



International Civil Aviation Organization

ELECTRONIC BULLETIN

For information only

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RESOLUTION ADOPTED AT THE 41ST SESSION OF THE ASSEMBLY

Resolution A41-2: Infractions of the Convention on International Civil Aviation by the Russian Federation

1. The 41st Session of the ICAO Assembly held in Montréal from 27 September to 7 October 2022 adopted Resolution A41-2: *Infractions of the Convention on International Civil Aviation by the Russian Federation*.
2. As instructed by the Assembly, the attention of all Contracting States is hereby drawn to this Resolution.
3. Resolution A41-2 is reproduced in **Attachment A**.

Issued under the authority of the Secretary General

RESOLUTION ADOPTED AT THE 41ST SESSION OF THE ASSEMBLY

Resolution A41-2: Infractions of the Convention on International Civil Aviation by the Russian Federation

Having considered the item concerning infractions of the *Convention on International Civil Aviation* by the Russian Federation;

Recalling that the United Nations General Assembly in adopting Resolution A/ES-11/L.1 on aggression against Ukraine reaffirmed its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine and deplored in the strongest terms the aggression by the Russian Federation against Ukraine in violation of the Charter of the United Nations;

Bearing in mind the provisions and principles of the *Convention on International Civil Aviation*, while the primary objective of ICAO continues to be that of ensuring the safety of international civil aviation worldwide;

Considering the paramount importance of preserving the safety of international civil aviation, and that once a Contracting State has registered an aircraft, a number of safety-related obligations fall upon it by virtue of the *Convention on International Civil Aviation* and its Annexes;

Noting that the ICAO Council, on 25 February 2022, expressed its condemnation of the violation of the territorial integrity and sovereignty of Ukraine, including its sovereign airspace, which is inconsistent with Article 1 of the *Convention on International Civil Aviation* and urged the Russian Federation to cease its unlawful activities, to ensure the safety and security of international civil aviation in all affected areas and to respect its obligations under the *Convention on International Civil Aviation*;

Noting that on 15 June 2022, ICAO confirmed a significant safety concern (SSC) that remained unresolved by the Russian Federation, and on 22 June 2022 the ICAO Council considered a working paper submitted by 19 ICAO Council Member States which, in addition to the infraction of Article 1 of the *Convention on International Civil Aviation*, outlined infractions of Articles 18, 19, 29 and 31 pertaining to the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, and that in this connection the Council called on the Russian Federation to immediately cease and urgently remedy its infractions of the *Convention on International Civil Aviation*;

Considering that the Russian Federation failed to take appropriate action within a reasonable time after notice of the infractions, despite strong condemnations by the Council and its calls for compliance with the *Convention on International Civil Aviation*;

Considering that the ICAO Council further decided to submit this matter to the 41st Session of the ICAO Assembly, in accordance with Article 54 k) of the *Convention on International Civil Aviation*;

The Assembly:

1. *Endorses* the decision of the ICAO Council that the violation of the territorial integrity and sovereignty of Ukraine by the Russian Federation, including its sovereign airspace, and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid

certificates of airworthiness constitute infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation*, conforming to its Article 54 k);

2. *Deplores* that, in disregard of the concerns and condemnations expressed by the ICAO Council, the Russian Federation has continued these infractions of Articles 1, 18, 19, 29 and 31 of the *Convention on International Civil Aviation*;

3. *Condemns* the Russian Federation for the violation of the sovereignty of the airspace of Ukraine and the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness, amounting to infractions of the *Convention on International Civil Aviation* and seriously threatening the safety and security of international civil aviation;

4. *Urgently calls* upon the Russian Federation to cease the actions leading to the infractions of the *Convention on International Civil Aviation* in order to comply strictly with the provisions of the *Convention on International Civil Aviation* and its Annexes;

5. *Urgently calls* upon the Russian Federation to resolve the issues related to the leased aircraft registered in other Contracting States that have been re-registered in the Russian Federation and to prevent the operation of those aircraft without valid certificates of airworthiness, so as to remedy the infractions of Articles 18, 19, 29 and 31 of the *Convention on International Civil Aviation*;

6. *Requests* the Council to remain seized of this matter and report back to the Assembly as appropriate; and

7. *Instructs* the Secretary General to immediately draw the attention of all Contracting States to this Resolution.

— END —