



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

**Convention on International Interests in
Mobile Equipment**

**Protocol to the Convention on
International Interests in Mobile
Equipment on Matters Specific to
Aircraft Equipment**

UNIDROIT 2023
DC9/DEP – Doc. 14
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December 2023

DEPOSITARY REPORT

1 January 2020 – 31 December 2022

Introduction

1. 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) were both opened for signature on 16 November 2001 at the conclusion of a diplomatic Conference held under the joint auspices of the International Institute for the Unification of Private Law (UNIDROIT) and the International Civil Aviation Organization (ICAO). Both the Convention as applied to aircraft objects, and the Aircraft Protocol, entered into force on 1 March 2006.

2. This report has been prepared by UNIDROIT, in its capacity as Depositary of the Convention and Aircraft Protocol, pursuant to Article 61(1) of the Convention¹ and Article XXXVI(1) of the Aircraft Protocol.² It takes into account the sixth Report of the Supervisory Authority concerning the functioning of the international registry system for the same reporting period prepared pursuant to Article 17(2)(j) of the Convention and transmitted by ICAO to UNIDROIT in October 2023. UNIDROIT invited the Governments of Contracting States to make comments as to the manner in which the international regime established by the Convention and Aircraft Protocol had operated in practice in its jurisdiction during the period to be covered by the Report.

The Reporting Period

3. This report covers both the Convention and Aircraft Protocol for the period 1 January 2020 to 31 December 2022 (the Reporting Period). For the previous reports, see the UNIDROIT website at the following pages: <https://www.unidroit.org/instruments/security-interests/cape-town-convention/depositary/> and <https://www.unidroit.org/instruments/security-interests/aircraft-protocol/depositary/>

Depositary Activity during the Reporting Period

4. At the commencement of the Reporting Period, the Convention had 79 Contracting States (plus one Regional Economic Integration Organisation), and the Aircraft Protocol had 76 Contracting States (plus one Regional Economic Integration Organisation).

5. Four (4) States deposited their instruments of accession/ratification to the Convention during the Reporting Period, bringing the total number of Contracting States as at the end of the Reporting Period to eighty-three (83). Four (4) States deposited their instruments of accession/ratification to the Aircraft Protocol during the Reporting Period, bringing the total number of Contracting States as at the end of the Reporting Period to eighty (80).

6. During the Reporting Period, Latvia and Kuwait deposited subsequent declarations to the Cape Town Convention and to the Aircraft Protocol.

7. Pursuant to Article 60(2)(c) of the Convention and Article XXXVII(2)(c) of the Aircraft Protocol, UNIDROIT provides the Supervisory Authority with a copy of each instrument of ratification/accession, each declaration or withdrawal or amendment of a declaration and of each notification of denunciation, and designations of entry points.

¹ Article 61(1) of the Convention provides: "The Depositary shall prepare reports yearly or at such other times as the circumstances may require for the States Parties as to the manner in which the international regimen established in this Convention has operated in practice. In preparing such reports, the Depositary shall take into account the reports of the Supervisory Authority concerning the functioning of the international registration system."

² Article XXXVI(1) of the Aircraft Protocol provides: "The Depositary, in consultation with the Supervisory Authority, shall prepare reports yearly, or at such other times as the circumstances may require, for the States Parties as to the manner in which the international regimen established in this Convention as amended by this Protocol has operated in practice. In preparing such reports, the Depositary shall take into account the reports of the Supervisory Authority concerning the functioning of the international registration system."

8. Appendix 1 shows the status of the Convention and Aircraft Protocol *as at the end of the Reporting Period*, including details of all signatures, ratifications, accessions, declarations, and dates of entry into force³.

9. Pursuant to Article 79 of the 1969 Vienna Convention on the Law of Treaties, UNIDROIT made the requested correction in the Arabic authentic version of the Aircraft Protocol. It circulated the procès-verbal of rectification to all interested States by Notes Verbales (DC9DEP/687 dated 18 June 2021)⁴ and notified the Secretariat of the United Nations.

10. UNIDROIT officials participated in conferences and meetings in order to discuss legal issues concerning the Cape Town Convention and its Aircraft Protocol so as to gather feedback on the ratification procedures and/or implementation of the instruments in February 2020 (Malaysia), September 2020 (India), November 2020 (Seoul), April 2021 (Madrid), November 2021 (Indonesia), December 2021 (Seoul), October 2022 (Rome), November 2022 (Manila, Hong Kong) December 2022 (Viet Nam). In 2022, UNIDROIT participated in several meetings of an inter-ministerial working group coordinated by the Italian Ministry of Foreign Affairs to provide expertise on the ratification of the Cape Town Convention and its Aircraft Protocol, as well as in a parliamentary audition concerning the economic and legal implications of the ratification of the Convention and the Aircraft Protocol by Italy. The Cape Town Convention and its Aircraft protocol were also presented as part of a Legal Information and Management Series event organised by the Legal Department of the Asian Infrastructure Development Bank (AIIB) in January 2022.

11. UNIDROIT was also represented in the ninth, tenth and eleventh conferences organised by the *Cape Town Convention Academic Project* (CTCAP) on 10 and 11 September 2020 in Rome, on 29 and 30 September 2021 and on 13 and 14 September 2022 in Cambridge⁵. The CTCAP provides for academic study and assessment of the Cape Town Convention, seeking to advance the understanding and effective implementation of, and compliance with, the treaty. Since 2019, the CTCAP is a joint endeavour of UNIDROIT and the University of Cambridge Faculty of Law, with AWG as founding sponsor. It launched a new website in April 2020: <http://ctcap.org/>⁶.

