



International Civil Aviation Organization

WORKING PAPER

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(Information paper)

ASSEMBLY — 37TH SESSION

LEGAL COMMISSION

Agenda Item 62: Other issues to be considered by the Legal Commission

**NOTIFICATION OF ACTS OF SIGNATURE, RATIFICATION OR ACCESSION TO
INTERNATIONAL AIR LAW INSTRUMENTS BY INDIA**

(Presented by India)

EXECUTIVE SUMMARY

This information paper relates to India's status with respect to signature, ratification or accession to international air law instruments.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective F. Rule of Law - Strengthen law governing international civil aviation.
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<i>Financial implications:</i>	
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<i>References:</i>	
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1. INTRODUCTION

1.1 India is a founder member of the ICAO as it signed the Chicago Convention on 07.12.1944, the day of its inception. The Convention was ratified by India on 01.03.1947 and the same became effective for India w.e.f. 04.04.1947. Since then India has been playing a vital role in the formulation and subsequent ratification or accession of international law instruments. This paper brings out India's position with respect to signature, ratification or accession to international air law instruments.

2. STATUS

2.1 India has ratified or acceded to most of the multilateral air law instruments. A list of international law instruments to which India is a party is attached at Annexure 'A'. Out of total 43 international law instruments, India has either signed or acceded to 32. The list of 11 instruments not signed or acceded by India is given at Annexure 'B'. It may be noted that most of the instruments at Annexure 'B' have been replaced with more recent conventions like the Montreal Convention, 1999 and the Cape Town Convention & Cape Town Protocol, 2001, to which India is a party. Thus, India has a very sound record of compliance with international law instruments.

3. ACTION BY ASSEMBLY

3.1 The Assembly is requested to take note of the contents of this Paper.

APPENDIX A

STATUS OF INDIA WITH REGARD TO INTERNATIONAL AIR LAW INSTRUMENTS

		Date of Signature	Date of Ratification or Accession	Effective Date
1.	Convention on International Civil Aviation Chicago, 7/12/44	7/12/44	1/3/47	4/4/47
2.	International Air Services Transit Agreement Chicago, 7/12/44	7/12/44	2/5/45	2/5/45
3.	Protocol on the Authentic Trilingual Text of the Convention on International Civil Aviation Buenos Aires, 24/9/68	24/9/68 ¹	29/12/69	29/12/69
4.	Protocol on the Authentic Quadrilingual Text of the Convention on International Civil Aviation Montreal, 30/9/77	30/9/77 ²	30/9/77	16/9/99
*5.	Protocol on the Authentic Quinquelingual Text of the Convention on International Civil Aviation Montreal, 29/9/95	19/10/95 ²	19/10/95	-
*6.	Protocol on the Authentic Six-Language Text of the Convention on International Civil Aviation Montreal, 1/10/98	1/10/98 ¹	2/8/02	-
7.	Article 93 <i>bis</i> Montreal, 27/5/47	-	15/12/47	20/3/61
8.	Article 45 Montreal, 14/6/54	-	19/1/55	16/5/58
9.	Articles 48(a), 49(e) and 61 Montreal, 14/6/54	-	19/1/55	12/12/56
10.	Article 50(a) Montreal, 21/6/61	-	18/12/61	17/7/62
11.	Article 48(a) Rome, 15/9/62	-	6/10/70	11/9/75
12.	Article 50(a) New York, 12/3/71	-	15/6/71	16/1/73

