

# **MODEL INSTRUMENTS OF RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION FOR THE ASSISTANCE OF STATES IN THE IMPLEMENTATION OF THE CAPE TOWN CONVENTION AND AIRCRAFT PROTOCOL**

## **1. BACKGROUND**

This paper has been prepared by the UNIDROIT Secretariat and sets out model instruments of ratification, acceptance, approval and accession for the assistance of States that are contemplating becoming Contracting States under the *Convention on International Interests in Mobile Equipment* (the Convention) and the *Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment* (the Aircraft Protocol). This paper can be read in conjunction with the explanatory memorandum on the system of declaration that has been prepared by the UNIDROIT Secretariat to assist in the preparation of declarations under the Convention and Protocol.

## 2. MODEL INSTRUMENTS OF RATIFICATION/ACCEPTANCE/APPROVAL

### (i) Convention

**MODEL INSTRUMENT OF [RATIFICATION]  
[ACCEPTANCE] [APPROVAL] *(delete the inapplicable options)*  
BY .... *(insert the name of the State)***

*WHEREAS* the Convention on International Interests in Mobile Equipment (hereinafter referred to as “the Convention”) was concluded in Cape Town on 16 November 2001;

*WHEREAS* the Convention was signed on behalf of .... *(insert the name of the State)* on .... *(insert the date of signature)*;

*AND WHEREAS* Article 47(2) of the Convention specifies that the latter is subject to ratification, acceptance or approval by States which have signed it;

*NOW THEREFORE*, .... *(insert the name of the State)*, having considered the Convention, hereby [RATIFIES] [ACCEPTS] [APPROVES] *(delete the inapplicable options)* it, and undertakes faithfully to abide by all the provisions contained therein.

*IN WITNESS THEREOF*, I have signed this Instrument of [Ratification] [Acceptance] [Approval] *(delete the inapplicable options)* and affixed hereunto the Seal of .... *(insert the name of the State)*.

Date

(Signature by Head of State,  
Head of Government or  
Minister of Foreign Affairs)

Seal

**(ii) Protocol**

**MODEL INSTRUMENT OF [RATIFICATION]  
[ACCEPTANCE] [APPROVAL] *(delete the inapplicable options)*  
BY .... *(insert the name of the State)***

*WHEREAS* the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment (hereinafter referred to as “the Aircraft Protocol”) was concluded in Cape Town on 16 November 2001;

*WHEREAS* the Aircraft Protocol was signed on behalf of .... *(insert the name of the State)* on .... *(insert the date of signature)*;

*AND WHEREAS* Article XXVI(2) of the Aircraft Protocol specifies that the latter is subject to ratification, acceptance or approval by States which have signed it;

*NOW THEREFORE*, .... *(insert the name of the State)*, having considered the Aircraft Protocol, hereby [RATIFIES] [ACCEPTS] [APPROVES] *(delete the inapplicable options)* it, and undertakes faithfully to abide by all the provisions contained therein.

*IN WITNESS THEREOF*, I have signed this Instrument of [Ratification] [Acceptance] [Approval] *(delete the inapplicable options)* and affixed hereunto the Seal of .... *(insert the name of the State)*.

Date

(Signature by Head of State,  
Head of Government or  
Minister of Foreign Affairs)

Seal

### 3. MODEL INSTRUMENT OF ACCESSION

#### (i) Convention

#### MODEL INSTRUMENT OF ACCESSION

**BY ....** (*insert the name of the State*)

*WHEREAS* the Convention on International Interests in Mobile Equipment (hereinafter referred to as “the Convention”) was concluded in Cape Town on 16 November 2001;

*AND WHEREAS* Article 47(3) of the Convention specifies that any State which does not sign the Convention may accede to it at any time;

*NOW THEREFORE, ....* (*insert the name of the State*), having considered the Convention, hereby *ACCEDES* to it, and undertakes faithfully to abide by all the provisions contained therein.

*IN WITNESS THEREOF*, I have signed this Instrument of Accession and affixed hereunto the Seal of .... (*insert the name of the State*).

Date

(Signature by Head of State,  
Head of Government or  
Minister of Foreign Affairs)

Seal

**(ii) Protocol**

**MODEL INSTRUMENT OF ACCESSION**

**BY ....** (*insert the name of the State*)

*WHEREAS* the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment (hereinafter referred to as “the Aircraft Protocol”) was concluded in Cape Town on 16 November 2001;

*AND WHEREAS* Article XXVI(3) of the Aircraft Protocol specifies that any State which does not sign the Aircraft Protocol may accede to it at any time;

*NOW THEREFORE, ....* (*insert the name of the State*), having considered the Aircraft Protocol, hereby *ACCEDES* to it, and undertakes faithfully to abide by all the provisions contained therein.

*IN WITNESS THEREOF*, I have signed this Instrument of Accession and affixed hereunto the Seal of .... (*insert the name of the State*).

Date

(Signature by Head of State,  
Head of Government or  
Minister of Foreign Affairs)

Seal