12. The CTCAP is strengthened by the inclusion of related joint projects for (1) economic assessment of international commercial law reform (6th Workshop held in Rome on 8 September 2020⁷), and (2) best practices in the design and operation of electronic registries (BPER) (4th Workshop held in Rome on 9 September 2020, 5th Workshop held in Cambridge on 28 September 2021⁸, and 6th Workshop held in Cambridge on 12 September 2022)⁹. In 2021, the BPER Project published the Best Practices Guide for Electronic Collateral Registries¹⁰. In 2022, the Cape Town Convention Academic Project (CTCAP) created the Cape Town Convention (CTC) international moot court programme (CTC moot court) whose purpose is to familiarise students and judges with the CTC in the context of complex hypothetical fact patterns and to provide students with educational exercises involving these instruments in a simulated judicial setting.

Operation of the Convention and Aircraft Protocol in practice during the Reporting Period

13. By Note Verbale, the Depositary advised Contracting States to the Convention and the Aircraft Protocol that it would be grateful to receive from them information and comments as to the manner

³ Also available on the UNIDROIT website at <https://www.unidroit.org/instruments/security-interests/cape-town-convention/states-parties/> (Convention) and <https://www.unidroit.org/instruments/security-interests/aircraft-protocol/states-parties/> (Aircraft Protocol).

⁴ See also on the UNIDROIT website at <https://www.unidroit.org/wp-content/uploads/2021/09/proces-verbal-210608.pdf>

⁵ See the summaries of such conferences on the website of the Cape Town Academic Project at <http://www.ctcap.org> and on the UNIDROIT Annual Reports at <https://www.unidroit.org/about-unidroit/overview/annual-reports-on-the-activity-of-unidroit/>

⁶ See also <https://www.unidroit.org/new-website-for-the-cape-town-convention-academic-project/>

⁷ See also <https://www.unidroit.org/6th-workshop-for-the-economic-assessment-of-international-commercial-law-reform-project-held-in-rome-and-on-zoom/>

⁸ See also <https://www.unidroit.org/5th-workshop-on-best-practices-in-the-field-of-electronic-registry-design-and-operation-held-in-cambridge/>

⁹ See also <https://www.unidroit.org/6th-workshop-on-best-practices-in-the-field-of-electronic-registry-design-and-operation-held-in-cambridge/>

¹⁰ See <https://ctcap.org/wp-content/uploads/2021/09/BPER-Guide-9-September-Web-Copy.pdf>

in which the international regime established by the Convention and Aircraft Protocol had operated in practice. The Governments of Argentina, Latvia, Moldova, Mongolia, Sweden and Türkiye provided information relating to the Reporting Period, which are set out in Appendix 2.

14. For documents associated with judicial actions during the Reporting Period, see the website of the Cape Town Academic Project at <http://www.ctcap.org> (Repository).

Review Conferences

15. Article 61(2) of the Convention and Article XXXVI(2) of the Aircraft Protocol provide for the convening of Review Conferences at the request of not less than twenty-five percent of the States Parties. During the Reporting Period the Depositary received no requests for the convening of a Review Conference pursuant to Article 61(2) of the Convention and Article XXXVI(2) of the Aircraft Protocol.

APPENDIX 1

CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT
CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES
PORTANT SUR DES MATÉRIELS D'ÉQUIPEMENT MOBILES

as at 31 December 2022 / au 31 décembre 2022

Adoption: Place: Cape Town / *Lieu: Le Cap*
Date: 16.11.2001

Entry into force / Entrée en vigueur: 01.03.2006 (Art. 49(1))

STATE / ETAT	SIGNATURE	RATIFICATION (RT)		DECLARATIONS (Art.)	ENTRY INTO FORCE / ENTREE EN VIGUEUR
		ACCEPTANCE / ACCEPTATION (AC)	APPROVAL / APPROBATION (AP)		
Afghanistan			25.07.2006 (AS)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.11.2006
Albania / <i>Albanie</i>			30.10.2007 (AS)	39(1)(a)-(b), 54(2)	01.02.2008
Angola			30.04.2006 (AS)	39(1)(a), 40, 54(2)	01.08.2006
Argentina / <i>Argentine</i>			10.04.2018 (AS)	39(1)(a)-(b), 39(4), 53, 54(2)	01.08.2018
Australia / <i>Australie</i>			26.05.2015 (AS)	39(1)(a), 52, 54(2), 55	01.09.2015
Bahrain / <i>Bahreïn</i>			27.11.2012 (AS)	39(1)(a)-(b), 40, 54(2)	01.03.2013
Bangladesh			15.12.2008 (AS)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.04.2009
Belarus / <i>Bélarus</i>			28.06.2011 (AS)	54(2)	01.01.2012
Bhutan / <i>Bhoutan</i>			04.07.2014 (AS)	39(1)(a), 54(2)	01.11.2014
Brazil / <i>Brésil</i>			30.11.2011 (AS)	39(1)(a)-(b), 39(4), 53, 54(2)	01.03.2012
Burkina Faso			12.12.2014 (AS)	54(2)	01.01.2018
Burundi	16.11.2001				
Cameroon / <i>Cameroun</i>			19.04.2011 (AS)	39(1)(a), 40, 52, 53, 54(2)	01.08.2011
Canada	31.03.2004		21.12.2012 (RT)	39(1)(a)-(b), 39(4), 52*, 53*, 54(2), 60	
Alberta					01.04.2013
British Columbia / <i>Colombie-Britannique</i>					01.04.2013
Manitoba					01.04.2013
New Brunswick / <i>Nouveau-Brunswick</i>					01.07.2016
Newfoundland and Labrador / <i>Terre-Neuve-et-Labrador</i>					01.04.2013
Northwest Territories / <i>Territoires du Nord-Ouest</i>					01.04.2013
Nova Scotia / <i>Nouvelle-Écosse</i>					01.04.2013
Nunavut					01.04.2013
Ontario					01.04.2013

