



**DIPLOMATIC CONFERENCE TO ADOPT A MOBILE EQUIPMENT
CONVENTION AND AN AIRCRAFT PROTOCOL**

(Cape Town, 29 October to 16 November 2001)

**PROPOSAL ON ARTICLE XVI OF THE PROTOCOL
AND ON A CONFERENCE RESOLUTION RELATING TO SUPERVISORY AUTHORITY
AND INTERNATIONAL REGISTRY MATTERS**

(Presented by the Members of the Informal Consultation Group: Brazil, Canada, China,
Egypt, France, India, Nigeria, Singapore, Switzerland and United States)

Article XVI

The Supervisory Authority and the Registrar

1.— The Supervisory Authority of the Registrar on Aircraft Objects shall be the international entity designated by a Resolution adopted by the Diplomatic Conference to Adopt a Mobile Equipment Convention and an Aircraft Protocol.

2.— Should the international entity referred to in paragraph 1 above not be available, a Conference of Signatory and Contracting States shall be convened to designate another Supervisory Authority.

3.— The Supervisory Authority may establish a commission of experts, from among persons nominated by Signatory and Contracting States and having the necessary qualifications and experience, and entrust it with the task to assist the Supervisory Authority in the discharge of its functions.

4.— (*former para. 2 unchanged*).

DRAFT RESOLUTION NO. 2

(to be included in the Final Act)

**RELATING TO THE ESTABLISHMENT OF THE SUPERVISORY AUTHORITY
AND THE INTERNATIONAL REGISTRY FOR AIRCRAFT OBJECTS**

THE CONFERENCE,

HAVING ADOPTED the *Convention on International Interests in Mobile Equipment* and the *Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment*;

HAVING REGARD to Article XVI paragraph 1 of the Protocol;

CONSCIOUS of the need to undertake preparatory work regarding the establishment of the International Registry in order to ensure that it is operational by the time the Convention and the Protocol enter into force;

CONSIDERING that the Council of the International Civil Aviation Organization (ICAO), following a recommendation made by the 31st Session of its Legal Committee, decided during its 161st Session to accept, in principle, the role of the Supervisory Authority of the International Registry for the purpose of the Protocol, and to defer further decisions on this matter until after the Diplomatic Conference;

RESOLVES:

TO INVITE ICAO to accept the functions of the Supervisory Authority upon the entry into force of the Convention and the Protocol;

TO INVITE ICAO to establish a Commission of Experts consisting of not more than 15 members appointed by the ICAO Council from among persons nominated by the Signatory and Contracting States to the Convention and to the Protocol, having the necessary qualifications and experience, with the task to assist the Supervisory Authority, upon the entry into force of the Convention and the Protocol;

TO SET UP, pending the entry into force of the Convention and Protocol, a Preparatory Commission to act as Provisional Supervisory Authority for the establishment of the International Registry, under the guidance and supervision of the ICAO Council. Such Preparatory Commission shall be composed of persons, having the necessary qualifications and experience, nominated by the following States: *(insert names of States)*

TO DIRECT the Preparatory Commission to carry out, under the guidance and supervision of the ICAO Council, the following functions:

- (1) to ensure that the International Registry be set up, in accordance with an objective, transparent and fair selection process, and that it become ready to be operated with a target date of one year from the adoption of the Convention and the Protocol, and at the latest by the time of the entry into force of the Convention and the Protocol;
- (2) to ensure the necessary liaison and coordination with the private industry which will be users of the International Registry; and
- (3) to work on such other matters relating to the International Registry as may be required with a view to ensuring the establishment of the International Registry.

TO URGE the States participating in the Conference and interested private parties to make available, at the earliest possible time, the necessary start-up funding on a voluntary basis for the tasks of the Preparatory Commission and of ICAO, required under the two preceding resolving clauses, and to entrust ICAO with the task to administer such funds.

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