

PROTOCOL

on the Authentic Six-Language Text of the Convention on International Civil Aviation (Chicago, 1944)

Signed at Montreal, on 1 October 1998

THE UNDERSIGNED GOVERNMENTS

CONSIDERING that the 31st Session of the Assembly, in Resolution A31-16, requested *inter alia*, the Council and the Secretary General to take the necessary measures to intensify the progressive use of the Chinese language in the International Civil Aviation Organization (ICAO) and to closely monitor these measures with the objective of achieving the utilization of the Chinese language in ICAO on the same level as the other languages in the Organization;

CONSIDERING that the English text of the Convention on International Civil Aviation (hereinafter called the Convention) was opened for signature at Chicago on 7 December 1944;

CONSIDERING that, pursuant to the Protocol signed at Buenos Aires on 24 September 1968 on the Authentic Trilingual Text of the Convention on International Civil Aviation done at Chicago, 7 December 1944, the text of the Convention was adopted in the French and Spanish languages and, together with the text of the Convention in the English language, constitutes the text equally authentic in the three languages as provided for in the final clause of the Convention;

CONSIDERING that a Protocol relating to an Amendment to the Convention on International Civil Aviation and a Protocol on the Authentic Quadrilingual Text of the Convention on International Civil Aviation (Chicago, 1944) were adopted on 30 September 1977, providing for the authenticity of the text of the Convention and amendments thereto in the Russian language;

CONSIDERING that a Protocol relating to an Amendment to the Convention on International Civil Aviation and a Protocol on the Authentic Quinquelingual Text of the Convention on International Civil Aviation (Chicago, 1944) were adopted on 29 September 1995, providing for the authenticity of the text of the Convention and amendments thereto in the Arabic language;

CONSIDERING accordingly, that it is appropriate to make the necessary provision for the text of the Convention to exist in the Chinese language;

CONSIDERING that in making such provision account must be taken of the existing amendments to the Convention in the English, Arabic, French, Russian and Spanish languages, the texts of which are equally authentic and that, according to Article 94(a) of the Convention, any amendment can come into force only in respect of any State which has ratified it;

HAVE AGREED as follows:

Article I

The text of the Convention and of the amendments thereto in the Chinese language annexed to this Protocol, together with the text of the Convention and of the amendments thereto in the English, Arabic, French, Russian and Spanish languages, constitutes a text equally authentic in the six languages.

Article II

If a State party to this Protocol has ratified or in the future ratifies any amendment made to the Convention in accordance with Article 94(a) thereof, then the text of such amendment in the English, Arabic, Chinese, French, Russian and Spanish languages shall be deemed to refer to the text equally authentic in the six languages, which results from this Protocol.

Article III

1. The States members of the International Civil Aviation Organization may become parties to the present Protocol either by:
 - (a) signature without reservation as to acceptance, or
 - (b) signature with reservation as to acceptance followed by acceptance, or
 - (c) acceptance.
2. This Protocol shall remain open for signature at Montreal until 16 October 1998 and thereafter at Washington DC.
3. Acceptance shall be effected by the deposit of an instrument of acceptance with the Government of the United States of America.
4. Adherence to or ratification or approval of this Protocol shall be deemed to be acceptance thereof.

Article IV

1. This Protocol shall come into force on the thirtieth day after twelve States shall, in accordance with the provisions of Article III, have signed it without reservation as to acceptance or accepted it and after entry into force of the amendment to the final clause of the Convention adopted on 1 October 1998, which provides that the text of the Convention in the Chinese language is of equal authenticity.
2. As regards any State which shall subsequently become a party to this Protocol in accordance with Article III, the Protocol shall come into force on the date of its signature without reservation as to acceptance or of its acceptance.

Article V

Any adherence of a State to the Convention after this Protocol has entered into force shall be deemed to be acceptance of this Protocol.

Article VI

Acceptance by a State of this Protocol shall not be regarded as ratification by it of any amendment to the Convention.

Article VII

As soon as this Protocol comes into force, it shall be registered with the United Nations and with the International Civil Aviation Organization by the Government of the United States of America.

Article VIII

1. This Protocol shall remain in force so long as the Convention is in force.
2. This Protocol shall cease to be in force for a State only when that State ceases to be a party to the Convention.

Article IX

The Government of the United States of America shall give notice to all States members of the International Civil Aviation Organization and to the Organization itself:

- (a) of any signature of this Protocol and the date thereof, with an indication whether the signature is with or without reservation as to acceptance;
- (b) of the deposit of any instrument of acceptance and the date thereof;
- (c) of the date on which this Protocol comes into force in accordance with the provisions of Article IV, paragraph 1.

Article X

This Protocol, drawn up in the English, Arabic, Chinese, French, Russian and Spanish languages, each text being equally authentic, shall be deposited in the archives of the Government of the United States of America, which shall transmit duly certified copies thereof to the Governments of the States members of the International Civil Aviation Organization.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly authorized, have signed this Protocol.

DONE at Montreal on the first day of October of the year one thousand nine hundred and ninety-eight.

(Source: ICAO)