Prince Edward Island / <i>Ile-du-Prince-Edouard</i>				01.10.2014
Quebec / <i>Québec</i>				01.04.2013
Saskatchewan				01.04.2013
Yukon				01.10.2014
Cape Verde / <i>Cap-Vert</i>		26.09.2007 (AS)	39(1)(a), 40, 53, 54(2)	01.01.2008
Chile / <i>Chili</i>	16.11.2001			
China / <i>Chine</i>	16.11.2001	03.02.2009 (RT)	39(1)(a)-(b), 39(4), 40, 50, 53, 54(1), 54(2), 55	01.06.2009
Colombia / <i>Colombie</i>		19.02.2007 (AS)	39(1)(a), 54(2)	01.06.2007
Congo	16.11.2001	25.01.2013 (AC)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.05.2013
Costa Rica		26.08.2011 (AS)	53, 54(2)	01.12.2018
Côte d'Ivoire		09.02.2015 (AS)	39(1)(a)*, 40*, 52*, 53*, 54(2)*	01.07.2016
Cuba	16.11.2001	28.01.2009 (RT)	54(2)	01.05.2009
Democratic Republic of the Congo / <i>République démocratique du Congo</i>		06.05.2016 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.09.2016
Denmark / <i>Danemark</i>		26.10.2015 (AS)	39(1)(a)-(b), 40, 52, 54(2), 55	01.02.2016
Egypt / <i>Egypte</i>		10.12.2014 (AS)	39(1)(a)*, 53* 54(2)*	01.04.2015
Eswatini		17.11.2016 (AS)	54(2)	01.09.2017
Ethiopia / <i>Ethiopie</i>	16.11.2001	21.11.2003 (RT)	39(1)(a), 40, 54(2)	01.03.2006
Fiji / <i>Fidji</i>		05.09.2011 (AS)	54(2)*	01.09.2012
France	16.11.2001			
Gabon		16.04.2010 (AS)	54(2)	01.08.2017
Germany / <i>Allemagne</i>	17.09.2002 with decl.			
Ghana	16.11.2001	20.12.2018 (RT)	39(1)(a)-(b), 53, 54(2), 60(1)	01.04.2019
Iceland / <i>Islande</i>		23.06. 2020 (AS)	39(1)(a)-(b), 40,53, 54(2), 55	01.10.2020
India / <i>Inde</i>		31.03.2008 (AS)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.07.2008
Indonesia / <i>Indonésie</i>		16.03.2007 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.07.2007
Ireland / <i>Irlande</i>		29.07.2005 (AS)	39(1)(a)-(b), 54(2)	01.03.2006
Italy / <i>Italie</i>	06.12.2001			
Jamaica / <i>Jamaïque</i>	16.11.2001			
Jordan / <i>Jordanie</i>	16.11.2001	31.08.2010 (RT)	39(1)(a), 54(2)	01.12.2010

Kazakhstan		21.01.2009 (AS)	39(1)(a)*-(b)* 39(4)*, 40*, 53*, 54(2)*	01.10.2011
Kenya	16.11.2001	13.10.2006 (RT)	39(1)(a)*-(b), 40, 53, 54(2)	01.02.2007
Kuwait / Koweït		31.10.2013 (AS)	54(2)	01.02.2014
Kyrgyzstan / Kirghizistan		13.05.2021 (AS)	39(1)(a)-(b), 39(4), 40, 53, 54(2)	01.09.2021
Latvia / Lettonie		08.02.2011 (AS)	39(1)(a)*, 40*, 54(2)	01.06.2011
Lesotho	16.11.2001			
Luxembourg		27.06.2008 (AS)	53, 54(2)	01.10.2008
Madagascar		10.04.2013 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.08.2013
Malawi		16.01.2014 (AC)	39(1)(a)-(b), 40, 53, 54(2)	01.05.2014
Malaysia / Malaisie		02.11.2005 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.03.2006
Malta / Malte ²		01.10.2010 (AS)	39(1)(a), 39(4), 40, 53, 54(2)	01.02.2011
Mexico / Mexique		31.07.2007 (AS)	39(1)(a)-(b), 50, 53, 54(2), 60	01.11.2007
Mongolia / Mongolie		19.10.2006 (AS)	39(1)(a)-(b), 53, 54(2)	01.02.2007
Mozambique		30.01.2012 (AS)	39(1)(a), 40, 54(2)	01.11.2013
Myanmar		03.12.2012 (AS)	39(1)(a), 40, 52, 53, 54(2)	01.04.2013
Namibia / Namibie		23.07.2018 (AS)	39(1)(a)-(b), 39(4), 54(2), 55	01.11.2018
Netherlands/ Pays-Bas ³		17.05.2010 (AS)	39(1)(a)-(b), 52, 53, 54(2)	
Caribbean part / partie caraïbe				10.10.2010
Aruba				01.09.2010
Curaçao				10.10.2010
Sint Maarten				10.10.2010
New Zealand / Nouvelle-Zélande		20.07.2010 (AS)	39(1)(a), 52, 53, 54(2), 55	01.11.2010
Niger		17.11.2022 (AS)	54(2)	01.03.2023
Nigeria / Nigéria	16.11.2001	16.12.2003 (RT)	39(1)(a)*, 40*, 53*, 54(2)*	01.03.2006
Norway / Norvège		20.12.2010 (AS)	39(1)(a)-(b), 40, 54(2), 55	01.04.2011
Oman		21.03.2005 (AS)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.03.2006
Pakistan		22.01.2004 (AS)	39(1)(a)-(b), 39(4), 40, 52, 53, 54(2)	01.03.2006
Panama	11.09.2002	28.07.2003 (RT)	39(1)(a)-(b), 39(4), 50, 53, 54(2)	01.03.2006

