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**Published on the website on May 2024**

**Legislative Decree No. (12) of 1995 approving the Accession of the State of Bahrain to the Convention of the Arab Civil Aviation Organization**

We, Isa Bin Salman Al Khalifa – Emir of the State of Bahrain.

Having reviewed the Constitution;

And the Emiri Order No. (4) of 1975;

Upon the Convention of the Arab Civil Aviation Authority approved by the Council of the League of Arab States by Resolution No. 5440 -د.ع (102) - 15/9/1994;

Upon the submission of the Minister of Oil and Industry;

And after the approval of the Council of Ministers,

**Hereby Decree the following Law:**

**Article One**

Bahrain's accession to the Convention of the Arab Civil Aviation Organization attached to this Law has been approved in accordance with Article (22) of this Convention.

**Article Two**

The Ministers - each within his jurisdiction - shall implement this Law and it shall come into force upon its publication in the Official Gazette.

**Emir of the State of Bahrain**

**Isa bin Salman Al Khalifa**

Issued in Riffa Palace:

On: 14 Safar 1416 A.H.

Corresponding to: 12 July 1995

**Convention of the Arab Civil Aviation Organization**

The Governments of:

Hashemite Kingdom of Jordan.

State of United Arab Emirates.

State of Bahrain.

Republic of Tunisia.

People's Democratic Republic of Algeria.

Democratic Republic of Djibouti.

Kingdom of Saudi Arabia.

Republic of Sudan.

Syrian Arab Republic.

Democratic Republic of Somalia.

Republic of Iraq.

Sultanate of Oman.

State of Palestine.

State of Qatar.

Islamic Federal Republic of the Comoros

State of Kuwait.

Republic of Lebanon.

Great Socialist People's Libyan Arab Jamahiriya.

Arab Republic of Egypt.

Kingdom of Morocco

Islamic Republic of Mauritania

Republic of Yemen

Recognizing that the fact that civil aviation represents a force for peace and security and a tool for economic and social developments

And recognizing that the development of civil aviation among Arab states, both now and in the future, will benefit from the presence of an Arab organization capable of providing expertise in civil aviation matters and facilitating cooperation among them.

And based on the provisions of Article Two of the Charter of the League of Arab States regarding strengthening relations between member states and coordinating their plans and promoting cooperation among them in the field of civil aviation, they have agreed as follows:

**Article One**

**Definitions**

In the applying the provisions of this Convention, the following terms shall have the meanings assigned to them below:

**1- Organization:** Arab Civil Aviation Organization.

2- The League: The League of Arab States.

3- The Secretary-General: The Secretary-General of the League of Arab States.

4- The Convention: The Convention of the Arab Civil Aviation Organization.

5- The General Assembly: The General Assembly of the Arab Civil Aviation Organization.

6- The Director-General: The Director-General of the Arab Civil Aviation Organization.

7- The General Directorate: The General Directorate of the Arab Civil Aviation Organization.

8- The Executive Council: The Executive Council of the Arab Civil Aviation Organization.

9- The President: The President of the Executive Council.

**Article Two**

**Establishment of the Organization**

The (Arab Civil Aviation Organization) shall be established within the framework of the League of Arab States as a specialized Arab organization with legal personality and an independent budget.

**Article Three**

**Membership**

Membership in the Organization shall be open to Arab states that are members of the League of Arab States.

**Article Four**

**Headquarters of the Organization**

1- The permanent headquarters of the Organization shall be located in the city of Rabat, Kingdom of Morocco.

2- By decision of the General Assembly of the Organization, the headquarters may be relocated to another member state.

**Objectives and Tasks**

**Article Five**

**Objectives and Purposes of the Organization**

The objectives and purposes of the Organization are to provide civil aviation authorities in member states with a framework for collaborative work, aiming to:

Establishing a general plan for civil aviation among Arab countries with the aim of its development and safety.

Promoting the necessary cooperation and coordination among member states in the field of civil aviation and laying the foundations for a unified approach.

Working on the development and improvement of Arab civil aviation in a manner that meets the needs of the Arab nation for safe, sound, and regular air transportation.

**Article Six**

**Competencies of the Organization**

The Organization performs all necessary tasks to fulfil its purposes and objectives, including, in particular:

1. Conducting research and preparing studies, as required, on the economic, regulatory, legal, technical, and security aspects related to civil aviation among member states.

2. Coordinating the positions of member states on matters of common interest and mutual concern in the field of civil aviation.

