Montreal Convention of 1999 as soon as possible; and

3. *Directs* the Secretary General to provide assistance, as appropriate, with the ratification process if so requested by a Contracting State.

4. *Declares* that this resolution supersedes Resolution A38-20.

**A39-10: Promotion of the Beijing Convention and the Beijing Protocol of 2010**

*Recalling* its Resolution A38-19 entitled Promotion of the Beijing Convention and the Beijing Protocol of 2010;

*Recalling* further its Resolution A37-22, Appendix C, relating to the ratification of instruments which have been developed and adopted under the auspices of the Organization; and

*Recognizing* the importance of broadening and strengthening the global aviation security regime to meet new and emerging threats;

*The Assembly:*

1. *Urges* all States to support and encourage the universal adoption of the *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* (Beijing Convention of 2010) and the Protocol Supplementary to the *Convention for the Suppression of Unlawful Seizure of Aircraft* (Beijing Protocol of 2010);

2. *Urges* all States to sign and ratify the Beijing Convention and Beijing Protocol of 2010 as soon as possible;

3. *Directs* the Secretary General to provide assistance, as appropriate, with the ratification process if so requested by a State; and

4. *Declares* that this resolution supersedes Resolution A38-19.

**A39-11 Consolidated statement of continuing ICAO policies in the legal field-Appendix C: Ratification of ICAO international instruments**

*The Assembly:*

*Recalling* its Resolution A37-22, Appendix C relating to the ratification of the Protocols of Amendment to the Chicago Convention and of the private air law and other instruments which have been developed and adopted under the auspices of the Organization;

*Noting* with concern the continuing slow progress of ratification of the aforementioned Protocols of Amendment, including in particular those introducing Articles 3 *bis* and 83 *bis* to the Chicago Convention, and the final paragraphs (relating to the Arabic and Chinese texts);

*Recognizing* the importance of these amendments to international civil aviation, in particular to the viability of the Chicago Convention, and the consequent urgent need to accelerate the entry into force of these amendments not yet in force;

*Recognizing* the need to accelerate the ratification and entry into force of air law instruments developed and adopted under the auspices of the Organization;

*Conscious* of the fact that only a universal participation in these Protocols of Amendment and other instruments would secure and enhance the benefits of unification of the international rules which they embody;

*Urges* all Contracting States which so far have not done so to ratify those Amendments to the Chicago Convention which are not yet in force, i.e. those amending the final paragraph to add Arabic and Chinese to the authentic texts of the Convention, and those amendments to Articles 50 (a) and 56 adopted in 2016, as soon as possible;

*Urges* all Contracting States which have not yet done so to ratify the Protocols introducing Articles 3 *bis* and 83 *bis* of the Chicago Convention;

*Urges* all Contracting States which so far have not done so to ratify the other international air law instruments, in particular the Montreal Convention of 1999, the Cape Town Convention and Aircraft Protocol of 2001, the two Montreal Conventions of 2 May 2009, the Beijing Convention and the Beijing Protocol of 2010 and the Montreal Protocol of 2014, as soon as possible;

*Urges* States which have ratified the instruments in question to provide to the Secretary General copies of the text and documents they have used in the process of ratification and implementation of such instruments and which may serve as an example assisting other States in the same process; and

*Directs* the Secretary General to take all practical measures within the Organization's means in cooperation with States to provide assistance, if requested, to States encountering difficulties in the process of ratification and implementation of the air law instruments, including the organization of and the participation in workshops or seminars to further the process of ratification of the international air law instruments.

**A39-15: Consolidated statement of continuing ICAO policies in the air transport field-  
Appendix A: Economic regulation of international air transport, Section I. Basic principles and long-term vision**

*Whereas* the basic principles of sovereignty, fair and equal opportunity, non-discrimination, interdependence, harmonization and cooperation set out in the Convention have served international air transport well and continue to provide the basis for and contribute to its future development;

*Whereas* multilateralism in commercial rights to the greatest possible extent continues to be an objective of the Organization;

*Whereas* within the framework of the Convention, Member States have many differing regulatory goals and policies but share a fundamental objective of participation through reliable and sustained involvement in the international air transport system;

*Whereas* there is a need to adapt to the changing regulatory and operating environment in the air transport field and the Organization has accordingly developed policy guidance for the regulation of international air transport, including model clauses and template air services agreements;

*Whereas* the provision of regular and reliable air transport services is of fundamental importance to the development of the economies of States, especially the developing States, including those dependent on tourism;

*Whereas* the Organization has adopted the long-term vision for international air transport liberalization which states:

*We the Member States of the International Civil Aviation Organization, resolve to actively pursue the continuous liberalization of international air transport to the benefit of all stakeholders and the economy at large.*