Paraguay		19.12.2018 (AS)	39(1)(a)-(b), 39(4), 53, 54(2)	01.04.2019
Qatar		08.01.2020 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.05.2020
Republic of Moldova / <i>République de Moldova</i>		26.06.2015 (AS)	54(2)	01.06.2019
Romania / <i>Roumanie</i>		30.03.2018 (AS)	39(1)(b), 54(2)	01.07.2018
Russian Federation / <i>Fédération de Russie</i>		25.05.2011 (AS)	39(1)(a)-(b), 53, 54(2)	01.09.2011
Rwanda		28.01.2010 (AS)	39(1)(a), 40, 52, 53, 54(2)	01.05.2010
San Marino / <i>Saint-Marin</i>		09.09.2014 (AS)	39(1)(a)-(b), 39(4), 40, 53, 54(2)	01.01.2015
Saudi Arabia / <i>Arabie saoudite</i>	12.03.2003	27.06.2008 (RT)	54(2)	01.10.2008
Senegal / <i>Sénégal</i>	02.04.2002	09.01.2006 (RT)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.05.2006
Seychelles		13.09.2010 (AS)		- 1
Sierra Leone		26.07.2016 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.11.2016
Singapore / <i>Singapour</i>		28.01.2009 (AS)	39(1)(a)-(b), 39(4), 53, 54(2)	01.05.2009
South Africa / <i>Afrique du sud</i>	16.11.2001	18.01.2007 (RT)	39(1)(a)-(b), 40, 54(2)	01.05.2007
Spain / <i>Espagne</i>		28.06.2013 (AS)	39(1)(a)-(b) *, 40*, 52, 53*, 54(2)	01.03.2016
Sudan / <i>Soudan</i>	16.11.2001			
Sweden / <i>Suède</i>		30.12.2015 (AS)	39(1)(a)-(b), 39(4), 40, 54(2)	01.04.2016
Switzerland / <i>Suisse</i>	16.11.2001 <i>ad referendum</i>			
Syrian Arab Republic / <i>République arabe syrienne</i>		07.08.2007 (AS)		- 1
Tajikistan / <i>Tadjikistan</i>		31.05.2011 (AS)	54(2)	01.09.2011
Togo		27.01.2010 (AS)	39(1)(a)*, 39(1)(b)*, 40*, 53*, 54(2)*	01.04.2012
Tonga	16.11.2001			
Turkey / <i>Turquie</i>	16.11.2001	23.08.2011 (RT)	39(1)(a)-(b), 40, 50, 54(2)	01.12.2011
Ukraine	09.03.2004	31.07.2012 (RT)	50, 53, 54(2)	01.11.2012
United Arab Emirates / <i>Émirats arabes unis</i>		29.04.2008 (AS)	39(1)(a)-(b), 40, 52, 53, 54(2)	01.08.2008
United Kingdom of Great Britain and Northern Ireland / <i>Royaume-Uni de Grande-Bretagne et d'Irlande du Nord</i>	16.11.2001 with decl.	27.07.2015 (RT)	39(1)(a)*-(b)*, 39(4)*, 52*, 53*, 54(2)*	

Bermuda				01.01.2018
Cayman Islands / <i>Iles Cayman</i>				01.11.2015
Gibraltar				01.11.2015
Island of Guernsey / <i>Ile de Guernesey</i>				01.11.2015
Isle of Man / <i>Ile de Man</i>				01.01.2018
United Republic of Tanzania / <i>République-Unie de Tanzanie</i>	16.11.2001	30.01.2009 (RT)	54(2)	01.05.2009
United States of America / <i>Etats-Unis d'Amérique</i>	09.05.2003	28.10.2004 (RT)	39(1)(a)-(b), 54(2)	01.03.2006
Uzbekistan / <i>Ouzbékistan</i>		31.01.2018 (AS)	53, 54(2)	01.05.2018
Viet Nam		17.09.2014 (AS)	39(1)(a)-(b), 40, 53, 54(2)	01.01.2015
Zambia / <i>Zambie</i>		07.09.2020 (AS)	39(1)(a)-(b), 54(2)	01.01.2021
Zimbabwe		13.05.2008 (AS)		- 1

REGIONAL ECONOMIC INTEGRATION ORGANISATIONS / ORGANISATIONS D'INTÉGRATION ÉCONOMIQUE RÉGIONALE	SIGNATURE	RATIFICATION (RT) ACCEPTANCE / ACCEPTATION (AC) APPROVAL / APPROBATION (AP) ACCESSION / ADHESION (AS)	DECLARATIONS (Art.)	ENTRY INTO FORCE / ENTREE EN VIGUEUR
European Union / <i>Union européenne</i> ⁴	<i>Union</i>	28.04.2009 (AS)	48(2), 55	01.08.2009

¹ Entry into force subject to / *sous réserve de*: Convention Article 49(2)

² This State has provided UNIDROIT with information about its laws and policies in relation to the Convention / *Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de la législation et des politiques applicables aux matières couvertes par la Convention*
See / voir <https://www.unidroit.org/instruments/security-interests/cape-town-convention/national-information/>