3. Encouraging and supporting integration among Arab air transportation institutions.

4. Promoting and supporting the aviation industry in general and its use in member states.

5. Monitoring changes, including technological changes, in civil aviation and assessing the requirements of member states to respond to significant challenges.

6. Promoting coordination and alignment of civil aviation legislation and procedures in member states and working towards unifying those laws and procedures.

7. Encouraging the application of standard rules and recommended practices in the appendices of the International Civil Aviation Convention.

8. Enhancing arrangements among member states whenever it contributes to the implementation of regional plans issued by the International Civil Aviation Organization regarding air navigation facilities and services.

09 Facilitating the exchange of information related to aviation safety and promoting security awareness among member states.

010 Coordinating training and development programs, encouraging the development of training institutes, and adapting them to the current and future needs of the civil aviation industry worldwide.

011 Studying any position that may hinder the progress of air transport and air navigation in Arab countries, based on the request of any member state, and recommending appropriate measures.

**Article Seven**

**Bodies of the Organization**

The bodies of the Arab Civil Aviation Organization shall consist of:

1- General Assembly.

2- Executive Council.

3- General Secretariat.

**Article Eight**

**General Assembly**

1- The General Assembly shall consist of representatives from all member states of the Organization, with representation at the level of Presidents and Directors-General of civil aviation or their delegates.

2- The presidency of the General Assembly rotates among member states in alphabetical order, and the term of the presidency shall be of two years.

3- The General Assembly shall hold regular sessions every two years, with a valid quorum requiring the presence of a majority of member states.

4- The General Assembly may convene extraordinary sessions upon the request of a member, subject to the approval of the Assembly members or the Executive Council. The President of the General Assembly, in consultation with the Director-General of the Organization, shall determine the time and location of such sessions.

5- The General Assembly may, by its decision, shall hold its sessions in a location other than the headquarters of the Organization.

6- Each member state has one vote.

7- Decisions and recommendations are issued by a majority vote of the members present unless otherwise specified.

**Article Nine**

**Competencies of the General Assembly**

The General Assembly is the supreme authority of the Organization and shall have the power to take necessary decisions and actions to achieve the organization's objectives within the framework of this Convention, including but not limited to:

1- Election of members of the Executive Council.

2- Appointment and termination of service of the Director-General of the Organization.

3- Approval of the plans, programs, and budget estimates of the Organization every two years, subject to review and approval by the Coordination and Monitoring Committee before being adopted by the Economic and Social Council.

4- Approval of the organizational structure of the Organization, subject to confirmation by the Economic and Social Council.

5- Adoption of the political, administrative, financial, and internal regulations of the Organization.

6- Approval of the formation of permanent and temporary committees and the endorsement of their recommendations.

7- Establishment of centres and branches for the Organization, subject to the approval of the Economic and Social Council.

8- Examination and approval of reports presented by the Executive Council and the Director-General of the Organization, along with issuing appropriate directives.

9- Approval of the general budget and financial statements of the Organization for presentation to the Higher Financial Control Authority of the Arab League.

10- Amendment of the Organization's Convention with the consent of two-thirds of member states.

11- Acceptance of new members into the Organization with the consent of two-thirds of members.

12- Approval of the dissolution of the Organization.

13- Adoption of the principles of cooperation between the Organization and Arab, regional, and international countries, organizations, and entities.

14- Acceptance of aid, donations, and grants offered to the Organization.

15- Approval of projects necessary for the development of the Organization's objectives.

16- Approval of the draft agenda.

17- Relocation of the permanent headquarters of the Organization with the consent of two-thirds of General Assembly members.

18- Appointment and termination of service of the legal auditor.

19- Appointment of key personnel.

**Article Ten**

**Executive Council**

1- The Executive Council shall consist of five members elected by the General Assembly from among the candidates of the member states for a period of two years, with each member having one vote.

2- Members of the Executive Council shall be selected from among the heads and directors general of civil aviation or senior officials in the civil aviation authorities of the member states who possess suitable knowledge and experience in the field of civil aviation.

3- The Executive Council shall elect a President and a Vice President from among its members, each for a term of two years.

4. The President and the Vice-President shall be among the Presidents or Directors General of Civil Aviation or whoever holds an equivalent position.

5- The Vice President shall assume the President's responsibilities in case of the President's absence. The President and Vice President may not be re-elected for more than one term.

6- Present a report on the activities of the Organization and the results of its work to the General Assembly.

7- The President calls for the convening of the Executive Council.

