

# RESPONSIBILITY AND LIABILITY FOR UNLAWFUL INTERFERENCE IN INTERNATIONAL CIVIL AVIATION

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## Abstract

There has been a large number increase in the acts of unlawful interference throughout the Globe. As we know that such acts have been more widespread effects on the world Responsibility and liability for unlawful interference in international civil aviation is a multi faceted topic. After the incident of 9/11, the question of responsibility and liability of such acts has been an issue of major concern. Various conventions have come into force in order to decide and have a common view regarding the liability and responsibility of unlawful interference in the international civil aviation and also to decide upon the responsibility of States for such unlawful acts. Through this paper the authors have tried to define the term 'unlawful interference' and the various aspects of liability arising out of such unlawful acts, the authors have also tried to analyze the notion of State Responsibility under the international civil aviation with respect to various international conventions in the area of International Civil Aviation and the legal consequences flowing out of it.

## Introduction

Acts of unlawful interference with civil aviation continue to have an adverse effect on the safety and efficiency of international air transport and endanger the lives of aircraft passengers and crews engaged.<sup>1</sup>

The miss-happening due to the acts of such kind have an widespread impact not on the lives of passengers travelling, crew in the air and the cargo but also to the thousands of bystanders on ground, These acts cause a billion dollar damage to property and takes tolls of lives. Moreover it even affects the economy. It is evident from the repercussions of the 9/11 incident, that such acts can rock economy, as preceding the incident the aviation industry witnessed a 25% decrease in air traffic in October and November 2001 and the transatlantic market experienced a down time by 30 %. The knock-down effects on national economies have been far more than imagined. The responsibility and liability for such acts have not been willing taken by anyone, neither the states nor the manufacturers. Therefore, seeing the after effects of such acts it's the time to decide that who should be made responsible behind these acts and who should undertake the liability, attention is also to be paid on the compensation to be

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provided to the victims of air crashes and of unlawful interference in the International Civil Aviation.

### Defining Unlawful Interference

The term 'unlawful interference' is often misinterpreted as a 'terrorist attack'. Though legal community has not given any specific definition to the term but generally it is related to a violent attack having a motive to disturb the political regime.

Silets define terrorism as:

*"terror inspiring violence, containing an international element that is committed by individuals or groups against non-combatants, civilians, states or internationally protected persons or entities to achieve political ends"*.

Though most of the unlawful interferences are politically motivated, but still interpreting this term in such a narrow sense would ignore the acts that are part of it, committed by suicidal persons or insane persons, or acts which do not necessarily involve violence.

According to article 2 of the Regulations on Safeguarding Civil Aviation Against act of Unlawful Interference., Acts of Unlawful Interference means an act attempted such as to jeopardize the safety of civil aviation and air transport, i.e.:

- (1) Unlawful seizure of aircraft in flight;
- (2) Unlawful seizure of aircraft on the ground;
- (3) Hostage-taking on board aircraft or on aerodromes;
- (4) Forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
- (5) Introduction on board an aircraft or at an airport of dangerous goods or prohibited items intended for criminal purposes; and
- (6) Communication of false information such as to jeopardize the safety of an aircraft in flight on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

Abeyratne asserts that 'unlawful interference' is a generic term of the expression 'acts of aggression or other breaches of peace' used in Article 1 of the United Nations Charter.<sup>2</sup> Therefore it is regarded as a crime under legal principles." A crime consists of two elements *actus rea* commonly interpreted as the physical act forbidden by law, and *mens rea* meaning intent to commit the crime. The legal implication of these prerequisite elements is that an act of interference with civil aviation will only be unlawful if the criminal policy of the jurisdiction in which the act is effected considers such an act to be unlawful. This poses a serious problem for those who endeavor to safeguard the civil aviation.

### **State Responsibility**

The notion of State responsibility arises out of the nature of the International legal system and the doctrines of state equality and sovereignty. A state is responsible for a unlawful act committed by it and it gives rise to the establishment of International State responsibility. A breach of an international obligation gives rise to a requirement of reparation.<sup>3</sup> According to Shaw responsibility is as called:

*'second order issues 'that it the issue of state responsibility will arise only when there is a breach of a international obligation, the rules of responsibility seek to determine the consequences of such a breach. Hence, it can be said that existence of a international legal obligation between states and a breach of such legal obligation are the prerequisites for State responsibility in International Law.*

The notion of State responsibility is also affirmed by the adoption by the International Law Commission Draft Articles (ILC) at its 53rd session.