³ Accession of the Netherlands was for the Netherlands Antilles and Aruba (only). The accession became effective on 1 September 2010. Following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the declarations made for the Netherlands Antilles were confirmed for Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), effective from 10 October 2010. The declarations made for Aruba remain valid as from 1 September 2010. / *L'adhésion des Pays-Bas concernait (seulement) les Antilles néerlandaises et Aruba. L'adhésion a pris effet le 1er septembre 2010. Suite à une modification des relations constitutionnelles intérieures du Royaume des Pays-Bas, les déclarations faites pour les Antilles néerlandaises ont été confirmées pour Curaçao, Saint-Martin et la partie caribéenne des Pays-Bas (les îles de Bonaire, de Saint-Eustache et de Saba), à compter du 10 octobre 2010. Les déclarations faites pour Aruba restent valides au 1er septembre 2010.*

⁴ Regional Economic Integration Organisation / *Organisation régionale d'intégration économique*: Convention Article 48

* Affected by withdrawal and/or subsequent declaration. / *Fait l'objet d'un retrait et/ou d'une déclaration subséquente*

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT
ON MATTERS SPECIFIC TO AIRCRAFT EQUIPMENT
PROTOCOLE PORTANT SUR LES QUESTIONS SPÉCIFIQUES AUX MATÉRIELS D'ÉQUIPEMENT
AÉRONAUTIQUES À LA CONVENTION RELATIVE AUX GARANTIES INTERNATIONALES
PORTANT SUR DES MATÉRIELS D'ÉQUIPEMENT MOBILES**

as at 31 December 2022 / au 31 décembre 2022

Adoption: Place: Cape Town / *Lieu: Le Cap*
Date: 16-11-2001

Entry into force: 01.03.2006 (Art. XXVIII(1))
Entrée en vigueur:

STATE / ETAT	SIGNATURE	RATIFICATION (RT)			DECLARATIONS (art.)	ENTRY INTO FORCE / ENTREE EN VIGUEUR
		ACCEPTANCE / ACCEPTATION (AC)	APPROVAL / APPROBATION (AP)	ACCESSION / ADHESION (AS)		
Afghanistan				25.07.2006 (AS)	XXIX, XXX(1),(2),(3)	01.11.2006
Albania / <i>Albanie</i>				30.10.2007 (AS)	XIX, XXX(1)	01.02.2008
Angola				30.04.2006 (AS)	XXX(1),(2),(3)	01.08.2006
Argentina / <i>Argentine</i>				10.01.2018 (AS)	XIX, XXX(1),(2),(3)	01.08.2018
Australia / <i>Australie</i>				26.05.2015 (AS)	XXX(1),(3)	01.09.2015
Bahrain / <i>Bahreïn</i>				27.11.2012 (AS)	XXX(1),(2),(3) *	01.03.2013
Bangladesh				15.12.2008 (AS)	XXIX, XXX(1),(2),(3)	01.04.2009
Belarus / <i>Bélarus</i>				27.09.2011 (AS)		01.01.2012
Bhutan / <i>Bhoutan</i>				04.07.2014 (AS)		01.11.2014
Brazil / <i>Brésil</i>				30.11.2011 (AS)	XIX, XXX(1),(2),(3)	01.03.2012
Burkina Faso				08.09.2017 (AS)		01.01.2018
Burundi	16.11.2001					
Cameroon / <i>Cameroun</i>				19.04.2011 (AS)		01.08.2011
Canada	31.03.2004			21.12.2012 (RT)	XXIX *, XXX(1),(2),(3)	
Alberta						01.04.2013
British Columbia / <i>Colombie-Britannique</i>						01.04.2013
Manitoba						01.04.2013
New Brunswick / <i>Nouveau-Brunswick</i>						01.07.2016
Newfoundland and Labrador / <i>Terre-Neuve-et-Labrador</i>						01.04.2013
Northwest Territories / <i>Territoires du Nord-Ouest</i>						01.04.2013
Nova Scotia / <i>Nouvelle-Écosse</i>						01.04.2013
Nunavut						01.04.2013
Ontario						01.04.2013
Prince Edward Island / <i>Ile-du-Prince-Edouard</i>						01.10.2014
Quebec / <i>Québec</i>						01.04.2013
Saskatchewan						01.04.2013
Yukon						01.10.2014

