



INTERNATIONAL CONFERENCE ON AIR LAW

(Montréal, 26 March to 4 April 2014)

REPORT OF THE RESOLUTION GROUP (Presented by the Chairman of the Resolution Group)

RESOLUTION RELATING TO UPDATING CIRCULAR 288 - *GUIDANCE MATERIAL ON THE LEGAL ASPECTS OF UNRULY/DISRUPTIVE PASSENGERS*

THE CONFERENCE,

RECOGNIZING that, under the Preamble and Article 44 of the *Convention on International Civil Aviation*, one of the aims and objectives of the International Civil Aviation Organization (ICAO) is to foster the planning and development of international air transport so as to meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;

HAVING ADOPTED the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Protocol);

MINDFUL of the fact that existing international law as well as the national laws and regulations in many States may not be fully adequate to deal effectively with less serious types of offences and other acts committed by unruly or disruptive passengers on board civil aircraft;

RECOGNIZING that the Conference decided not to include a list of offences and other acts within the Protocol, but recommended that ICAO Circular 288 – *Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers* published in 2002 (ICAO Circular 288) be updated;

TAKING INTO ACCOUNT the special environment of aircraft in flight and inherent risks connected therewith, as well as the need to provide guidance on what constitutes unruly or disruptive behavior on board civil aircraft;

CONSIDERING the need to have an updated list of offences and other acts, in a document other than the Protocol, to serve as a guide for the purpose of facilitating States to deal with offences and other acts constituting unruly or disruptive behavior on board civil aircraft; and

CONSCIOUS that the adoption of the Protocol has also affected the subject matter of ICAO Circular 288;

RESOLVES:

TO URGE the Council to request the Secretary General to update ICAO Circular 288 – *Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers* to include a more detailed and exhaustive list of offences and other acts, as well as to make consequential changes to ICAO Circular 288 from the adoption of the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft*;

TO REQUEST the Council to approve the updated ICAO Circular 288 – *Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers* and to disseminate it among the States; and

TO INVITE all Member States to include in their national laws and regulations, so far as practical, the elements of the updated ICAO Circular 288 – *Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers*.