

PRESIDÊNCIA DA REPÚBLICA

Decreto do Presidente da República n.º 22/98

de 17 de Junho

O Presidente da República decreta, nos termos do artigo 135.º, alínea b), da Constituição, o seguinte:

É ratificado o Protocolo para a Repressão de Actos Ilícitos de Violência nos Aeroportos ao Serviço da Aviação Civil Internacional, complementar à Convenção para a Repressão de Actos Ilícitos contra a Segurança da Aviação Civil, adoptado em 24 de Fevereiro de 1988 em Montreal, aprovado, para ratificação, pela Resolução da Assembleia da República n.º 32/98, em 19 de Março de 1998.

Assinado em 27 de Maio de 1998.

Publique-se.

O Presidente da República, JORGE SAMPAIO.

Referendado em 2 de Junho de 1998.

O Primeiro-Ministro, *António Manuel de Oliveira Guterres*.

ASSEMBLEIA DA REPÚBLICA

Resolução da Assembleia da República n.º 32/98

Aprova, para ratificação, o Protocolo de 1988 para a Repressão de Actos Ilícitos de Violência nos Aeroportos ao Serviço da Aviação Civil Internacional, complementar à Convenção para a Repressão de Actos Ilícitos contra a Segurança da Aviação Civil, adoptada em Montreal em 23 de Setembro de 1971.

A Assembleia da República resolve, nos termos dos artigos 161.º, alínea i), e 166.º, n.º 5, da Constituição, aprovar, para ratificação, o Protocolo para a Repressão de Actos Ilícitos de Violência nos Aeroportos ao Serviço da Aviação Civil Internacional, complementar à Convenção para a Repressão de Actos Ilícitos contra a Segurança da Aviação Civil, adoptado em 24 de Fevereiro de 1988, em Montreal, cujo texto original em inglês e francês e respectiva tradução em português seguem em anexo ao presente diploma.

Aprovada em 19 de Março de 1998.

O Presidente da Assembleia da República, *António de Almeida Santos*.

PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS SERVING INTERNATIONAL CIVIL AVIATION, SUPPLEMENTARY TO THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION, DONE AT MONTREAL ON 23 SEPTEMBER 1971.

The States Parties to this Protocol:

Considering that unlawful acts of violence which endanger or are likely to endanger the safety of persons at airports serving international civil aviation or which jeopardize the safe operation

of such airports undermine the confidence of the peoples of the world in safety at such airports and disturb the safe and orderly conduct of civil aviation for all States;

Considering that the occurrence of such acts is a matter of grave concern to the international community and that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

Considering that it is necessary to adopt provisions supplementary to those of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971, to deal with such unlawful acts of violence at airports serving international civil aviation;

have agreed as follows:

Article I

This Protocol supplements the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971 (hereinafter referred to as «the Convention»), and, as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as one single instrument.

Article II

1 — In article 1 of the Convention, the following shall be added as new paragraph 1-bis:

«1-bis. Any person commits an offence if he unlawfully and intentionally, using any device, substance or weapon:

- a) Performs an act of violence against a person at an airport serving international civil aviation which causes or is likely to cause serious injury or death; or
- b) Destroys or seriously damages the facilities of an airport serving international civil aviation or aircraft not in service located thereon or disrupts the services of the airport;

if such an act endangers or is likely to endanger safety at that airport.»

2 — In paragraph 2, a), of article 1 of the Convention, the following words shall be inserted after the words «paragraph 1»: «or paragraph 1-bis.»

Article III

In article 5 of the Convention, the following shall be added as paragraph 2-bis:

«2-bis. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offences mentioned in article 1, paragraph 1-bis, and in article 1, paragraph 2, in so far as that paragraph relates to those offences, in the case where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to the State mentioned in paragraph 1, a), of this article.»