*'Every internationally wrongful acts of a state entails the international responsibility'<sup>4</sup> and 'there is an internationally wrongful act of a State when conduct consisting of an action or omission;*

- (a) Is attributable to the State under International Law.*
- (b) Constitutes a breach of an international obligation of the State.*

Besides this State responsibility, the responsibility of a state for its criminally unlawful acts exists in accordance with jus cogens. The notion of jus cogens was incorporated by the ILC in its draft articles on the Law of Treaties in 1996 under Article 50 which can now be found in Article 53 of the Vienna Convention on the Law of Treaties(1969).<sup>5</sup> It has also been embodied in the most recent articles on State responsibility. There are certain customary laws under International Law which cannot be revoked either by treaty or by any agreement between two states, until and unless a law contrary to it's formed subsequently.

### **Objective And Subjective Responsibility**

The principle of *objective* responsibility imposes strict or absolute responsibility i.e. responsibility regardless of fault or intention, in contrast to the principle of subjective responsibility which emphasizes the need for intentional (*dolus*) or negligent (*culpa*) conduct on the part of the person concerned before that person can pronounced responsible. Shaw remarks that case law and academic opinion on the subject are divisible although there is a tendency towards strict (or objective) responsibility. The draft articles remain silent on this aspect and the accompanying commentary only serves to further bewilder its readers.<sup>6</sup> If a State is found to be responsible for an illegal act, it must provide reparation to the injured State.

### **State Responsibility For Aviation Security Under International Law**

In international law, a State can only be held responsible after a breach of an international obligation has occurred. The contracting States have an obligation to ensure compliance with the international standards contained in Annex 17 of the Chicago Convention as imposed by Article 37 of the same convention.<sup>7</sup> It follows therefore that contracting States will only be responsible under international law if they do not ensure compliance with the international standards. The issue then to be resolved is what actions are necessary on the part of the State to discharge this obligation; a literal interpretation suggests that legislating accordingly and providing adequate means of checking compliance with the national legislation would be sufficient. This is what is classified as *subjective responsibility*. The other possibility is that any failure of a security company to provide adequate security in compliance with the international standards would automatically entail State responsibility, even where the State has passed the requisite legislation and enforces that legislation by some type of audit system. This is *objective responsibility*. As stated above, opinion on this subject is divided and the ILC drafts are ambiguous.

### **Responsibility Of Aviation Security Service Provider**

ASPs are contracted out to perform the duties and responsibilities assumed to airlines and airports<sup>8</sup> via national and international regulations. These regulations especially the ones that are legally binding can be sued in courts to assess ASPs negligence and standard of care owed to third party claimants since the duties and obligations incurred on airlines extend to ASPs also.<sup>9</sup> Under the framework at international level each government implements its own security standards on national level. Usually on national level there are two types of responsibility system that is adopted by the State, either the government undertakes the primary responsibility of providing security duties (centralized model) or the government acts only as supervisory body while the airport authority undertakes the duties of providing security (decentralized model). The example where the government holds the primary responsibility of security duties through the relevant governmental bodies is Civil Aviation Authority (CAA) in United Kingdom.

### **Concept Of Liability In Civil Aviation**

#### **Liability Under International Law**

Liability and responsibility are different concepts in international law, for liability to arise it is not necessary that a legal obligation should be there existing between the parties, thus liability arises as the consequences of the acts done by a state which are harmful to another state, the act may or may not be contrary to international law. Such international liability has become a very important element of environmental, law air and space.

