

**CONVENTION FOR THE UNIFICATION OF CERTAIN RULES
FOR INTERNATIONAL CARRIAGE BY AIR
DONE AT MONTREAL ON 28 MAY 1999**

Entry into force:	The Convention entered into force on 4 November 2003*.
Status:	97 parties.

State	Date of signature	Date of deposit of instrument of ratification, acceptance (A), approval (AA) or accession (a)	Date of entry into force
Albania		20/10/04 (a)	19/12/04
Argentina (22)		16/12/09 (a)	14/02/10
Armenia		16/04/10 (a)	15/06/10
Australia		25/11/08 (a)	24/01/09
Austria (10)		29/04/04 (a)	28/06/04
Bahamas	28/05/99		
Bahrain		02/02/01(a)	04/11/03
Bangladesh	28/05/99		
Barbados		02/01/02 (a)	04/11/03
Belgium (1)(15)	28/05/99	29/04/04	28/06/04
Belize	28/05/99	24/08/99	04/11/03
Benin	28/05/99	30/03/04	29/05/04
Bolivia	28/05/99		
Bosnia and Herzegovina		09/03/07 (a)	08/05/07
Botswana		28/03/01 (a)	04/11/03
Brazil	03/08/99	19/05/06	18/07/06
Bulgaria		10/11/03 (a)	09/01/04
Burkina Faso	28/05/99		
Cambodia	28/05/99		
Cameroon	27/09/01	05/09/03	04/11/03
Canada (6)	01/10/01	19/11/02	04/11/03
Cape Verde		23/08/04 (a)	22/10/04
Central African Republic	25/09/01		
Chile (21)	28/05/99	19/03/09	19/05/09
China (18)	28/05/99	01/06/05	31/07/05
Colombia	15/12/99	28/03/03	04/11/03
Cook Islands		22/05/07 (a)	21/07/07
Costa Rica	20/12/99		
Côte d'Ivoire	28/05/99		
Croatia		23/01/08 (a)	23/03/08
Cuba	28/05/99	14/10/05	13/12/05
Cyprus		20/11/02 (a)	04/11/03
Czech Republic (3)	28/05/99	16/11/00	04/11/03
Denmark (1)(11)	28/05/99	29/04/04	28/06/04
Dominican Republic	28/05/99	21/09/07	20/11/07
Ecuador		27/06/06 (a)	26/08/06
Egypt		24/02/05 (A)	25/04/05
El Salvador		07/11/07 (a)	06/01/08
Estonia	04/02/02	10/04/03	04/11/03
Finland (4)	09/12/99	29/04/04	28/06/04
France (1)	28/05/99	29/04/04	28/06/04
Gabon	28/05/99		
Gambia		10/03/04	09/05/04
Germany (1)(12)	28/05/99	29/04/04	28/06/04
Ghana	28/05/99		
Greece (1)	28/05/99	22/07/02	04/11/03
Hungary		08/11/04 (a)	07/01/05
Iceland	28/05/99	17/06/04	16/08/04

