

No. 14118. CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION. CONCLUDED AT MONTREAL ON 23 SEPTEMBER 1971<sup>1</sup>

PROTOCOL<sup>2</sup> FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION, SUPPLEMENTARY TO THE ABOVE-MENTIONED CONVENTION (WITH FINAL ACT). CONCLUDED AT MONTREAL ON 24 FEBRUARY 1988

*Authentic texts: English, French, Russian and Spanish.*

*Registered by the International Civil Aviation Organization on 22 December 1990.*

THE STATES PARTIES TO THIS PROTOCOL

CONSIDERING that unlawful acts of violence which endanger or are likely to endanger the safety of persons at airports serving international civil aviation or which jeopardize the safe operation of such airports undermine the confidence of the peoples of the world in safety at such airports and disturb the safe and orderly conduct of civil aviation for all States;

CONSIDERING that the occurrence of such acts is a matter of grave concern to the international community and that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

<sup>1</sup> United Nations, *Treaty Series*, vol. 974, p. 177; for subsequent actions, see references in Cumulative Index No. 17, as well as annex A in volumes 1058, 1107, 1126, 1144, 1195, 1214, 1217 (corrigendum to volume 974), 1259, 1286, 1297, 1308, 1338, 1484, 1491, 1505, 1510, 1511, 1563 and 1579.

<sup>2</sup> Came into force on 6 August 1989 in respect of the following States, on behalf of which an instrument of ratification had been deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America or with the International Civil Aviation Organization, i.e., the thirtieth day after the date of the deposit of the tenth instrument of ratification (7 July 1989), in accordance with article VI (1), provided that the deposit with the International Civil Aviation Organization of the relevant instruments was the effective deposit for the purpose of article VI (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Byelorussian Soviet Socialist Republic .....	1 May 1989
German Democratic Republic .....	31 January 1989
Hungary .....	7 September 1988
Kuwait .....	8 March 1989
Marshall Islands .....	30 May 1989
Peru .....	7 June 1989
Saudi Arabia .....	21 February 1989
Turkey .....	7 July 1989
Union of Soviet Socialist Republics .....	31 March 1989
United Arab Emirates .....	9 March 1989

Subsequently, the Protocol came into force for the following States on the thirtieth day after the date of deposit with the International Civil Aviation Organization of their instruments of ratification in accordance with article VI (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Chile .....	15 August 1989
(With effect from 14 September 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)	

(Continued on page 475)

CONSIDERING that it is necessary to adopt provisions supplementary to those of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971,<sup>1</sup> to deal with such unlawful acts of violence at airports serving international civil aviation;

HAVE AGREED AS FOLLOWS:

### Article I

This Protocol supplements the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971 (hereinafter referred to as “the Convention”), and, as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as one single instrument.

### Article II

1. In Article 1 of the Convention, the following shall be added as new paragraph 1 *bis*:

“1 *bis*. Any person commits an offence if he unlawfully and intentionally, using any device, substance or weapon:

- (a) performs an act of violence against a person at an airport serving international civil aviation which causes or is likely to cause serious injury or death; or
- (b) destroys or seriously damages the facilities of an airport serving international civil aviation or aircraft not in service located thereon or disrupts the services of the airport,

if such an act endangers or is likely to endanger safety at that airport.”

(Footnote 1 continued from page 474)

Mauritius.....	17 August	1989
(With effect from 16 September 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)		
France* .....	6 September	1989
(With effect from 6 October 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)		
Denmark .....	23 November	1989
(With a declaration of non-application to the Faeroe Islands. With effect from 23 December 1989, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)		
Austria.....	28 December	1989
(With effect from 27 January 1990, provided that the deposit with the International Civil Aviation Organization was the effective deposit for the purpose of article VI (1) of the Protocol.)		

\* See p. 505 of this volume for the text of the declaration made upon ratification.

<sup>1</sup> United Nations, *Treaty Series*, vol. 974, p. 177.

2. In paragraph 2 (a) of Article 1 of the Convention, the following words shall be inserted after the words “paragraph 1”:

“or paragraph 1 *bis*”.

### Article III

In Article 5 of the Convention, the following shall be added as paragraph 2 *bis*:

“2 *bis*. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offences mentioned in Article 1, paragraph 1 *bis*, and in Article 1, paragraph 2, in so far as that paragraph relates to those offences, in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to the State mentioned in paragraph 1 (a) of this Article.”

### Article IV

This Protocol shall be open for signature at Montreal on 24 February 1988 by States participating in the International Conference on Air Law held at Montreal from 9 to 24 February 1988. After 1 March 1988, the Protocol shall be open for signature to all States in London, Moscow, Washington and Montreal, until it enters into force in accordance with Article VI.

### Article V

1. This Protocol shall be subject to ratification by the signatory States.
2. Any State which is not a Contracting State to the Convention may ratify this Protocol if at the same time it ratifies or accedes to the Convention in accordance with Article 15 thereof.
3. Instruments of ratification shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America or with the International Civil Aviation Organization, which are hereby designated the Depositaries.

### Article VI

1. As soon as ten of the signatory States have deposited their instruments of ratification of this Protocol, it shall enter into force between them on the thirtieth day after the date of the deposit of the tenth instrument of ratification. It shall enter into force for each State which deposits its instrument of ratification after that date on the thirtieth day after deposit of its instrument of ratification.

2. As soon as this Protocol enters into force, it shall be registered by the Depositaries pursuant to Article 102 of the Charter of the United Nations and pursuant to Article 83 of the Convention on International Civil Aviation (Chicago, 1944).<sup>1</sup>

### Article VII

1. This Protocol shall, after it has entered into force, be open for accession by any non-signatory State.

2. Any State which is not a Contracting State to the Convention may accede to this Protocol if at the same time it ratifies or accedes to the Convention in accordance with Article 15 thereof.

3. Instruments of accession shall be deposited with the Depositaries and accession shall take effect on the thirtieth day after the deposit.

### Article VIII

1. Any Party to this Protocol may denounce it by written notification addressed to the Depositaries.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositaries.

3. Denunciation of this Protocol shall not of itself have the effect of denunciation of the Convention.

4. Denunciation of the Convention by a Contracting State to the Convention as supplemented by this Protocol shall also have the effect of denunciation of this Protocol.

### Article IX

1. The Depositaries shall promptly inform all signatory and acceding States to this Protocol and all signatory and acceding States to the Convention:

(a) of the date of each signature and the date of deposit of each instrument of ratification of, or accession to, this Protocol, and

(b) of the receipt of any notification of denunciation of this Protocol and the date thereof.

2. The Depositaries shall also notify the States referred to in paragraph 1 of the date on which this Protocol enters into force in accordance with Article VI.

<sup>1</sup>United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their Governments, have signed this Protocol.

DONE at Montreal on the twenty-fourth day of February of the year One Thousand Nine Hundred and Eighty-eight, in four originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

*[For the signatures, see p. 492 of this volume.]*