When considering the 'municipal law' meanings of responsibility and liability, it can therefore be concluded that fault-based liability can only arise where there is responsibility or 'duty to take reasonable care'.<sup>10</sup> This cannot be applied to strict liability which requires no fault or breach of a duty to take reasonable care. It would hence be incorrect to assume that all liability are merely a strict form of responsibility. Applying these 'municipal law' interpretations of the concepts to the articles of the ILC can only result in the sort of 'unsystematic and illogical results' alluded to by Lord Cooper. Dr. Horbach summarized dilemma when she said that:

*'The Commission in fact unilaterally decided to give another meaning to established notion under certain specified circumstances; i.e. to employ the common law term "liability" but designating a different meaning to that ten English international legal discourse.'*

The ILC has admitted as much itself in the commentaries to the draft when it stated that '*for the purposes of these articles*', international responsibility results exclusively from a wrongful act contrary to International law.

According to Dr. Nathalie Horbach ILC has arbitrarily drawn a distinction between responsibility and liability which is an exaggeration and finds no support in international law.<sup>11</sup> Applying the terms 'responsibility and liability' as advocated by ILC would give rise to the situation in which a state which commits an act of unlawful interference in international civil aviation would be held responsible but the foreign air carrier on whose aircraft the act of unlawful interference is committed would be liable for act caused by the harm otherwise lawful activity. Expressed in this way, the situation may appear to be unjust and even ridiculous.

### **Strict Liability And Absolute Liability**

There is a distinction between both the terms mentioned above, under strict liability the offending act must have been committed by the person to be held liable, even if it was caused without his fault, whereas in Absolute liability on the other hand will arise whenever the circumstances stipulated for such liability to arise are met out, it mattering not by whom the damage is caused or how it is caused.

### **Liability Of ASP**

The question regarding the liability of the international carriers has been a debatable issue. The liability of the carrier's agent for the damaged cause to the goods, passengers and to the people on ground which does not fall under the service contract<sup>12</sup> or a contract of carriage.<sup>13</sup> Though if ASPs are held liable they can recover the amount paid by them as compensation to the victim from the carrier and through various other mechanism available to them including the liability limitation under international conventions.<sup>14</sup>

Generally liability comprises four main elements duty of care, breach of duty, harm, and compensation. Therefore in order to make an ASP liable the

party alleging should first prove that the ASP had a duty of care then that the ASP breached that duty and then that the harm caused is due to the breach of such duty. The ASPs contractual duties are likely to affect the third parties, thus the ASPs can be made liable in case they breach any of such obligation or do not deploy adequate security as they are expected to do, for example inadequate security service.

The first element 'Scope of Work'<sup>15</sup> is stipulated in each service contract ASPs have with individual airports, airlines, and government bodies. It basically outlines the everyday duties that Asps are obliged and it is the basis of the next major source of the duty of care. After defining the scope of work, to keep a record and check on the performance of the ASPs in conformity with their service duties every airport establishes 'Critical Performance Indicator', in order to meet their legal obligation under 'National Civil Aviation Security Programme (NCASP)', it is used to conduct test and audits to check that the ASPs perform according to the Standards established.

The other question that has to be dealt in regard to the liability of ASPs is regarding their liability to the people on ground. The most recent development in this regard is the 9/11 litigation which deals with potential liability of the ASPs with respect to unlawful interference in civil aviation. The court in this case ruled that the Airlines and Airport Securities Company have a duty towards the people on ground as they had a duty to prevent terrorist from boarding the plane by properly scrutinizing them, and the crash of hi-jacked aircraft was within foreseeable damage resulting from the negligence in scrutiny of people boarding the airplane. Therefore, in a nut shell, we can say that the ASPs are liable to the third party also that is the ground victims who suffered damages due to the crashed aircraft.

The liability of the ASPs with regard to a terrorist attack seems to be unlimited, and as such there are no international conventions or principles that can provide some relief to the burden of unlimited liability. Hence, one terrorist attack can make the ASPs liable for ample amount of compensation that it would have to pay to the suffered party. The limitation on third-party liability is a particularly important for ASPs since its duties are closely linked to the damaged caused by an act of terrorism would likely exceed the entire asset of one business entity. Hence four possible solutions can be found through which ASPs may limit their liability for damage arising out of an act of terrorism:—

- (a) A cross-indemnification clause under which the courts allow Asps to assert liability limitation available for carriers under the International Conventions.
- (b) The operational solution, that is fulfilling the criteria of performance, for instance, CPI 80% to meet the national Standards and the Standard of the airport it operates.
- (c) Insurance policy that covers unlimited liability exposure.; or
- (d) Governmental protections announced in national regime.