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India		01/05/09 (a)	30/06/09
Ireland (1)	16/08/00	29/04/04	28/06/04
Italy (1)	28/05/99	29/04/04	28/06/04
Jamaica	28/05/99	07/07/09	05/09/09
Japan (8)		20/06/00 (A)	04/11/03
Jordan	05/10/00	12/04/02	04/11/03
Kenya	28/05/99	07/01/02	04/11/03
Kuwait	28/05/99	11/06/02	04/11/03
Latvia		17/12/04 (A)	15/02/05
Lebanon		15/03/05 (a)	14/05/05
Lithuania (17)	28/05/99	30/11/04	29/01/05
Luxembourg (2)	29/02/00	29/04/04	28/06/04
Madagascar	28/05/99	28/12/06	26/02/07
Malaysia (20)		31/12/07 (a)	29/02/08
Maldives		31/10/05 (a)	30/12/05
Mali		16/01/08 (a)	16/03/08
Malta	28/05/99	05/05/04	04/07/04
Mauritius	28/05/99		
Mexico	28/05/99	20/11/00	04/11/03
Monaco	28/05/99	18/08/04	17/10/04
Mongolia		05/10/04 (a)	04/12/04
Montenegro (23)		15/01/10 (a)	16/03/10
Morocco		15/04/10 (a)	14/06/10
Mozambique	28/05/99		
Namibia	28/05/99	27/09/01	04/11/03
Netherlands (14)	30/12/99	29/04/04	28/06/04
New Zealand (5)	13/07/01	18/11/02	04/11/03
Niger	28/05/99		
Nigeria	28/05/99	10/05/02	04/11/03
Norway		29/04/04 (a)	28/06/04
Oman		28/05/07 (a)	27/07/07
Pakistan	28/05/99	19/12/06	17/02/07
Panama	28/05/99	13/09/02	04/11/03
Paraguay	17/03/00	29/03/01	04/11/03
Peru	07/09/99	11/04/02	04/11/03
Poland	28/05/99	17/01/06	18/03/06
Portugal (1)	28/05/99	28/02/03	04/11/03
Qatar (16)		15/11/04 (a)	14/01/05
Republic of Korea		30/10/07 (a)	29/12/07
Republic of Moldova		17/03/09 (a)	17/05/09
Romania	18/11/99	20/03/01	04/11/03
Saint Vincent and the Grenadines		29/03/04 (a)	28/05/04
Saudi Arabia	28/05/99	15/10/03	14/12/03
Senegal	28/05/99		
Serbia		03/02/10 (a)	04/04/10
Singapore (19)		17/09/07 (a)	16/11/07
Slovakia	28/05/99	11/10/00	04/11/03
Slovenia	28/05/99	27/03/02	04/11/03
South Africa	28/05/99	22/11/06	21/01/07
Spain (13)	14/01/00	29/04/04	28/06/04
Sudan	28/05/99		
Swaziland	28/05/99		

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Sweden (1)	27/08/99	29/04/04	28/06/04
Switzerland	28/05/99	07/07/05	05/09/05
Syrian Arab Republic		18/07/02 (a)	04/11/03
The former Yugoslav Republic of Macedonia		15/05/00 (a)	04/11/03
Togo	28/05/99		
Tonga		20/11/03 (a)	19/01/04
Turkey	28/05/99		
Ukraine		06/03/09 (a)	06/05/09
United Arab Emirates		07/07/00 (a)	04/11/03
United Kingdom (1)	28/05/99	29/04/04	28/06/04
United Republic of Tanzania		11/02/03 (a)	04/11/03
United States (7)	28/05/99	05/09/03	04/11/03
Uruguay	09/06/99	04/02/08	04/04/08
Vanuatu		09/11/05 (a)	08/01/06
Zambia	28/05/99		
Regional Economic Integration Organisations			
European Union (9)	09/12/99	29/04/04 (AA)	28/06/04

* As a result of the first review of limits of liability conducted by ICAO in accordance with Article 24, the rounded revised limits, effective as of 30 December 2009, in Special Drawing Rights (SDRs), are:

- 19 SDRs per kilogramme in the case of destruction, loss, damage or delay in relation to the carriage of cargo (Article 22, paragraph 3)
- 1 131 SDRs for each passenger in case of destruction, loss, damage or delay with respect to baggage (Article 22, paragraph 2)
- 4 694 SDRs for each passenger in relation to damage caused by delay in the carriage of persons (Article 22, paragraph 1)
- 113 100 SDRs for each passenger for damage sustained in case of death or bodily injury of a passenger (for the first tier) (Article 21, paragraph 1)

- (1) Upon signature of the Convention, this State, Member State of the European Community, declared that, “in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention”.
- (2) On 3 October 2000, ICAO received from Luxembourg the following declaration: “The Grand Duchy of Luxembourg, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention”.
- (3) Upon deposit of its instrument of ratification, the Czech Republic notified ICAO that “as a Member of the International Monetary Fund, [the Czech Republic] shall proceed in accordance with Article 23, paragraph 1 of the Convention”.
- (4) By a Note dated 13 July 2000, Finland transmitted a declaration dated 7 July 2000 signed by the Minister for Foreign Trade, setting forth the wording quoted in note (1) above.
- (5) Upon deposit of its instrument of accession (deemed to be an instrument of ratification), New Zealand declared “that this accession shall extend to Tokelau”.
- (6) At the time of ratification, Canada made the following declaration: “Canada declares, in accordance with Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air, done at

Montreal on 28 May 1999 and signed by Canada on 1 October 2001, that the Convention does not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Canada, the whole capacity of which has been reserved by or on behalf of such authorities [Article 57(b)].”