13.	Article 56 Vienna, 7/7/71	-	21/12/71	19/12/74
14.	Article 50(a) Montreal, 16/10/74	-	27/5/75	15/2/80
15.	Protocol of Amendment (Final paragraph, Russian Text) Montreal, 30/9/77	-	31/1/85	17/8/99
16.	Article 83 <i>bis</i> Montreal, 6/10/80	-	5/8/94	20/6/97
17.	Article 56 Montreal, 6/10/89	-	1/9/92	18/4/05
18.	Article 50(a) Montreal, 26/10/90	-	9/7/92	28/11/02
*19.	Protocol of Amendment (Final paragraph, Arabic Text) Montreal, 29/9/95	-	8/11/96	-
*20.	Protocol of Amendment (Final paragraph, Chinese Text) Montreal, 1/10/98	-	3/6/02	-
21.	Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface Rome, 7/10/52	2/8/55	-	-
22.	Convention for the Unification of Certain Rules relating to International Carriage by Air Warsaw, 12/10/29	-	29/1/70	15/8/47 ³
23.	Protocol to Amend the Warsaw Convention of 1929 The Hague, 28/9/55	-	14/2/73	15/5/73
24.	Convention for the Unification of Certain Rules for International Carriage by Air Montreal, 28 May 1999	-	1/5/09	30/6/09
25.	Convention on Offences and Certain Other Acts Committed on Board Aircraft Tokyo, 14/9/63	-	22/7/75	20/10/75 ⁴
26.	Convention for the Suppression of Unlawful Seizure of Aircraft	14/7/71	12/11/82	12/12/82

	The Hague, 16/12/70			
27.	Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation Montreal, 23/9/71	11/12/72	12/11/82	12/12/82
28.	Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23/9/71 Montreal, 24/2/88	-	22/3/95	21/4/95
29.	Convention on the Marking of Plastic Explosives for the Purpose of Detection Montreal, 1/3/91	-	16/11/99 ^{5,6}	15/1/00
30.	Convention on International Interests in Mobile Equipment Cape Town, 16/11/01	-	31/3/08 ⁷	1/7/08
31.	Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment Cape Town, 16/11/01	-	31/3/08 ⁸	1/7/08
32.	International COSPAS-SARSAT Programme Agreement Paris, 1/7/88	-	23/4/91	23/5/91 ⁹
33.	Convention on the Privileges and Immunities of the Specialized Agencies, 21/11/47 – application to ICAO (Annex III), 21/6/48	-	10/2/49	10/2/49

* Not in force

NOTES

- 1 Effected with reservation as to acceptance.
- 2 Effected without reservation as to acceptance.
- 3 By a Note dated 29/1/70, the Government of India declared that it considered itself bound by the Warsaw Convention (before India became independent, acceptance of the Convention was effected by the United Kingdom on 20/11/34).

- 4 Reservation: The Government of India does not consider itself bound by Article 24, paragraph 1, of the Tokyo Convention.
- 5 Reservation: The Government of India does not consider itself bound by Article XI, paragraph 1, of the Convention on the Marking of Plastic Explosives.
- 6 Declaration, in accordance with Article XIII, paragraph 2, of the Convention, that India is a producer State of plastic explosives.
- 7 At the time of accession, India made declarations under Articles 39(1)(a), 39(1)(b), 40, 52, 53 and 54(2) of the Cape Town Convention.
- 8 At the time of accession, India made declarations under Article XXX(1), XXX(2) and XXX(3) of the Cape Town Protocol.
- 9 Association with the Programme as a Ground Segment Provider.

APPENDIX B

**LIST OF INTERNATIONAL LAW INSTRUMENTS NOT SIGNED OR
ACCEDED BY INDIA**

1. International Air Transport Agreement, Chicago, 7/12/44
2. Article 3 *bis*, Montreal, 10/5/84
3. Convention on the International Recognition of Rights in Aircraft, Geneva, 19/6/48
4. Protocol to Amend the Rome Convention of 1952, Montreal, 23/9/78
5. Convention, Supplementary to the Warsaw Convention, for the Unification of Certain Rules relating to International Carriage by Air Performed by a Person Other than the Contracting Carrier, Guadalajara, 18/9/61
6. Protocol to Amend the Warsaw Convention of 1929 as Amended by The Hague Protocol of 1955, Guatemala City, 8/3/71
7. Additional Protocol No. 1, Montreal, 25/9/75
8. Additional Protocol No. 2, Montreal, 25/9/75
9. Additional Protocol No. 3, Montreal, 25/9/75
10. Montreal Protocol No. 4, Montreal, 25/9/75

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