*We will be guided by the need to ensure respect for the highest levels of safety and security and the principle of fair and equal opportunity for all States and their stakeholders;*

*Whereas the compliance of Member States with provisions of the Convention and the universal adherence to the *International Air Services Transit Agreement* (IASTA) and other ICAO instruments governing international air transport can facilitate and contribute to the achievement of the objectives of the Organization; and*

*Whereas consumer interest should be given due regard in the development of policy and regulation of international air transport;*

*The Assembly:*

1. *Urges* all Member States to give regard to, and apply, the ICAO long-term vision for international air transport liberalization in policy-making and regulatory practices;

2. *Encourages* Member States to pursue liberalization of market access at a pace and in a manner appropriate to needs and circumstances, giving due regard to the interests of all stakeholders, the changing business environment and infrastructure requirements, as well as to the principles pertaining to safeguard measures designed to ensure the sustained and effective participation of all States, including the principle of giving special consideration to the interests and needs of developing countries;

3. *Urges* Member States to avoid adopting unilateral and extraterritorial measures that may affect the orderly, sustainable and harmonious development of international air transport and to ensure that domestic policies and legislation are not applied to international air transport without taking due account of its special characteristics;

4. *Urges* Member States that have not yet become parties to the *International Air Services Transit Agreement* (IASTA), the Montreal Convention of 1999 and other TCAO instruments governing international air transport to give urgent consideration to so doing;

5. *Urges* all Member States to register all agreements and arrangements relating to international civil aviation with ICAO in accordance with Article 83 of the Convention and the *Rules for Registration with ICAO of Aeronautical Agreements and Arrangements*, to enhance transparency;

6. *Urges* Member States to keep the Council fully informed of serious problems arising from the application of air services agreements or arrangements and of any significant developments in the liberalization process;

7. *Urges* Member States to give due regard to the distinct features of air cargo services when exchanging market access rights in the framework of air service agreements and grant appropriate rights and operational flexibility so as to promote the development of these services;

8. *Urges* Member States, in dealing with the issues related to slot allocation and night flight restrictions, to give due consideration to the needs and concerns of other States and make every effort to resolve any concerns through consultation between the parties concerned, in a transparent and non-discriminatory



manner, and to respect and follow the ICAO Balanced Approach principle in regulatory action on aircraft noise management at airports;

9. *Urges* Member States and concerned stakeholders to give regard to, and apply, the ICAO high-level, nonbinding, non-prescriptive core principles on consumer protection in policy-making and regulatory and operational practices, and to keep ICAO informed of the experiences gained or issues encountered in their application;

10. *Encourages* Member States to make use of and benefit from the ICAO Air Services Negotiation (ICAN) facility, which facilitates and improves the efficiency of their air services negotiations and consultations;

11. *Requests* the Council to complete the examination of an international agreement by which States could liberalize market access, and continue the development of an international agreement to liberalize air carrier ownership and control and a specific international agreement to facilitate further liberalization of air cargo services, taking into account the goals of the ICAO long-term vision for international air transport liberalization, and the past experience and achievements of States, including existing market access liberalization agreements concluded at bilateral, regional and multilateral levels, as well as the various proposals presented during the Sixth Worldwide Air Transport Conference (ATConf/6);

12. *Requests* the Council to continue to cooperate with regional and subregional bodies in the examination and development of measures of cooperation, including liberalized arrangements, and the results of these measures, in order to see whether similar or other measures should at the appropriate time be recommended to Member States for application on a wider basis; and

13. *Requests* the Council to continue the comparative and analytical study of the policies and practices of Member States in the regulation of international air transport,

A39-18: Consolidated statement on continuing ICAO policies related to aviation security-  
Appendix A: General policy

*Whereas* the development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to general security;

*Whereas* acts of unlawful interference against civil aviation have become the main threat to its safe and orderly development;

*Whereas* the threat of terrorist acts, including those posed by the use of aircraft as a weapon of destruction, by the targeting of aircraft by man-portable air defence systems (MANPADS), other surface-to-air missiles systems, light weapons and rocket-propelled grenades, by carrying on board liquids, gels and aerosols as component parts of an improvised explosive device, by sabotage or attempted sabotage using an improvised explosive device, by the unlawful seizure of aircraft, or by attack on aviation facilities, including in landside areas, and other acts of unlawful interference against civil aviation, has a serious adverse effect on the safety, efficiency and regularity of international civil aviation, endangering the lives of persons on board and on the ground and undermining the confidence of the peoples of the world in the safety of international civil aviation;

*Whereas* all acts of unlawful interference against international civil aviation constitute a grave offence in violation of international law;

*Recalling* that Resolutions A27-12 and A29-16 remain in force;

*Recognizing* the exploitation of the aviation sector by a variety of criminal activities, including the illicit transport of narcotics and psychotropic substances by air;