8- The Executive Council shall meet at least twice a year at the headquarters of the Organization upon the invitation of its President. Meetings may also be held in one of the member states upon invitation.

9- Extraordinary meetings of the Executive Council may be convened at the request of one of the member states or the Director-General of the Organization, with the consent of the majority of the Council members. The agenda, date, and location of the meeting are specified in the invitation.

10-The meeting of the Executive Council shall be valid in the presence of the ordinary majority of its members, and its recommendations and decisions shall be issued by the majority of those present.

11- The Director-General of the Organization shall attend meetings of the Executive Council.

**Article Eleven**

**Competencies of the Executive Council**

The Executive Council shall serve as the Board of Directors of the Organization and shall be responsible for achieving its objectives, including:

1- Proposing the Organization's programs and presenting them to the General Assembly.

2- Recommending the appointment or termination of the Director-General of the Organization.

3- Developing the internal regulations of the Council and presenting them to the General Assembly.

4- Drafting fundamental regulations for the financial, administrative, and internal operation of the Organization and its main and subsidiary bodies, and presenting them to the General Assembly.

5- Proposing the Organization's budget and presenting it to the General Assembly for approval.

6- Reviewing the financial statements of the Organization and presenting them to the General Assembly for approval.

7- Studying and approving the annual reports submitted by the General Management of the Organization regarding its operations, activities, expenditures, and proposed recommendations.

8- Monitoring the implementation of General Assembly decisions and overseeing the implementation of the Organization's plans and programs.

9- Taking all necessary measures to achieve the Organization's objectives and enhance the services it supports.

10- Proposing the appointment of key staff to the General Assembly in accordance with the Organization's basic regulations.

11- Proposing the appointment and termination of the legal auditor and presenting it to the General Assembly.

12- Proposing the establishment of branches and centres for the Organization.

13- Proposing the formation of permanent and ad-hoc committees.

14- Proposing the convening of an extraordinary session of the General Assembly.

15- Proposing the draft agenda for the General Assembly.

16- Presenting a report on the Organization's activities to the General Assembly.

17- Inviting individuals as deemed necessary to attend its meetings.

18- Considering any matters raised by the Director-General.

**Article Twelve**

**General Directorate**

1- The General Directorate shall serve as the administrative body of the Organization and shall consist of the Director-General, key staff, technical experts, and administrative personnel.

2- The appointment of General Directorate staff shall be done in accordance with the Statute the Organization's employees. In the appointment process, factors such as competence, specialization, experience, and geographic distribution shall be taken into account, while taking into consideration the competencies of the Executive Council.

3- The General Directorate shall be responsible for managing all matters related to the Organization and implementing the decisions of its bodies, including:

a- Preparing draft budgets, financial statements, and closing accounts.

b- Developing administrative, financial, and internal regulations, as well as job descriptions for the Organization, and presenting them to the Executive Council.

c- Drafting the Organization's draft plans and work programs, overseeing their implementation after approval by the Executive Council and the General Assembly.

d- Preparing research, studies, and reports as requested by the General Assembly and the Executive Council.

e- Handling all communications with member states and relevant Arab, regional, and international organizations.

f- Undertaking any tasks delegated to it by the General Assembly and the Executive Council.

**Article Thirteen**

**Director General and His Competencies**

1- The Director General shall serve as the head of the General Directorate and the chief executive officer of the Organization.

2- The General Assembly shall elect a full-time Director General by a majority of its members for a renewable term of two years. The Director General shall be a national of one of the member states and shall possess expertise in the field of civil aviation, and demonstrate commitment to national work, competence, and leadership capabilities.

3- In the event of a vacancy in the position of Director General, the Executive Council, in accordance with the Statute of the Organization, shall appoint an interim Director General to serve until the regular session is convened.

4- The Director General shall be accountable to both the Executive Council and the General Assembly of the Organization for all the affairs of the General Directorate.

5- The Director General shall oversee the activities of the Organization and ensure the implementation of decisions, recommendations, and programs approved by the General Assembly and the Executive Council. He shall represent the Organization at conferences and with various entities and defend its interests. He is authorized to enter into contracts and litigation on behalf of the Organization. Additionally, he shall undertake any tasks entrusted to him by the Executive Council and the General Assembly, including:

a- Nominating key employees to the Executive Council.

b- Appointing employees and experts and terminating their services in accordance with regulations established by the General Assembly.

c- Providing periodic reports to the Executive Council and the General Assembly on the activities of the General Directorate and submitting any other necessary reports.

d- Developing development plans for the Organization and supervising their implementation.

e- Preparing a two-year plan and work programs for the Organization and presenting them to the Executive Council and the General Assembly.

f- Preparing the Organization's draft budget.

g- Submitting reports on the audited financial statements to the legal auditor and the Financial Control Authority of the Arab League, and subsequently to the Executive Council and the General Assembly.

h- Preparing research and reports requested by the Executive Council and the General Assembly.

i- Calling for sessions of the General Assembly.

j- Calling for extraordinary meetings of the Executive Council.

k- Providing an annual report on the activities of the Organization to the Arab Ministers of Transport.