### **Product Liability**

The concept called, "strict product liability" was developed by Courts in the 1960s and 1970s to protect consumers. Judges felt that it would be too hard for victims to prove negligence in technical cases involving engineering design and manufacture. Courts created strict product liability laws to make it easier to sue manufacturers in product defect cases by switching the focus to the safety of the product rather than the conduct of the builder. Many people feel that the Courts have gone too far in protecting people against themselves and that product liability is destroying the aviation industry. To establish strict liability in a product liability lawsuit, the plaintiff must show that:

1. The product was defective when it left the defendant's control;
2. That the product was used in the intended manner or a reasonably foreseeable manner;
3. That the product caused plaintiff's injury.

### **Product Liability Reform**

The deep pocket problem has led states, like California, to abrogate the traditional joint and several liability rules, so that a defendant will only be held liable for the percentage of non-pecuniary damages for which it is responsible. Thus, if the manufacturer is only 10% at fault, as described above, the victim can only collect 10% on his non-pecuniary damages from the manufacturer. The victim would have to get 90% of his non-pecuniary damages from the operator. (The victim can still collect their "economic" lost wages and medical expenses from either defendant). This "deep pocket" protection, which has been part of California law for over ten years, is being copied by many states as part of their "Tort Reform."

### **International Legislative Efforts Pertaining To Aviation Security**

#### **Chicago Conference Of 1944**

The main instrument for the development of international civil aviation today still remains the Convention on International Civil Aviation, Signed at Chicago, on 7 December 1944.<sup>16</sup> The Chicago Convention was the most important of the four instruments drawn up in Chicago at a Conference convened at the initiative of the United States Government. The preamble of a Convention frequently facilitates the interpretation of that Convention and the drafters' intentions.

The Chicago Convention lays down the basis for the establishment of the International Civil Aviation Organization<sup>17</sup> (ICAO) which aims to 'ensure the safe and orderly growth of international civil aviation throughout the world'. Additionally, it should strive to 'promote safety of flight in international air navigation'<sup>18</sup> and 'meet the needs of the peoples of the world for safe, regular, efficient and economical air transport'.<sup>19</sup>

## Important International Conventions On Unlawful Interference With International Civil Aviation

### The Tokyo Convention (1963)

This convention was brought to light by judgements like was brought to light by judgements like *R v. Martin*<sup>20</sup> and *USA v. Cordova*.<sup>21</sup> The lack of jurisdiction was particularly problematic for the common law countries as they tended to claim territorial jurisdiction only and did not consider aircraft as part of their territory. A Sub-Committee was formed to deliberate the Convention of State Organization and a Report on that Convention was contemplated by the Legal Committee at its Rome meeting in 1962. A final text was also drafted at this meeting which was circulated once more to all Member States for consideration prior to the diplomatic conference in Tokyo. The final result was the Convention on Offences and Certain other Acts Committed on Board Aircraft, signed at Tokyo, on 14 September (Tokyo Convention), the first international convention drafted solely to tackle the problem of unlawful interference in international civil aviation. The Tokyo Convention contains several provisions on the power of the commander.

### The Hague Convention (1970)<sup>22</sup>

The late 1960s saw a series of hijackings which induced States which previously had not ratified or acceded to the Tokyo Convention to do so. At the same time, it became clear that the provisions found in that treaty would not be adequate in the fight against terrorism and so the ICAO Assembly adopted Resolution A16-37. The Assembly asserted therein that Article 11 of the Tokyo Convention did not provide a complete remedy. To deal with this problem a draft Convention was submitted by the Legal Committee to the ICAO Conference held at The Hague and, after much debate, was adopted in December 1970. This Convention aimed firstly to do what the Tokyo Convention had not done, namely to define the offence:

*'Any person who on board an aircraft in flight:*

- (a) unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, or exercises control of, that aircraft, or attempts to perform such act, or*
- (b) is an accomplice of a person who performs or attempts to perform any such act commits an offence'.*

The Hague Convention can certainly be said to be wider in scope and effect than the Tokyo Convention. There are, however, a number of limitations to be discussed. Firstly, the Hague Convention can only be applied to those acts committed on board an aircraft 'in flight' as defined within the treaty. This therefore precludes acts such as sabotage or acts of seizure by remote control. A



similar limitation is imposed on the prosecution of accomplices. There is also a limitation applied in Article 3(3) whereby The Hague Convention will only be applicable if the place of take-off or actual landing is situated outside the territory of the State of registration of that aircraft. In addition to the jurisdiction already established under the Tokyo convention, all contracting States are also required to create further jurisdiction under Article 4 of the Hague Convention. Similarly to the Tokyo Convention, there is no outright obligation to extradite created in the Hague Convention.

