



SAFE SKIES.  
**SUSTAINABLE  
FUTURE.**



# Session III: Supporting aviation safety through enforcement and cooperation between States

## Segment 1 – Enforcing air navigation regulations: Experiences, Challenges and Solutions

**Mr. Andrew P. Opolot**  
Legal Officer, ICAO Legal Affairs and External Relations  
Bureau



# Article 12 Task Force: Milestones

**HLSC  
(2015)**

- Recommended that “ICAO should establish a coordination mechanism to assist States in resolving safety issues related to foreign aircraft operators”

**LC36  
(2015)**

- Outlined that A12 “does not provide guidelines on how States shall proceed to the administrative prosecution”
- Highlighted the need for a mechanism which could facilitate the transmission of information as regards infractions

**A40  
(2019)**

- Emphasized that the implementation of A12 is not always effective
- The lack of efficient and timely communication mechanisms between Aviation Authorities was identified among the reasons for the lack of efficiency

**2021**

- Establishment of the Article 12 Task Force following the inclusion of the Item “Processes and Procedures for States to fulfil their obligations under Article 12 of the Chicago Convention” to the General Work Programme of the Legal Committee by A40

# Membership and Organization of Work



## Membership of the A12 TF

- Australia, Brazil, Canada, Colombia, China, Finland, France, Ghana, Greece, Jordan, The Netherlands, Oman, Qatar, Republic of Korea, Russian Federation, Singapore, United Arab Emirates, United Kingdom, United States, AFCAC, IATA and IFALPA

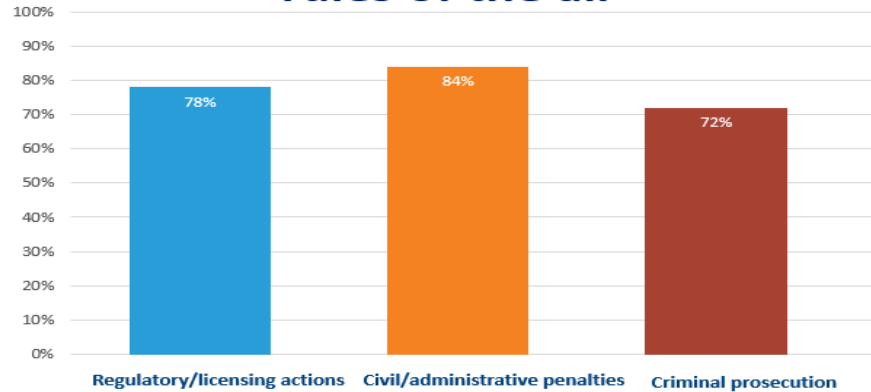
## Organization of Work

- Establishment of a Scoping Sub-Group and of a Tools Sub-Group

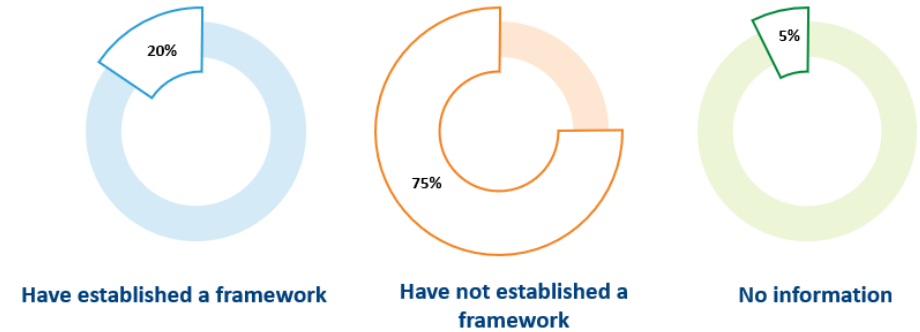


# Examples of Survey Questions

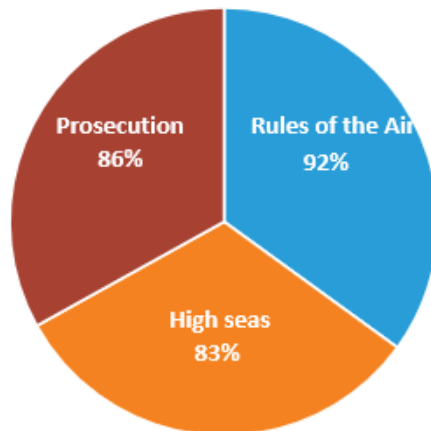
## Enforcement mechanisms when prosecuting a violation of the rules of the air