Cape Verde / <i>Cap-Vert</i>		26.09.2007 (AS)	XXX(1),(2),(3)	01.01.2008
Chile / <i>Chili</i>	16.11.2001			
China / <i>Chine</i>	16.11.2001	03.02.2009 (RT)	XIX, XXIX, XXX(1),(2),(3)	01.06.2009
Colombia / <i>Colombie</i>		19.02.2007 (AS)	XXX(1),(2),(3)	01.06.2007
Congo	16.11.2001	13.03.2013 (AC)		01.05.2013
Costa Rica		08.08.2018 (AS)		01.12.2018
Côte d'Ivoire		01.03.2016 (AC)	XIX(1)*, XXIX*, XXX(1)*,(2)*,(3)*	01.07.2016
Cuba	16.11.2001	28.01.2009 (RT)		01.05.2009
Democratic Republic of the Congo / <i>République démocratique du Congo</i>		06.05.2016 (AS)		01.09.2016
Denmark / <i>Danemark</i>		26.10.2015 (AC)	XXIX, XXX(1),(3),(5)	01.02.2016
Egypt / <i>Egypte</i>		10.12.2014 (AS)	XIX(1)*, XXX(1)*,(2)*,(3)*	01.04.2015
Eswatini		26.05.2017 (AS)		01.09.2017
Ethiopia / <i>Ethiopie</i>	16.11.2001	21.11.2003 (RT)	XXX(1),(2),(3)	01.03.2006
Fiji / <i>Fidji</i>		30.05.2012 (AS)	XXX(1),(2),(3)	01.09.2012
France	16.11.2001			
Gabon		04.04.2017 (AS)		01.08.2017
Germany / <i>Allemagne</i>	17.09.2002 with decl.			
Ghana	16.11.2001	20.12.2018 (RT)	XXX(1),(2),(3)	01.04.2019
Iceland / <i>Islande</i>		23.06.2020 (AS)	XXX(1),(2),(3),(5)	01.10.2020
India		31.03.2008 (AS)	XXX(1),(2),(3)	01.07.2008
Indonesia / <i>Indonésie</i>		16.03.2007 (AS)	XXX(1),(2),(3)	01.07.2007
Ireland / <i>Irlande</i> ¹		23.08.2005 (AS)	XXX(1),(2)	01.03.2006
Italy / <i>Italie</i>	06.12.2001			
Jamaica / <i>Jamaïque</i>	16.11.2001			
Jordan / <i>Jordanie</i>	16.11.2001	31.08.2010 (RT)	XXX(1),(2),(3)	01.12.2010
Kazakhstan		01.06.2011 (AS)	XXX(1),(2),(3)	01.10.2011
Kenya	16.11.2001	13.10.2006 (RT)	XXX(1),(2),(3)	01.02.2007
Kuwait / <i>Koweït</i>		31.10.2013 (AS)		01.02.2014
Kyrgyzstan / <i>Kirghizistan</i>		13.05.2021 (AS)	XXX(1),(2),(3)	01.09.2021
Latvia / <i>Lettonie</i>		08.02.2011 (AS)	XXX(1)*	01.06.2011
Lesotho	16.11.2001			
Luxembourg		27.06.2008 (AS)	XXX(1),(2),(3)	01.10.2008

Madagascar		10.04.2013 (AS)	XXX(1),(2),(3)	01.08.2013
Malawi		16.01.2014 (AC)	XXX(1),(2),(3)	01.05.2014
Malaysia / Malaisie		02.11.2005 (AS)	XXX(1),(2),(3)*	01.03.2006
Malta / Malte ¹		01.10.2010 (AS)	XXX(1)	01.02.2011
Mexico / Mexique		31.07.2007 (AS)	XIX, XXX(1),(3)	01.11.2007
Mongolia / Mongolie		19.10.2006 (AS)	XXX(1),(2),(3)	01.02.2007
Mozambique		18.07.2013 (AS)	XXX(1),(2),(3)	01.11.2013
Myanmar		03.12.2012 (AS)	XXIX, XXX(1),(2),(3)	01.04.2013
Namibia / Namibie		23.07.2018 (AS)	XXX(1)	01.11.2018
Netherlands / Pays-Bas, ²		17.05.2010 (AS)	XXIX, XXX(1),(2)	
Caribbean part / partie caraïbe				10.10.2010
Aruba				01.09.2010
Curaçao				10.10.2010
Sint Maarten				10.10.2010
New Zealand / Nouvelle-Zélande		20.07.2010 (AS)	XXIX, XXX(1),(3),(5)	01.11.2010
Niger		17.11.2022 (AS)		01.03.2023
Nigeria / Nigéria	16.11.2001	16.12.2003 (RT)	XXX(1)*,(2)*,(3)*	01.03.2006
Norway / Norvège		20.12.2010 (AS)	XXX(1),(3),(5)	01.04.2011
Oman		21.03.2005 (AS)	XXIX, XXX(1),(2),(3)	01.03.2006
Pakistan		22.01.2004 (AS)	XXIX, XXX(1),(2),(3)	01.03.2006
Panama	11.09.2002	28.07.2003 (RT)	XXX(1),(2),(3)	01.03.2006
Paraguay		19.12.2018 (AS)	XIX, XXX(1),(2),(3)	01.04.2019
Qatar		08.01.2020 (AS)	XXX(1),(2),(3)	01.05.2020
Republic of Moldova / République de Moldova		19.02.2019 (AS)	XXX(1)	01.06.2019
Romania / Roumanie		30.03.2018 (AS)	XXX(1)	01.07.2018
Russian Federation / Fédération de Russie		25.05.2011 (AS)	XXX(1)*,(3)	01.09.2011
Rwanda		28.01.2010 (AS)	XXIX, XXX(1),(2),(3)	01.05.2010
San Marino / Saint-Marin		09.09.2014 (AS)	XXX(1),(2),(3)	01.01.2015
Saudi Arabia / Arabie saoudite	12.03.2003	27.06.2008 (RT)		01.10.2008
Senegal / Sénégal	02.04.2002	09.01.2006 (RT)	XXIX, XXX(1),(2),(3)	01.05.2006
Sierra Leone		26.07.2016 (AS)	XXX(1),(2),(3)	01.11.2016
Singapore / Singapour		28.01.2009 (AS)	XXX(1)*,(3)	01.05.2009
South Africa / Afrique du sud	16.11.2001	18.01.2007 (RT)	XXX(1),(2),(3)	01.05.2007
Spain / Espagne		27.11.2015 (AS)	XIX, XXIX, XXX(1)	01.03.2016