### **The Montreal Convention (1971)**

It was undoubtedly the *Leila Khaled*<sup>23</sup> incident along with two instances of mid-air explosion in West Germany and Switzerland caused by sabotage which alerted ICAO to the limitation of the scope of the Convention. Realizing the shortcomings of the Hague Convention which had not yet been adopted, and recognizing that amendments to encompass acts of sabotage would delay the adoption of the Hague Convention, ICAO initiated work on a separate treaty on sabotage. This treaty was signed in Montreal on 23 September 1971. The Montreal Convention was therefore drafted to cover attacks on and sabotage of aircraft either in flight or in service. This new term 'in flight' is defined as follows:

*'Aircraft is considered to be in service from the beginning of the pre flight preparation of the aircraft by ground personnel or by the crew from a specific period until twenty-four hours after the landing. The period of the service, shall, in any event, extend for the entire period during which the aircraft is in flight'.*

It covers a wide variety of acts including the placing of an explosive device on an aircraft or any act of violence against a person on board an aircraft in flight, where that act is likely to endanger the safety of the aircraft. In addition, it includes accomplices who commit or attempt to commit such offences. This proved to be one of the most controversial provisions in the Montreal Convention because many States felt that the regulation of sabotage of air navigation facilities was a matter purely for domestic jurisdiction and did not belong in an international treaty.

### **The ICAO's Strategic Plan**

Apart from legislative activities, ICAO conducts other activities which impact on the aviation industry. The Strategic Action Plan (SAP) was adopted by the ICAO Council on 7 February 1997 to represent 'the first comprehensive re-evaluation of ICAO's mission since the signing of the Chicago Convention'.<sup>24</sup> The goal of ICAO is:

*'to become the recognized world-wide auditor of safety and security standards for international civil aviation.'*<sup>25</sup>

In order to attain this status, ICAO would be empowered to carry out technical inspections in any State in order to ensure the uniform implementation

of the safety and security standards. In this context of safety and security standards, the author would also like to add that such action by ICAO is vital in preventing the development of a two-tier safety and security regulation. The concepts found in the Strategic Action Plan, in particular the audit system will play an essential role in the enhancement of aviation security worldwide.<sup>26</sup>

### **Thirty Third Session Of ICAO Assembly (2001)**

The 33rd Session of the ICAO Assembly was convened shortly after the events of (11 September 2001). Resolution A33-1 of this session declares that misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation are 'contrary to the letter and spirit of the Convention on International Civil Aviation, in particular its preamble and Articles 4 and 44 and that such acts and other terrorist acts involving civil aviation or civil aviation facilities constitute grave offences in violation of international law.

The obligations imposed on the contracting States in Resolution A33-1 may appear to merely reiterate the duties which were already imposed upon States. Whether the correlation between Article 4 of the Chicago Convention and 'those who misuse civil aircraft as weapons of destruction' is deliberate, cannot yet be discerned. Article 4 is unquestionably a State's duty:

*'Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.'*

The appendices attached to Resolution A33-2 constitute 'the consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation'. They supersede all the previous policies of the ICAO in this area. States are urged to take action in a number of different areas such as adhering to the international conventions. States are also urged to comply with the standards in Annex 17 and other relevant Annexes. In addition to this, the Assembly recommends that aviation security provisions be included in bilateral agreements on air services and that ICAO co-operates to the fullest extent possible with interested international organisation.

