

Summaries of the multilateral treaties deposited with other depositaries

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 23 September 1971 (*)

The Convention deals with acts other than those covered by the Tokyo and The Hague Conventions. The Montreal Convention defines a wide spectrum of unlawful acts against the safety of civil aviation and the Contracting States have undertaken to make these offences punishable by severe penalties. The Convention contains detailed provisions on jurisdiction, custody, prosecution and extradition of the alleged offender similar to those of The Hague Convention. Like the Tokyo and The Hague Conventions, the Montreal Convention does not apply to aircraft used in military, customs or police services. This Convention attempts to establish a form of universal jurisdiction over the offender, as provided in Article 5(1) of the Convention. The scope of the Convention is primarily determined in terms of the "international element" provided in Article 1, sub-paragraphs 1(a), (b), (c), (d) and (e). The Convention applies, irrespective of whether the aircraft is engaged in international or domestic flight, only as provided in Article 4(2) of the Convention, namely, if:

- a. the place of take-off or landing, actual or intended, of the aircraft is situated outside the territory of the State of registration of the aircraft; or
- b. the offence is committed in the territory of a State other than the State of registration of the aircraft.

In the case of air navigation facilities mentioned in Article 1, sub-paragraph 1(d), the Convention applies only if the facilities destroyed, damaged, or interfered with are used in international air navigation.

(*) Summary courtesy of ICAO