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Rules for Registration with ICAO of Aeronautical Agreements and Arrangements

THIRD EDITION — 2020



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RULES FOR REGISTRATION WITH ICAO OF AERONAUTICAL AGREEMENTS AND ARRANGEMENTS¹

Article 1

For the purpose of these Rules aeronautical agreement or arrangement means any agreement or arrangement, whatever its form and descriptive name, relating to international civil aviation.

Article 2

The following aeronautical agreements or arrangements shall be registered with the Council of ICAO:

- a) Pursuant to Article 81 of the Convention, any aeronautical agreement or arrangement in existence on the coming into force of the Chicago Convention, i.e. on 4 April 1947, between
 - (i) a Contracting State and any other State;
 - (ii) a Contracting State and an airline of any other State;
 - (iii) an airline of a Contracting State and a non-Contracting State;
 - (iv) an airline of a Contracting State and an airline of any other State;

- b) Pursuant to Article 83 of the Convention, any aeronautical agreement or arrangement coming into force after 4 April 1947, between
 - (i) a Contracting State and any other State;

1. These Rules were adopted by the Council on 1 April 1949 and amended on 22 November 1965, 16 May 1974, 16 March 1977, 25 November 1985, 19 November 2003 and 6 March 2020. Dates of adoption of amendments are provided in the footnotes.

- (ii) a Contracting State and an airline of any other State;
- (iii) a Contracting State and a national (physical person or corporation) of any other State if it relates to the ownership or operation of any international air service, aerodrome or air navigation service.

Article 3

Any aeronautical agreement or arrangement registrable pursuant to Article 81 of the Convention and Article 2(a) of these Rules shall be registered forthwith.

Article 4

Any aeronautical agreement or arrangement registrable pursuant to Article 83 of the Convention and Article 2(b) of these Rules shall be registered as soon as possible after execution by the parties thereto and, in any event, forthwith upon its coming into force.

Article 5

Any modification in the parties, terms or scope of any aeronautical agreement or arrangement of the type referred to in Article 2(b) registered pursuant to these Rules shall be registered using one of the methods described in Article 8 of the Rules.²

Article 6

1. Each Contracting State shall be responsible for the registration of any aeronautical agreement or arrangement registrable hereunder to which it is a party.

2. Amendment approved by the Council on 6 March 2020.

2. Any Contracting State responsible hereunder for the registration of an aeronautical agreement or arrangement, which receives written confirmation of registration of that agreement from ICAO, shall be relieved of the obligation of registration.³

Article 7

Any aeronautical agreement or arrangement registrable hereunder shall be registered, *ex officio*, by ICAO in any case where the Organization is a party thereto or where, by the terms thereof, it is entrusted with the registration thereof; or where it is the custodian thereof. Any party thereto other than ICAO shall be relieved of the obligation of registration.

Article 8

1. Registration hereunder of any aeronautical agreement or arrangement, with particulars of any reservation made by any party thereto, shall be effected through the ICAO aeronautical agreements and arrangements web-based registration and publication system (the registration system) or by transmitting to the Secretary General of ICAO a true copy of the agreement or arrangement duly certified by the appropriate authority of the registering party.⁴

2. Such certified copy shall reproduce the original text in the language or languages in which the said agreement or arrangement was concluded. Whichever method of registration is used, if the original text is not in one of the following languages — English, Arabic, Chinese, French, Russian, Spanish — it shall also be accompanied by a translation into one of these languages.⁵

3. Amendment approved by the Council on 19 November 2003.

4. Amendment approved by the Council on 6 March 2020.

5. Amendments approved by the Council on 16 May 1974, 16 March 1977, 19 November 2003 and 6 March 2020.

3. The registering party shall also, at the same time or as soon as possible thereafter, notify the date of the coming into force of any such agreement or arrangement if it is not evident from the terms thereof and the method of entry into force (signature, ratification, approval, acceptance, exchange of letters, etc.).⁶

4. The registration of an aeronautical agreement made pursuant to Article 83 *bis* of the Chicago Convention shall include a one-page summary of the agreement (the agreement summary) and the confirmation of the other party thereto. When such registration is effected through the registration system, the agreement summary shall be created by the system; when it is effected by transmitting a true copy of the agreement, it shall include the agreement summary. If such summary is not in English, it shall be accompanied by an English translation.⁷

Article 9

The date of receipt by the Secretary General of ICAO shall be deemed to be the date of registration. Any aeronautical agreement or arrangement registered *ex officio* by ICAO pursuant to Article 7 of these Rules shall be deemed to be registered on the date on which such agreement or arrangement first came into force between two or more of the parties thereto. When the registration is effected through the registration system, the date of registration shall be indicated in the system.⁸

6. Amendment approved by the Council on 16 May 1974.

7. Addition of this paragraph was approved by the Council on 6 March 2020.

8. Amendment approved by the Council on 6 March 2020.

Article 10

A written confirmation of registration of any aeronautical agreement or arrangement shall be issued by ICAO to the registering party of any aeronautical agreement or arrangement and to any other party thereto.⁹

Article 11

A register shall be kept by the Secretary General of ICAO containing, in respect of each agreement or arrangement registered, a record of:

- a) the serial registration number assigned to it;
- b) the title of the agreement or arrangement and a summarized statement of its purpose or effect;
- c) the names of the parties thereto;
- d) the dates of signature; the date of ratification, acceptance, exchange of ratification, accession or adherence; and the date of entry into force;
- e) the duration;
- f) the language or languages used;
- g) the name of the party registering and the date of registration;
- h) a reference, where available, to the Contracting States' own electronic databases of agreements or arrangements.¹⁰

9. Amendments approved by the Council on 19 November 2003 and 6 March 2020.

10. Addition of this sub-paragraph was approved by the Council on 19 November 2003.

Article 12¹¹

1. The text of aeronautical agreements or arrangements concluded subsequent to 4 April 1947 and registered with ICAO, including the Article 83 *bis* agreement summaries, shall be made public immediately after such registration.¹²

2. The registration system may offer enhanced functionalities on a chargeable basis.¹³

3. If a party to an aeronautical agreement or arrangement registered with ICAO transmits to ICAO a decision or an advisory opinion thereon, rendered by a judicial or arbitral body or other person authorized or agreed by the parties to such agreement or arrangement, the Secretary General shall indicate that fact in the registration system.¹⁴

Article 13¹⁵

The Council may make revisions in these Rules from time to time.

— **END** —

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11. Deletion of former Article 12, paragraph 4 pertaining to the obtaining of agreements, arrangements, decisions or advisory opinions (added by the Council on 22 November 1965) was approved by the Council on 6 March 2020.
 12. Amendment approved by the Council on 6 March 2020.
 13. Deletion of former Article 12, paragraph 2, pertaining to the publication of a consolidated, cumulative list of all aeronautical agreements and arrangements registered with ICAO (amended by the Council on 25 November 1985 and 19 November 2003), and its replacement by the current paragraph 2, were approved by the Council on 6 March 2020.
 14. Addition of this paragraph was approved by the Council on 22 November 1965. It was amended by the Council on 19 November 2003 and 6 March 2020.
 15. Deletion of former Article 13 pertaining to the registration of aeronautical agreements and arrangements with the United Nations was approved by the Council on 25 November 1985.

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