Sudan / <i>Soudan</i>	16.11.2001			
Sweden / <i>Suède</i>		30.12.2015 (AS)	XXX(1)	01.04.2016
Switzerland / <i>Suisse</i>	16.11.2001 <i>ad referendum</i>			
Tajikistan / <i>Tadjikistan</i>		31.05.2011 (AS)	XXX(1),(2),(3)	01.09.2011
Togo		01.12.2011 (AS)	XXX(1),(2),(3)	01.04.2012
Tonga	16.11.2001			
Turkey / <i>Turquie</i>	16.11.2001	23.08.2011 (RT)	XXX(1),(2),(3)	01.12.2011
Ukraine	03.03.2004	31.07.2012 (RT)	XIX, XXX(1),(3)	01.11.2012
United Arab Emirates / <i>Émirats arabes unis</i>		29.04.2008 (AS)	XIX, XXIX, XXX(1),(2),(3)	01.08.2008
United Kingdom of Great Britain and Northern Ireland / <i>Royaume-Uni de Grande-Bretagne et d'Irlande du Nord</i> ¹	16.11.2001 with decl.	27.07.2015 (RT)	XXIX*, XXX(1)*, (2)*, (3)*	
Bermuda				01.01.2018
Cayman Islands / <i>Iles Cayman</i>				01.11.2015
Gibraltar				01.11.2015
Island of Guernsey / <i>Ile de Guernesey</i>				01.11.2015
Isle of Man / <i>Ile de Man</i>				01.01.2018
United Republic of Tanzania / <i>République-Unie de Tanzanie</i>	16.11.2001	30.01.2009 (RT)	XXX(1)*, (2)*, (3)*	01.05.2009
United States of America / <i>Etats-Unis d'Amérique</i>	09.05.2003	28.10.2004 (RT)	XIX, XXX(1)	01.03.2006
Uzbekistan / <i>Ouzbékistan</i>		31.01.2018 (AS)	XXX(1), (2), (3)	01.05.2018
Viet Nam		17.09.2014 (AS)	XIX, XXX(1),(2),(3)	01.01.2015
Zambia / <i>Zambie</i>		07.09.2020 (AS)		01.01.2021
REGIONAL ECONOMIC INTEGRATION ORGANISATIONS / ORGANISATIONS D'INTÉGRATION ÉCONOMIQUE RÉGIONALE	SIGNATURE	RATIFICATION (RT) ACCEPTANCE / ACCEPTATION (AC) APPROVAL / APPROBATION (AP) ACCESSION / ADHESION (AS)	DECLARATIONS (Art.)	ENTRY INTO FORCE / ENTREE EN VIGUEUR
European Union / <i>Union européenne</i> ³	<i>Union</i>	28.04.2009 (AS)	XXVII(2), XXX(5)	01.08.2009

¹ This State has provided UNIDROIT with information about its laws and policies in relation to the Aircraft Protocol / Cet Etat a fourni à UNIDROIT des informations concernant la situation au regard de la législation et des politiques applicables aux matières couvertes par le Protocole aéronautique. See / voir <https://www.unidroit.org/instruments/security-interests/aircraft-protocol/national-information/>

² Accession of the Netherlands was for the Netherlands Antilles and Aruba (only). The accession became effective on 1 September 2010. Following a modification of the internal constitutional relations within the Kingdom of the Netherlands, the declarations made for the Netherlands Antilles were confirmed for Curaçao, Sint Maarten and the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), effective from 10 October 2010. The declarations made for Aruba remain valid as from 1 September 2010. / *L'adhésion des Pays-Bas concernait (seulement) les Antilles néerlandaises et Aruba. L'adhésion a pris effet le 1er septembre 2010. Suite à une modification des relations constitutionnelles intérieures du Royaume des Pays-Bas, les déclarations faites pour les Antilles néerlandaises ont été confirmées pour Curaçao, Saint-Martin et la partie caribéenne des Pays-Bas (les îles de Bonaire, de Saint-Eustache et de Saba), à compter du 10 octobre 2010. Les déclarations faites pour Aruba restent valides au 1er septembre 2010.*

³ Regional Economic Integration Organisation / *Organisation régionale d'intégration économique*: Protocol / *Protocole* Article XXVII

* Affected by withdrawal and/or subsequent declaration. / *Fait l'objet d'un retrait et/ou d'une déclaration subséquente*

APPENDIX 2**OBSERVATIONS FROM STATES AS TO THE MANNER IN WHICH THE INTERNATIONAL REGIME ESTABLISHED BY THE CONVENTION AND AIRCRAFT PROTOCOL HAS OPERATED IN PRACTICE****ARGENTINA**

It is reported that implementation of the Cape Town Convention and Aircraft Protocol allowed national operators to have access to financing instruments at better economic conditions, the entry into a market of more modern aircraft, and the negotiation of longer contractual terms. It also led to an increase in the number of applications to the Aeronautical Authority for the granting of Access Codes (AEP CODES), a necessary condition for the registration of international interests, rights or interests in the International Registry created by the Convention.

LATVIA

In addition to having made a declaration on the application of Article 54(2) upon ratification in 2011, Latvia has adopted the remaining qualifying declarations under the Cape Town Convention's Aircraft Protocol to enable carriers to become eligible for the OECD discount. The adoption of these declarations means a full integration of an international and uniform legal regime for international aircraft leasing transactions carried out in respect of Latvian aviation stakeholders, such as air carriers.

The following qualifying declarations were made by Latvia in December 2020 (either explicitly or by way of membership in the EU):

- *Remedies on insolvency* (Article XI, Alternative A) allowing lessors to obtain their aircraft within 60 days (applies to all types of insolvency proceedings). Although this declaration was not made explicitly, EU law allows Member States to amend national law so that it substantively mirrors the declaration. Work on these amendments in the national Insolvency Law is currently being done.

