CHAPTER XIX

PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION, SIGNED AT MONTREAL ON 24 FEBRUARY, 1988 SUPPLEMENTARY TO THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION, DONE AT MONTREAL ON 23 SEPTEMBER, 1971

(THE MONTREAL PROTOCOL, 1988)
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(The Montreal Protocol, 1988)

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;

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, 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.”

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

* Entered into force on 6 August, 1989.
As on 30 June, 2003 there were only 134 contracting States party to it.
India has ratified it on 22 March 1995.
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 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).

**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
followings 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 the 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.

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.