**Article Fourteen**

**The Budget and Resources of the Organisation**

1- The Organization shall have an independent budget not exceeding half a million dollars annually. The General Assembly shall approve and the Economic and Social Council shall adopt its projects.

2- The Organization's projects shall be prepared every two years.

3- The resources of the Organization shall consist of:

a- Contributions from member states to the Organization.

b- Income generated by the Organization from its services and activities as an Arab specialized technical agency.

c- Grants, bequests, donations, and assistance that the General Assembly decides to accept.

4- The Organization's budget shall be subject to financial oversight by the Financial Control Authority of the Arab League.

5- Contributions of member states shall be deposited in a unified account with the Arab Monetary Fund.

**Article Fifteen**

**Relationship between the Organization and the League of Arab States**

1- The Organization shall adhere to the rules set forth by the Economic and Social Council, the Council of the League of Arab States, and the Council of Arab Transportation Ministers regarding common Arab labour institutions. It shall also implement their decisions regarding its programs and coordinate work with the General Secretariat of the League of Arab States and other organizations.

2- The Organization shall submit its draft plans, programs, and budgets to the High Coordination Committee for Common Arab Action for review before their approval by the Economic and Social Council.

3- The Organization shall establish its basic administrative, financial, and accounting regulations in accordance with the regulations in force at the General Secretariat of the League of Arab States and the resolutions of the Economic and Social Council.

4- The Organization shall apply the provisions of the Unified Accounting System.

5- The Financial Control Authority of the League of Arab States shall review the accounts of the Organization.

6- The Organization shall provide periodic reports on its activities to the Council of Arab Transport Ministers and the Economic and Social Council.

7- The Organization shall attend the meetings of the Economic and Social Council and the Council of Arab Transportation Ministers as an observer.

8- The General Secretariat of the League of Arab States shall attend all meetings of the Organization as an observer.

**Article Sixteen**

**Administrative Court**

The Administrative Court of the League of Arab States shall be the competent court for any dispute arising between the Organization's administration and its employees.

**Article Seventeen**

**Cooperation with International Organizations and Bodies**

The Organization may cooperate with international or regional government or non-government organizations concerned with civil aviation. It may enter into special agreements to regulate such cooperation, especially with the Arab Air Transportation Federation and the International Civil Aviation Organization.

In order to implement this provision, the Organization shall exchange work program drafts and invitations to attend the General Assembly sessions of both organizations.

**Article Eighteen**

**Consequences of Non-Compliance with Obligations**

By a decision of the General Assembly with the consent of two-thirds of the Member States of the Organization, the right to vote may be suspended for a Member State that has delayed its contributions for more than two years, and it shall be deprived of the services provided by the Organization unless the Member State provides reasons acceptable to the General Assembly.

**Article Nineteen**

**Privileges and Immunities**

The provisions of the Convention regarding Privileges and Immunities of the League of Arab States shall apply to the Organization, and it may enter into a special agreement with the host country regarding the application of the privileges and immunities stipulated in the mentioned Convention.

**Article Twenty**

**Dispute Settlement**

1- In the event of a dispute arising between two or more Member States of the Organization concerning the interpretation or application of this Convention or regarding civil aviation matters and negotiations have failed to resolve it, the Director-General shall, upon the request of one of the parties, use his best efforts to settle the dispute within a period not exceeding sixty days from the date on which the matter is referred to him. If the Director-General fails to reach a solution acceptable to the disputing parties, he shall refer the matter to the Executive Council.

2- If the Executive Council fails to reach a settlement of the dispute, it shall refer the matter to the General Assembly at its first regular session or at a special session convened for this purpose.

3- If the General Assembly is unable to reach a settlement of the dispute, either party to the dispute may refer the matter to an arbitration panel established in accordance with the arbitration regulations to be adopted by the General Assembly or to the Arab Court of Justice once it is established.

4- The State party to the dispute shall not have the right to vote when the dispute is under consideration, whether in the Executive Council or in the General Assembly.

