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P/25 Agenda Item 10

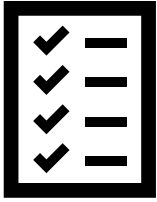


NACC/DCA/12 — Ratification of International Air Law Treaties

**Twelfth North American, Central American and
Caribbean Directors of Civil Aviation Meeting
(NACC/DCA/12)**

Placencia, Belize, 9-11 July 2024

Ratification of International Air Law Treaties



NACC/DCA/11-WP/15 presented the benefits of six international air law treaties and contained information pertaining to the ratification process and an overview of the resources available for States to assist them with ratification.



NACC/DCA/11 invited NACC States to i) become parties to international air law treaties that they had not yet ratified; ii) make use of ICAO legal seminars and workshops, CALAF, the ICAO International Air Law Course for the training of their legal advisers; iii) inform ICAO before 31 December 2023 of their progress towards the ratification of international air law treaties by using the DGCA tracking matrix.



NACC/DCA/12-WP/15 presents the actions taken by ICAO and NACC Member States since NACC/DCA/11 and concludes with proposed future actions with respect to States' ratification of international air law treaties.

Actions taken to promote the ratification of international air law treaties

Issuance of a State letter

- Issuance on 26 May 2023 of a State letter by which NACC States were invited to coordinate with ICAO on matters related to the ratification and implementation of international air law treaties and to submit a tracking matrix indicating their progress towards ratification of air law treaties.
- 16 States out of 22 in the region have responded to the State letter (73 % of States in the region).

Host of the IALC

- A session of the International Air Law Course was held in the NACC region (Bahamas, 4 to 8 September 2023) in English which was attended by a total of 15 participants from three States.

Depositary Actions by NACC States



Montreal Convention 1999 (air carrier liability): 139 Parties (14 NACC States), universal application for uniform regime



Beijing Convention 2010 (security and safety): 49 Parties (4 NACC States), deals with new and emerging threats using aircraft, BCN weapons, cyber attacks



Beijing Protocol 2010 (security and safety): 51 Parties (4 NACC States), deals with new forms of unlawful seizure including by any technological means



Montréal Protocol 2014 (unruly and disruptive passengers): 48 Parties (4 NACC States), expands jurisdiction beyond State of registry, and promotes enforcement



2016 Protocol on Art. 50 (a) of the Chicago Convention (increase in the size of Council): 95 ratifications (10 NACC States), 128 needed, broader representation in the Council



2016 Protocol on Art. 56 of the Chicago Convention (increase in the size of the ANC): 95 ratifications (10 NACC States), 128 needed, broader representation on the ANC

Upcoming actions to promote the ratification of international air law treaties

- Participation in the Third Edition of the Civil Aviation Legal Advisers Forum (CALAF)
 - To be held in London (United Kingdom) from 26 to 28 November 2024
 - Featuring presentations and discussions by legal advisers of civil aviation regulatory bodies on topical legal subjects of interest or concern regarding aviation safety, security and facilitation and will include the ratification of international air law treaties
- Participation in the ICAO International Air Law Course
 - Deliveries held in-person and online in English, French and Spanish languages
- To provide contact details to the NACC Regional Office of a contact point for matters pertaining to international air law treaties

Tracking Matrix for Treaty Ratification

[NAME OF THE MEMBER STATE]					
	TREATY PROPOSED BY DGCA TO COMPETENT AUTHORITY FOR RATIFICATION	TREATY SUBMITTED FOR APPROVAL TO LEGISLATURE OR OTHER COMPETENT AUTHORITY	AWAITING SUBMISSION OF THE INSTRUMENT OF RATIFICATION TO THE DEPOSITARY (E.G., ICAO)	TREATY NOT CONSIDERED FOR RATIFICATION	COMMENTS
[NAME OF TREATY]					
[NAME OF TREATY]					
[NAME OF TREATY]					
[...]					

Conclusions by NACC/DCA/12

Consistent with ICAO Assembly Resolution A41-4, for States to accelerate the ratification and implementation of international air law instruments and considering the benefits of such ratification, NACC States to:

- a) become parties to the six international air law treaties and to any other international air law treaties that they have not yet ratified;
- b) nominate a Focal Point for the Ratification of International Air Law Treaties and to inform the ICAO NACC Regional Office accordingly;
- c) participate in CALAF/3 in London, UK from 26 to 28 November 2024, in the ICAO International Air Law Course as well as other similar events for the continuous training and development of their legal advisers with regard to ratification and implementation of international air law instruments and to consider hosting from time to time such events in their States;
- d) inform ICAO before 31 October 2024 of their further progress towards the ratification of international air law treaties by updating/using the DGCA tracking matrix set out in Appendix B to this working paper;
- e) contact the ICAO LEB Treaty Section for any information or assistance with regard to ratification matters at treaty@icao.int or officeleb@icao.int; and
- f) report on the progress made by NACC States at the NACC/DCA/13 meeting.

Emails:

treaty@icao.int

officeleb@icao.int

- For any questions with respect to the ratification process with ICAO please do not hesitate to contact LEB

12.50	Direction des affaires juridiques et des relations extérieures ; LEB
	Legal Affairs and External Relations Bureau; LEB



Thank You!