



# ICAO'S ROLE AND REQUIREMENTS FOR RATIFICATION OF AIR LAW INSTRUMENTS AND THE REGISTRATION OF AIR TRANSPORT AGREEMENTS

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# Ratification of air law instruments

- ICAO is the Depositary of almost 40 international air law treaties
- Functions of a Depositary (keeping custody of the original text; receiving signatures; examining instruments of ratification; informing States upon the entry into force of a treaty, etc.)





# Deposit of an instrument of ratification

1. In order to ratify/accede to a treaty, a State must deposit an instrument of ratification/accession **in compliance with the relevant provisions of the treaty concerned**
2. The instrument **must be signed by the proper authority** either by the Head of State, the Head of Government, the Minister of Foreign Affairs, or a person exercising, *ad interim*, the power of one of the above authorities
3. The instrument of **ratification/accession must clearly identify the treaty (exact title, date and place)** concerned and the type of action being taken by the State in accordance with the provisions of the treaty (e.g. ratification, acceptance, approval, accession, consent to be bound, etc.)

# Deposit of an instrument of ratification

## INSTRUMENT OF RATIFICATION OF THE BEIJING TREATY

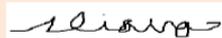
*WHEREAS* the *Convention on the Acts Relating to International Civil Aviation* was adopted in;

*WHEREAS* the said Convention was signed on behalf of the Government of the Republic of ..... ;

*AND WHEREAS* Article 21, paragraph 2, of the Convention specifies that this Convention is subject to ratification, acceptance or approval;

*NOW THEREFORE I*, Ms. Jane Doe, Minister of Transport declare that the Government of Republic of ....., having considered the above-mentioned Convention, ratifies the same and undertakes faithfully to perform and carry out the stipulations therein contained.

*IN WITNESS WHEREOF*, I have signed this instrument ratification on 28 November 2017.



Minister of Transport

# Deposit of an instrument of ratification

## Common mistakes:

- The title of the treaty
- The date of signature of the treaty
- The place of signature of the instrument is missing
- The treaty has not been signed by the proper authority

**INSTRUMENT OF RATIFICATION OF THE BEIJING TREATY**

*WHEREAS* the Convention on the Acts Relating to International Civil Aviation was adopted;

*WHEREAS* the said Convention was signed on behalf of the Government of the Republic of ..... ;

*AND WHEREAS* Article 21, paragraph 2, of the Convention specifies that this Convention is subject to ratification, acceptance or approval;

*NOW THEREFORE* I, Ms. Jane Doe, Minister of Transport declare that the Government of Republic of ....., having considered the ~~above-mentioned~~ Convention, ratifies the same and undertakes faithfully to perform and carry out the stipulations therein contained.

*IN WITNESS WHEREOF*, I have signed this instrument ratification on 28 November 2017.

  
Minister of Transport

# Deposit of an instrument of ratification

- The title of the treaty
- The date of signature of the treaty
- The place of signature of the instrument of ratification
- The instrument is signed by the proper authority
- The instrument includes a declaration, if mandatory

**INSTRUMENT OF RATIFICATION OF THE BEIJING CONVENTION 2010**

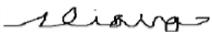
*WHEREAS* the *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* was adopted at Beijing on 10 September 2010;

*WHEREAS* the said Convention was signed on behalf of the Government of the Republic of ..... ;

*AND WHEREAS* Article 21, paragraph 2, of the Convention specifies that this Convention is subject to ratification, acceptance or approval;

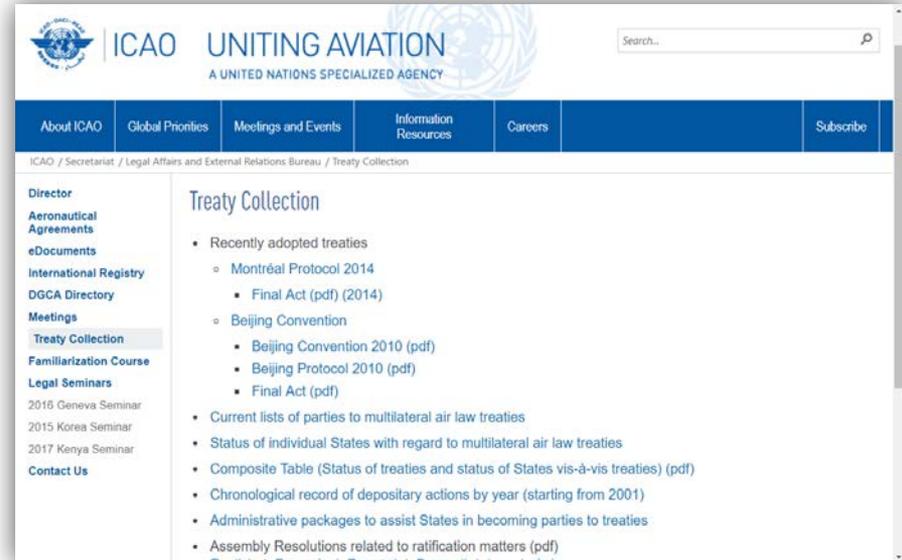
*NOW THEREFORE I*, Ms. Jane Doe, Minister of Foreign Affairs declare that the Government of Republic of ....., having considered the above-mentioned Convention, ratifies the same and undertakes faithfully to perform and carry out the stipulations therein contained.

*IN WITNESS WHEREOF*, I have signed this instrument ratification on 28 November 2017 in the city of .....

  
Minister of Foreign Affairs

# ICAO Treaty Collection

- Administrative packages providing guidelines for the ratification of, or accession to, international air law instruments in order to assist States in the ratification process
- Lists of Parties to all international air law instruments
- Forms indicating the current status of individual ICAO Member States with respect to International air law instruments



The screenshot shows the ICAO website's Treaty Collection page. The header includes the ICAO logo and the text "UNITING AVIATION A UNITED NATIONS SPECIALIZED AGENCY". A search bar is located in the top right corner. Below the header is a navigation menu with links for "About ICAO", "Global Priorities", "Meetings and Events", "Information Resources", "Careers", and "Subscribe". The main content area is titled "Treaty Collection" and features a sidebar with a navigation menu containing "Director", "Aeronautical Agreements", "eDocuments", "International Registry", "DGCA Directory", "Meetings", "Treaty Collection" (highlighted), "Familiarization Course", "Legal Seminars", and "Contact Us". The main content area lists "Recently adopted treaties" and "Current lists of parties to multilateral air law treaties".

ICAO / Secretariat / Legal Affairs and External Relations Bureau / Treaty Collection

**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)



For any questions with respect to the ratification process or regarding the registration of agreements with ICAO please do not hesitate to contact LEB

Emails:

- [treaty@icao.int](mailto:treaty@icao.int)
- [leb@icao.int](mailto:leb@icao.int)