- (7) The instrument of ratification of the United States contains the following declaration:
“Pursuant to Article 57 of the Convention, the United States of America declares that the Convention shall not apply to international carriage by air performed and operated directly by the United States of America for non-commercial purposes in respect to the functions and duties of the United States of America as a sovereign State.”
- (8) By a Note dated 24 October 2003 signed by the Minister for Foreign Affairs, Japan informed ICAO “that, in accordance with Article 57(a) of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on 28 May 1999, the Government of Japan declares that this Convention shall not apply to international carriage by air performed and operated directly by the Government of Japan for non-commercial purposes in respect to its functions and duties as a sovereign State.”
- (9) On 9 February 2010, the Council of the European Union deposited with ICAO a note verbale referring to the entry into force, on 1 December 2009, of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, and stating: “As a consequence, as from 1 December 2009, the European Union has replaced and succeeded the European Community . . . and has exercised all rights and assumed all obligations of the European Community whilst continuing to exercise existing rights and assume obligations of the European Union.”

The note further states “that, as from 1 December 2009, the European Community has been replaced and succeeded by the European Union in respect of the Convention for the Unification of Certain Rules for International Carriage by Air for which the International Civil Aviation Organization is the depositary and to which the European Community, replaced from 1 December 2009 by the European Union, is a contracting party.”

The instrument of approval by the European Community deposited on 29 April 2004 contains the following declaration: “Declaration concerning the competence of the European Community with regard to matters governed by the Convention of 28 May 1999 for the unification of certain rules for international carriage by air (the Montreal Convention):

1. The Montreal Convention provides that Regional Economic Integration Organisations constituted by sovereign States of a given region, which have competence in respect of certain matters governed by this Convention, may become parties to it.
2. The current Member States of the European Community are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.
3. This declaration is not applicable to the territories of the Member States in which the Treaty establishing the European Community does not apply and is without prejudice to such acts or positions as may be adopted under the Convention by the Member States concerned on behalf of and in the interests of those territories.
4. In respect of matters covered by the Convention, the Member States of the European Community have transferred competence to the Community for liability for damage sustained in case of death or injury of passenger. The Member States have also transferred competence for liability for damage caused by delay and in the case of destruction, loss, damage or delay in the carriage of baggage. This includes requirements on passenger information and a minimum insurance requirement. Hence, in this field, it is for the Community to adopt the relevant rules and regulations (which the Member States enforce) and within its competence to enter into external undertakings with third States or competent organisations*.

5. The exercise of competence which the Member States have transferred to the Community pursuant to the EC Treaty is, by its nature, liable to continuous development. In the framework of the Treaty, the competent institutions may take decisions which determine the extent of the competence of the European Community. The European Community therefore reserves the right to amend the present declaration accordingly, without this constituting a prerequisite for the exercise of its competence with regard to matters governed by the Montreal Convention.

*Sources:

- 1) Council Regulation (EC) No 2027/97 of 9 October 1997 on air carrier liability in the event of accidents, Official Journal of the European Union, L 285, 17.10.1997, p. 1;
 - 2) Regulation (EC) No 889/2002 of the European Parliament and of the Council of 13 May 2002 amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents, Official Journal of the European Union, L 140, 30.05.2002, p. 2.”
- (10) The instrument of accession by Austria contains the following declaration:
“The Republic of Austria declares according to Article 57 of the Convention for the Unification of Certain Rules for International Carriage by Air of 28 May 1999 that this Convention shall not apply to:
a) international carriage by air performed and operated directly by the Republic of Austria for non-commercial purposes in respect to its functions and duties as a sovereign State;
b) the carriage of persons, cargo and baggage for the military authorities on aircraft registered in or leased by the Republic of Austria, the whole capacity of which has been reserved on behalf of such authorities.”
- (11) The instrument of ratification by Denmark contains a declaration that until later decision, the Convention will not be applied to the Faroe Islands.
- (12) The instrument of ratification by Germany was accompanied by the following declaration:
“In accordance with Article 57 of the Convention of for the Unification of Certain Rules for International Carriage by Air of 28 May 1999, the Federal Republic of Germany declares that the Convention shall not apply to international carriage by air performed and operated directly by the Federal Republic of Germany for non-commercial purposes in respect to its functions and duties as a sovereign State or to the carriage of persons, cargo and baggage for the military authorities of the Federal Republic of Germany on aircraft registered in or leased by the Federal Republic of Germany, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (13) The instrument of ratification by Spain contains the following declarations:
“The Kingdom of Spain, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention.”