### **Conclusion**

It can be concluded from the ILC's draft articles that the State responsibility in international law arises when a breach of an international obligation occurs. It may therefore seem curious that the obligation contained within the principal treaties on unlawful interference in international civil aviation do not address the problem of terrorism directly. Rather the obligations contained therein are directed primarily at the response of other states to such acts of unlawful interference. The author submits that the fundamental dilemma of international air law in this field is the lack of obligations upon a State to refrain from air law in this field is the lack of obligation upon a State to refrain from committing such Acts.

It is also submitted that the imposing such a heavy liability on the airlines, governments are invading their own responsibilities under general international law, European human rights law and specifically the Chicago Convention. Terrorist attacks are attacks on the whole, they are attack on society, State while the airlines and their passengers are their unfortunate victims. All acts are not unlawful interferences. A suicidal passengers who bursts out into the cockpit and attempts to crash the aircraft has also committed an act of unlawful interference but it is not an act directed at the State. Therefore, such considerations should be taken in account when calculation as to payment of compensation is done.

### **Endnotes**

1. ICAO resolution A 26-7.
2. R.I.R Abeyrante, *Aviation Security, Legal and Regulatory Aspects*, pp. 47-48.
3. M.N. Shaw, *International Law*, (4<sup>th</sup> Edition., Cambridge, Cambridge University Press,1997) At p.541.
4. Spanish Zone of Morocco, 2 RIAA, p.615(1923); 2 ILR p.157, per Judge Herber.
5. *Vienna Convention on the Law of Treatise*;(1969) 8 ILM p.679.
6. 'Whether the responsibility is 'objective or subjective' in this sense will depend on the circumstances, including the content of the primary obligation in question. The article lay down no general rule in that regard. The same is true of other standards, whether they involve some degree of fault, culpability, negligence or want of due diligence. Such standards vary from one context to another for reasons which essentially relate to the object and purpose of the treaty provision or other rule giving rise to the primary obligation. Nor do the articles lay down any presumption in this regard as between the different possible standards.
7. Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.
8. For instance, the ICAO Security Manual Document 8973 states, Basic responsibility for the security of aircraft rests with the operator.'
9. *Termaroli v. Della Irlines*, Av cas, (CCH) p. 18, 293, 294 (Civ. Ct. N.Y., 1983).
10. *Donoghue v. Stevenson*, [1932] AC 562.

11. N.L.J.T, Horbach, *Liability versus Responsibility under International law*, (Amsterdam, 1996) Stellingen.
12. Between the carrier and ASPs.
13. Between the carrier and passenger.
14. Warsaw Convention for the Unification of Certain Rules Relating to International Transportation by Air, Also Montreal Convention for the unification of Certain Rules for International Carriage by Air.
15. This term has been referred to as 'scope of employment', within the scope of the carrier', 'mission of the police', all of which were used by courts to determine an agent-principal relationship between Asps and its employer.
16. Here in after referred to as Chicago Convention.
17. Chicago Convention, Part II.
18. *Ibid.*, Art. 44 (h).
19. *Ibid.*, Art. 44 (d).
20. [1956] 2 QB 272.
21. U.S. District Court E.D. New York, 1950. 89 F. Supp. 298.
22. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16th December 1970 (hereinafter referred to as Hague Convention).
23. Leila Khaled was released from a British where she was being held for attempting to hijack an Israeli aircraft in British airspace. The British Government's decision not to prosecute was part of a deal to free hundreds of hostages being held by her fellow members of the Popular Front for the Liberation of Palestine (PFLP). They had simultaneously hijacked five aircraft and forced the release not only of Khaled but also of other Arab prisoners from Swiss and West German prisons. Although the hostages were released, four aircraft were destroyed.
24. Address by the President of the Council of the ICAO, on the Occasion of the Launch of the ICAO Strategic Action Plan, Montreal, 22 May 1997, as viewed at <[www.icao.int/ficao/en/straCtxt.htm](http://www.icao.int/ficao/en/straCtxt.htm)> on 24th September 2010.
25. Address by the President of the Council of the ICAO, on the Occasion of the Launch of the ICAO Strategic Action Plan, Montreal, 22 May 1997, as viewed at <[www.icao.int/ficao/en/straCtxt.htm](http://www.icao.int/ficao/en/straCtxt.htm)> on 23rd September 2010.
26. See High Level Ministerial Conference under the Next Section.

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