International Civil Aviation Organization
Latin American Civil Aviation Commission
ICAO/LACAC NAM/CAR/SAM Aviation Security and
Facilitation Regional Group (AVSEC/FAL/RG)

## INFORMATION PAPER

AVSEC/FAL/RG/9 — IP/04 REV
25/03/19

**Ninth Meeting of the ICAO/LACAC NAM/CAR and SAM Aviation Security and
Facilitation Regional Group (AVSEC/FAL/RG/9)**
Santo Domingo, Dominican Republic, 25 to 29 March 2019

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**Agenda Item 6**     **Programmes and Projects - Aviation Security (AVSEC) and Facilitation (FAL)**
     **6.2     Report on the revision of the Montreal Protocol 2014 (MP-14) –
     Proposing State: Jamaica**

**REPORT ON THE REVISION OF THE MONTREAL PROTOCOL 2014 (MP-14)**

(Presented by Jamaica)

| EXECUTIVE SUMMARY |
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| At the Eight Meeting of the ICAO/LACAC NAM/CAR and SAM Aviation Security and Facilitation Regional Group Meeting the ratification and impact of the Montreal Protocol 2014 was discussed. Due to the discussions and varying views it was decided to create a working group on disruptive passengers integrated by Antigua and Barbuda, Jamaica, Panama and IATA to look at the operational impact of the ratification and review best practices. It was determined that the issue of disruptive passenger incidents deserves a carefully analysis before recommending unreservedly the ratification of the Montreal Protocol 2014 (MP14). |

| *Strategic Objectives:* | • Security & Facilitation |
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| *References:* | • ICAO Draft Document Manual of Legal Aspects of Unruly and Disruptive Passengers Circular 288<br>• ICAO Doc 8973 10ᵗʰ Edition<br>• Canadian Regulation 602.46<br>• Transport Canada Advisory Circular 700- 010 *Unruly Passenger and Interference with a Crew Member* |

## 1.     Introduction

1.1     IATA at the Eight Meeting Regional Meeting of the ICAO/LACAC NAM CAR SAM Aviation and Facilitation Meeting proposed the promotion of the Protocol to amend the Convention on offenses and certain other acts committed on board aircraft done at Montreal on 4 April 2014 (Montreal Protocol 2014). The issue of disruptive passenger incidents has become a significant problem with the popularization of the air transport.  IATA provided statistics collected through the Safety Trend Evaluation Analysis and Data Exchange System (STEADES), which reported that in 2016 there was an average of one (1) unruly passenger incident per 1,434 flights and 12% of these incidents evolve to serious (level 2) involving physical confrontation with other passengers or crew.

1.2        IATA's presentation was followed by an intense debate in which States reflected on the passenger role as victim and aggressor and on his rights and obligations. Due to the delicate nature of the problem, the meeting agreed on the creation of a working group integrated by Antigua and Barbuda, Jamaica, Panama and IATA in which Jamaica would act as rapporteur. The working group will work in liaison with the LACAC GEPEJTA *(Grupo de Expertos en Asuntos Políticos, Económicos y Jurídicos del Transporte Aéreo)* and the ICAO Task Force in charge of updating ICAO Circular 288.

2.        **Actions taken**

2.1        The Working Group Reviewed the Draft of ICAO Circular 288 and Regulatory Guidance provided by Transport Canada, Canadian Regulations 602.46 and Transport Canada Advisory on Unruly Passenger and Interference with a Crew.

2.2        The Working Group noted that it did not have sufficient samples from the Region to provide States with a final guidance document, and encourages States to review the draft of the Document Circular 288 Manual on Legal Aspects of Unruly and Disruptive Passengers.

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