“In accordance with the provisions of Article 57, the Convention shall not apply to:
a) international carriage by air performed and operated directly by Spain for non-commercial purposes in respect to its functions and duties as a sovereign State;
b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Spain, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (14) The instrument of ratification by the Kingdom of the Netherlands states that the ratification is for the Kingdom in Europe.

By a Note dated 29 April 2004 from the Ministry of Foreign Affairs, the Netherlands transmitted to ICAO the following declaration: “The Kingdom of the Netherlands, Member State of the European Community, declares that in accordance with the Treaty establishing the European Community, the Community has competence to take actions in certain matters governed by the Convention”.
- (15) By a Note dated 15 July 2004 from the Minister of Foreign Affairs, Belgium transmitted to ICAO the following declaration in accordance with Article 57:
“the Convention does not apply to:

- a) international carriage by air performed and operated directly by Belgium for non-commercial purposes in respect to its functions and duties as a sovereign State;
 - b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Belgium, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (16) In its instrument of accession, Qatar confirmed the application of the following declaration in accordance with Article 57:
“the Convention does not apply to:
- a) international carriage by air performed and operated directly by that State Party for non-commercial purposes in respect to its functions and duties as a sovereign State, and/or
 - b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by that State Party, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (17) The instrument of ratification by Lithuania contains the following declarations:
“. . . in accordance with Article 57 ..., the Seimas of the Republic of Lithuania declares that this Convention shall not apply to international carriage by air performed and operated directly by the Republic of Lithuania for non-commercial purposes in respect to its functions and duties as a sovereign State; and also shall not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by the Republic of Lithuania, the whole capacity of which has been reserved by or on behalf of such authorities.”

“. . . in accordance with the Treaty establishing the European Community, the Seimas of the Republic of Lithuania declares that the Community has competence to take actions in certain matters governed by the Convention.”
- (18) (A) The instrument of ratification by China contains the following declaration:
“The Convention does not apply in the Hong Kong Special Administrative Region of the People’s Republic of China until notified otherwise by the Government of the People’s Republic of China.”
(B) In addition, the Representative of China on the Council of ICAO made the following declaration at the time of deposit of the instrument of ratification:
“The Convention applies in the Macao Special Administrative Region of the People’s Republic of China.”
(C) By a letter dated 20 October 2006, the Representative of China on the Council of ICAO made the following statement on behalf of the Government of the People’s Republic of China (PRC):
“Article 153 of the Basic Law of the Hong Kong Special Administrative Region of the PRC provides that the application to the Hong Kong Special Administrative Region of the PRC of international agreements to which the PRC is or becomes a party shall be decided by the Central People’s Government in accordance with the circumstances and needs of the Region and after seeking the views of the Government of the Region.
In consultation with the Government of the Hong Kong Special Administrative Region, the Government of the PRC has decided to apply the Convention in the Hong Kong Special Administrative Region of the PRC from the date of December 15, 2006.”
- (19) The instrument of accession by Singapore contains the following declaration in accordance with Article 57:
“the Convention shall not apply to:
- a) international carriage by air performed and operated directly by the Republic of Singapore for non-commercial purposes in respect to its functions and duties as a sovereign State; and
 - b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by the Republic of Singapore, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (20) The instrument of accession by Malaysia is accompanied by the following reservation:
“Malaysia, in accordance with Article 57 (b) of the Montreal Convention, declares that the Convention shall not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Malaysia, the whole capacity of which has been reserved by or on behalf of such authorities.”
- (21) The instrument of ratification by Chile contains the following reservation in accordance with Article 57 (b):
“The Republic of Chile declares that the Convention shall not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by that State Party, the whole capacity of which has been reserved by or on behalf of such authorities.”

- (22) The instrument of accession by Argentina contains the following “interpretative declaration”: “For the Argentine Republic, the term ‘bodily injury’ in Article 17 of this treaty includes mental injury related to bodily injury, or any other mental injury which affects the passenger’s health in such a serious and harmful way that his or her ability to perform everyday tasks is significantly impaired.”
- (23) The instrument of accession by Montenegro contains the following reservation in accordance with Article 57: “this Convention shall not apply to:
 - a) international carriage by air performed and operated directly by Montenegro for non-commercial purposes in respect to its functions and duties as a sovereign State;
 - b) the carriage of persons, cargo and baggage for its military authorities on aircraft registered in or leased by Montenegro, the whole capacity of which has been reserved by or on behalf of such authorities.”