- *De-registration and export request authorisation* (IDERA) will have to be registered in the national Civil Aviation Authority (CAA) to enable de-registration and export in favour of the lessor (Article XIII). This was an explicitly made declaration as it falls under the exclusive competence of EU Member States. Subsequent Cabinet Regulations specifying the submission of an IDERA are being adopted on the basis of an explicit provision in the national Law on Aviation.

- *Choice of law* (Article VIII) – due to shared competence between the EU and its Member States, this declaration cannot be explicitly adopted by the Member State. However, pursuant to Annex III of EU Regulation 1233/2011, there is an understanding that EU law (i.e. Rome I Regulation) is materially similar to Article VIII of the Aircraft Protocol. Therefore, it can be considered that Latvia has made this declaration by way of its membership to the EU.

- *Article X*: EU competence in the subject matter covered by this provision precludes Latvia from making the declaration explicitly. After gathering the opinion of the Aviation Working Group and carrying out its own assessment with respect to its competence as an EU Member State, Latvia concludes that amending the national law to reflect Article X is not necessary.

The Qualifying declarations have been introduced by the following laws and regulations:

- Amendments to the Law "On 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" adopted on 17 December 2020¹¹;
- Amendments to the Law on Aviation adopted on 3 December 2020¹²;
- Amendments to the Insolvency Law 15 June 2021¹³;
- Cabinet of Ministers Regulations No.195 of 1 April 2021 "Regulations Regarding Submitting, Accepting, and Revoking IDERA and De-registration of Aircraft from the Register¹⁴.

With this step, Latvia has firmly placed its name on the aircraft financing market as a jurisdiction that provides a safe and predictable legal regime in international financial transactions relating to high-value assets such as aircraft.

MOLDOVA

The application of the Convention and Aircraft Protocol to it in the Republic of Moldova is governed by the law 59 of 09.04.2015 on the accession of the Republic of Moldova to the Convention on International Interests in Mobile Equipment and law 264 of 07.12.2017 on the accession of the Republic of Moldova to Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, further amended by the Law 286 of 29.11.2018.

The provisions of the Aviation Code and the law on insolvency of the Republic of Moldova do not limit the application of the pertinent provisions of the Convention and the Aircraft Protocol. At the same time, the Republic of Moldova has not made a declaration on the applicability of the Article XIII of the Protocol, governing the deregistration and export request authorisation.

MONGOLIA

The Convention and the Aircraft Protocol were not used in Mongolia during this reporting period. Within the above time frame, the following two aircrafts have been registered and used in Mongolia for civil and cargo purposes:

<i>Nº</i>	<i>Aircraft type</i>	<i>Registration number</i>	<i>Owner/Lessor</i>	<i>Carrier</i>
1	A319-112	JU1199	Sprite aviation No.1 Designated Activity Company	"Aeromongolia" LLC
2	Fokker F27 Mk0502	JU1050	Transport Development Bank	"Mongolian Airways Cargo" LLC

In connection with Mongolia's accession to the Agreement on Trade in Civil Aircraft of the World Trade Organization, a law was enacted on 30 December 2021 to exempt the civil aircraft and

¹¹ <https://likumi.lv/ta/id/319863-grozijumi-likuma-par-konvenciju-par-starptautiskajam-garantijam-attieciba-uz-parvietojamam-iekartam-un-konvencijas-par-starptau>.

¹² <https://likumi.lv/ta/id/319483-grozijumi-likuma-par-aviaciju->

¹³ <https://likumi.lv/ta/id/324274-grozijumi-maksatnespejas-likuma>

¹⁴ <https://likumi.lv/ta/id/322166-noteikumi-par-idera-atlaujas-iesniegsanu-pienemsanu-un-atcelsanu-un-gaisa-kugu-izslegsanu-no-registra>

related products specified in the Annex to the Convention from customs and value-added taxes. Such law became a regulation to support the practical implementation of the Convention on International Interests in Mobile Equipment and Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment.

SWEDEN

The Convention and the Aircraft Protocol came into effect in Sweden on 1 April 2016. Already prior to its effectiveness in Sweden, a large number of registrations and searches were performed by Swedish related transactions according to latest available statistics.

Given the response in the market of the Convention and the Aircraft Protocol the number of registrations and searches is well in line with expectations on the basis of the number of transactions involving Sweden. Over the last years the practice of use of registrations and searches have increased.

According to practitioners in the field, the availability and service level of the International Registry is well in line with the expectations and the required service level. Equally, the application of the Convention and the Aircraft Protocol as incorporated in Sweden has functioned well and the effects of the Convention and the Aircraft Protocol for Swedish users and interested parties has had the desired effect.

It shall also be noted that in the few insolvency proceedings in respect of Swedish airlines NextJet (bankruptcy) and BRA (company reorganisation) the rules under the Convention and the Aircraft Protocol have been respected and adhered to. No registered international interests have been disputed or challenged by Sweden.

TÜRKIYE

The Convention and Aircraft Protocol came into force in Türkiye on 1 December 2011 and has been effectively implemented since that day. According to the practitioners, the application of the Convention and the Aircraft Protocol has been functioning well for the users and interested parties therefore there is no additional development that is to be highlighted for the reporting period. Still, comparing the previous period with the new one, there is a slight decrease on the transaction numbers due to the effects of Covid-19 pandemic. 331 transactions have been made in this period 356 of which were in the last reporting period. However, it is considered that as soon as the pandemic ends, depending on the boom in the market, transactions numbers will increase more than before.

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* *