*Recalling* Assembly Resolutions A33-1 and A36-19 and the recommendations of the High-level, Ministerial Conference on Aviation Security held in February 2002;

*Recalling* the Declaration on Aviation Security that was adopted by the 37th Session of the Assembly;

*Recalling* the Joint Statements adopted at ICAO Regional Conferences on Aviation Security held in 2011 and 2012;

*Recalling* the Joint Communiqués issued by the ICAO-WCO Joint Conferences on Enhancing Air Cargo Security and Facilitation, held in Singapore in July 2012, in Manama, Bahrain in April 2014, and in Kuala Lumpur, Malaysia in July 2016;

*Recalling* the Communiqué of the High-level Conference on Aviation Security held in Montreal in September 2012, and the conference conclusions and recommendations;

*Noting with satisfaction* the actions taken to implement the ICAO Comprehensive Aviation Security Strategy (ICASS) and its seven strategic focus areas, as adopted by the Council on 17 February 2010, which provides the framework for ICAO's aviation security activities for the 2011-2016 triennia;

*Mindful* of the valuable lessons learned in the implementation of the ICASS, which has provided the basis and solid foundation for addressing current and future aviation security challenges, and should be used in developing the Global Aviation Security Plan (GASeP) as the future global framework for progressive aviation security enhancement;

*Mindful* of United Nations Security Council Resolution 2309 (2016)-Threats to international peace and security caused by terrorist acts: Aviation security;

*Recognizing* the importance of global consultations and outreach efforts with Member States to elaborate and refine the elements of the GASeP; and

*Recognizing* that it is necessary for the Organization to continue to implement the ICASS, until the GASeP has been fully developed and approved for implementation.

*The Assembly:*

1. *Strongly condemns* all acts of unlawful interference against civil aviation wherever and by whomsoever and for whatever reason they are perpetrated;

2. *Notes with abhorrence* all acts and attempted acts of unlawful interference aimed at the destruction in flight of civil aircraft including any misuse of civil aircraft as a weapon of destruction and the death of persons on board and on the ground;

3. *Reaffirms* that aviation security must continue to be treated as a matter of highest priority and appropriate resources should be made available by ICAO and its Member States;
4. *Calls upon* all Member States to confirm their resolute support for the established policy of ICAO by applying the most effective security measures, individually and in cooperation with one another, to prevent acts of unlawful interference and to punish the perpetrators, planners, sponsors, and financiers of conspirators in any such acts;
5. *Reaffirms* ICAO's responsibility to facilitate the consistent and uniform resolution of questions which may arise between Member States in matters affecting the safe and orderly operation of international civil aviation throughout the world;
6. *Directs* the Council to continue, as an urgent priority, its work relating to measures for prevention of acts of unlawful interference, on the basis of the strategic direction provided under the ICASS, and ensure that this work is carried out with the highest efficiency and responsiveness;
7. *Expresses appreciation* to Member States for the voluntary contributions in the form of human and financial resources to the ICASS during the 2014-2016 triennium;
8. *Urges* all Member States to continue to financially support the Organization's aviation security activities beyond those budgeted for under the regular programme through the ICASS;
9. *Directs* the Council to consider the lessons learned from ICASS in establishing the GASeP based on clear and collective aviation security goals and targets, and supported by concrete and measurable indicators to guide ICAO, States and stakeholders in ensuring continuous improvement in aviation security;
10. *Directs* the Council to task the Aviation Security Panel to expeditiously develop the GASeP and present the Plan to the Council for approval and consultation with Member States and key stakeholders by the second half of 2017;
11. *Urges* all Member States to take active participation in global and regional consultations in order for the GASeP to be truly global and also reflect aspirations, needs and priorities at the national and regional levels.

— END —

**APPENDIX B****CURRENT INFORMATION FOR STATES  
ON RATIFICATION MATTERS**

The Assembly of the International Civil Aviation Organization (ICAO), at its 39th Session held in Montreal from 27 September to 6 October 2016, adopted Resolutions A39-5, A39-7, A39-9, A39-10, A39-11 (Appendix C), A39-15 (Appendix A) and A39-18 (Appendix B) promoting the ratification of international air law instruments. In this connection, please find below a summary of the international air law instruments covered by these Resolutions (with one instrument covered by a Resolution of the 26th Assembly Session).

**PROTOCOLS OF AMENDMENT TO ARTICLES 50(a) AND 56, 2016**

*Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 50 (a)]* (Doc 10077) and the *Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 56]* (Doc 10076) (Both not in force)

The Protocol of Amendment to Article 50 (a) provides for an increase in the size of the Council from thirty-six members to forty, while the Protocol of Amendment to Article 56 provides for an increase in the membership of the Air Navigation Commission from nineteen to twenty-one.