5- The decision of the Arbitral Tribunal or the judgement of the Arab Court of Justice shall be final and binding on the parties.

**Article Twenty One**

**Amendment of the Convention**

1- This Convention may be amended upon the proposal of one or more members submitted to the Director-General and approved by half of the members, or upon the proposal of the Executive Council. The Director-General shall notify all Member States of the proposed amendment.

2- The General Assembly shall consider the proposed amendment at its first regular meeting held after the proposal for amendment has been submitted. An extraordinary meeting may also be called to consider the amendment, provided that the proposal for amendment has been distributed to the members at least 90 days prior to the meeting.

3- The General Assembly shall issue its decisions on the amendment by a majority of two-thirds of the Member States of the Organization. The amendment shall become effective after approval by the Economic and Social Council and the Council of the League of Arab States.

**Article Twenty Two**

**Ratification and Accession**

1- This Convention shall be ratified by the signatory states.

2- Ratification documents shall be deposited with the General Secretariat of the League of Arab States.

3- Any Arab state that has not signed this Convention may accede to it by a declaration sent automatically to both the Secretary-General of the League of Arab States and the Director-General of the Organization, informing them of its accession to the Member States.

**Article Twenty Three**

**Withdrawal from the Organization**

1- Any Member State may withdraw from this Convention by written notice addressed to both the Secretary-General of the League of Arab States and the Director-General of the Organization, who shall notify all Arab states.

2- The withdrawal shall take effect one year after the date of notification to the Secretary-General of the League of Arab States. In all cases, the withdrawing state shall remain responsible for all obligations incurred by it until its membership ceases.

**Article Twenty Four**

**Dissolution of the Organization**

The General Assembly, by a majority of three-quarters of its members, may dissolve the Organization. The decision of dissolution shall be submitted to the Economic and Social Council and the Council of the League of Arab States for approval. Its movable and immovable property shall be transferred to the League of Arab States.

**Article Twenty Five**

**Entry into Force of the Convention**

1- This Convention shall enter into force after thirty days from the deposit of the ratification documents or accession documents by five Arab countries with the General Secretariat of the League of Arab States.

2- The Convention shall become effective for the ratified and acceded states after thirty days from the date of deposit of their ratification or accession documents with the Organization.

**Article Twenty Six**

The Secretary-General of the League of Arab States shall invite the convening of the first ordinary session of the General Assembly upon the entry into force of this Convention.

Signed by the delegates duly authorized by the governments of:

Hashemite Kingdom of Jordan.

State of United Arab Emirates.

State of Bahrain.

Republic of Tunisia.

People's Democratic Republic of Algeria.

Republic of Djibouti.

Kingdom of Saudi Arabia.

Syrian Arab Republic.

Democratic Republic of Somalia.

Republic of Iraq.

Sultanate of Oman.

State of Palestine.

State of Qatar.

Islamic Federal Republic of the Comoros.

State of Kuwait.

Republic of Lebanon.

Great Socialist People's Libyan Arab Jamahiriya.

Arab Republic of Egypt.

Kingdom of Morocco.

Islamic Republic of Mauritania.

Republic of Yemen.

**Convention of the Arab Civil Aviation Organization**

The Council of the League of Arab States,

having reviewed:

- The memorandum of the General Secretariat.

- The draft amendment to the Convention establishing the Arab Civil Aviation Organization.

- The observations of the Member States.

- The recommendation of the Permanent Legal Committee at its meeting from 3-5 September 1994.

- The decision of the Economic and Social Council No. 1223 – د.ع/54- ج2- 8/9/1994.

- The recommendation of the Legal Affairs Committee.

**Decides:**

1- Approve the Convention establishing the Arab Civil Aviation Organization in the attached form.

2- Authorize the Secretary-General of the League of Arab States to invite the Arab countries for signature and ratification.

( ق.رقم 5440 – د.ع (102) – ج 3 – 15/9/1994 )

The Kingdom of Morocco expressed its reservation regarding the deletion of a substantive article related to the working method of the Organization during the transitional period. This concerns paragraphs b and c of Article (33) of the Convention.

Observations from the Republic of Sudan:

The Republic of Sudan reaffirms its observations, which it previously submitted to the General Secretariat of the League of Arab States under the memorandum of the Ministry of Justice (Office of the Attorney General) No. د ن ع /ق ع / اتفاقيات /2503 dated 29 August 1994.  This pertains to the draft Convention of the Arab Civil Aviation Organization.