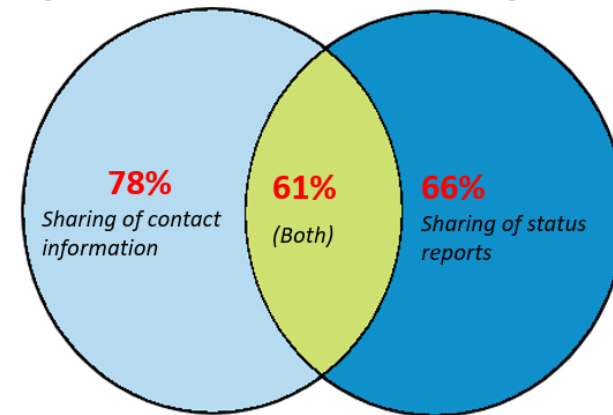
## Establishment of a framework for the timely exchange of information following violations



## Percentage of States that have established laws or regulations for the implementation of Article 12



## Kind of information to be provided on ICAO web portal

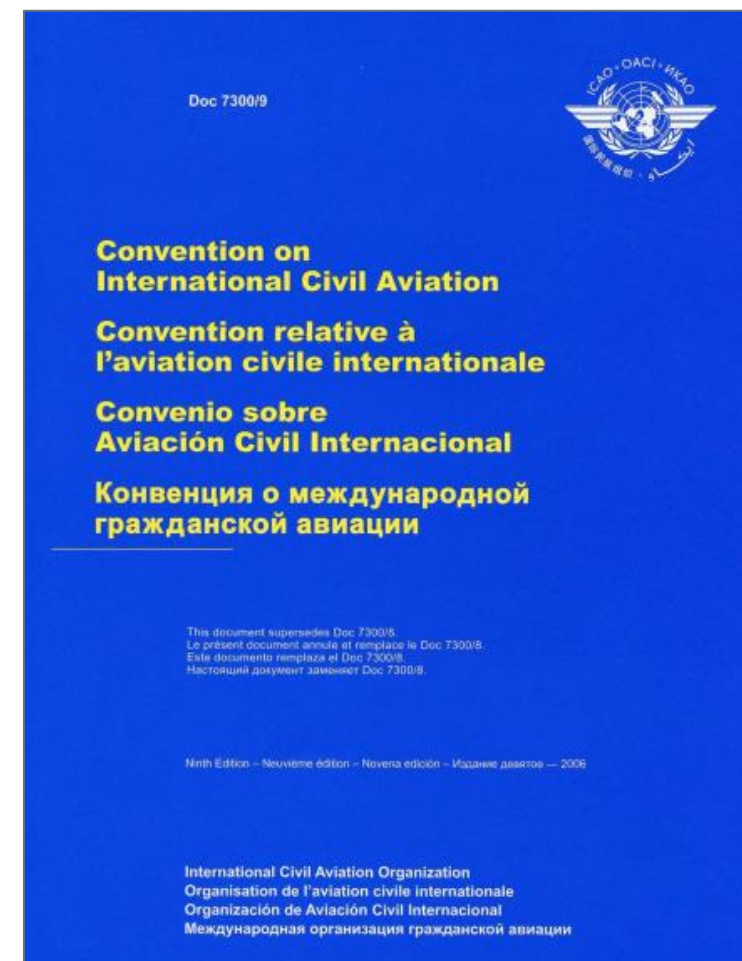


---

# SLIDO INSTRUCTIONS

# Article 12 (Rules of the Air)

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each contracting State undertakes to insure the prosecution of all persons violating the regulations applicable. (emphasis added)



---

# Thank You