By Resolutions A39-5 and A39-7, respectively, the Assembly recommends to all States to ratify most urgently these Protocols.

**MONTREAL CONVENTION, 1999**

*Convention for the Unification of Certain Rules for International Carriage by Air* (Doc 9740)

This Convention modernizes and consolidates the international legal regime which has been established pursuant to the Warsaw Convention of 1929 and its various amending instruments and provides, within a consolidated and uniform framework, the rules relating to the international carriage of passengers, baggage and cargo performed by aircraft for reward.

By Resolution A39-9, the Assembly urges all States that have not done so to become party to this Convention.

**BEIJING CONVENTION AND PROTOCOL, 2010**

*Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* (Doc 9960) and the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Doc 9959) (Both not in force)

These treaties are the result of collective efforts of the international community to modernize the legal framework for aviation security. By criminalizing a number of acts constituting new and emerging threats against civil aviation, including certain preparatory acts for the offences, they will strengthen the capacity of States to prevent the commission of these offences, and to prosecute and punish those who commit such offences. The Convention and the Protocol will also contribute to the implementation of the United Nations Global Counter Terrorism Strategy adopted on 8 September 2006 by enhancing the global treaty regime on counter-terrorism.

By Resolution A39-10, the Assembly urges all States to sign and ratify these two instruments.

### **MONTREAL PROTOCOL, 2014**

*Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Doc 10034) (Not in force)

The Protocol addresses the issue of rising incidents of unruly behaviour on board aircraft by significantly improving the ability of States to expand jurisdiction over relevant offences and acts to the State of landing and the State of the operator. The Protocol will also serve to enhance global aviation security provisions by expressly extending legal recognition and protections to in-flight security officers.

By Resolution A39-II, Appendix C, and Resolution A39-18, Appendix B, the Assembly urges all States that have not done so to ratify this Protocol.

### **UNLAWFUL INTERFERENCE CONVENTION AND GENERAL RISKS CONVENTION, 2009**

*Convention on Compensation for Damage Caused by Aircraft to Third Parties* (Doc 9919) and the *Convention on Compensation for Damage to Third Parties, Resulting from Acts of Unlawful Interference Involving Aircraft* (Doc 9920) (Both not in force)

These treaties establish rules for compensation for damage caused by aircraft to third parties arising from general risks or from acts of unlawful interference.

By Resolution A39-II, Appendix C, the Assembly urges all States that have not done so to ratify these instruments.

### **CAPE TOWN CONVENTION AND AIRCRAFT PROTOCOL, 2001**

The *Convention on International Interests in Mobile Equipment* (Cape Town Convention) (Doc 9793) and the *Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment* (Aircraft Protocol) (Doc 9794)

These treaties set up a legal framework to facilitate cross-border and asset-based financing of aircraft by improving predictability as to the enforceability of security, title reservation and leasing rights in aircraft and, therefore, protecting lenders and lessors, and allowing borrowers better access to credit at lower costs.

By Resolution A39-II, Appendix C, the Assembly urges all States that have not done so to ratify these instruments.

### **TRANSIT AGREEMENT, 1944**

*International Air Services Transit Agreement* (Doc 7500)

This Agreement strengthens and facilitates the operation of international scheduled air services by the multilateral exchange of privileges of overflight and technical stops.

By Resolution A39-15, Appendix A, the Assembly urges all States that have not done so to ratify this Agreement.

### **ARTICLE 83 BIS, LEASE, CHARTER OR INTERCHANGE**

*Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 83 bis], signed at Montreal on 6 October 1980 (Doc 9318, incorporated in Doc 7300)*

This Protocol provides for the transfer of certain functions and duties from the State of registry to the State of the operator. It clarifies safety responsibilities, simplifies procedures and enhances aviation safety.

By Resolution A39-II, Appendix C, the Assembly urges all States which have not done so to ratify this Protocol.

### **ARTICLE 3 BIS, NON-USE OF WEAPONS AGAINST CIVIL AIRCRAFT IN FLIGHT**

*Protocol Relating to an Amendment to the Convention on International Civil Aviation [Article 3 bis], signed at Montreal on 10 May 1984 (Doc 9436, incorporated in Doc 7300)*

This Protocol deals with the problems of interception of, and other enforcement measures with respect to, civil aircraft in flight.

By Assembly Resolution A39-II, Appendix C, and the Council Resolution of 27 June 1996, States are urged to ratify this Protocol.

### **CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF SPECIALIZED AGENCIES, 1947**

*Annex III of the Convention on the Privileges and Immunities of the Specialized Agencies*

This Convention, as applied to ICAO, would facilitate the administration of privileges and immunities essential for the efficient exercise of the Organization's functions in ICAO's Member States.

By Resolution A26-3, the Assembly urges all States which have not done so to take steps to become parties to this Convention.

—END—