



4<sup>th</sup> INTERNATIONAL AIR LAW MOOT COURT COMPETITION

November 2-4, 2026, Jiaxing

**Organized by the Institute of Air and Space Law AEROHELP,  
St Petersburg, Russia**

**Co-organizer of the edition of 2026 is the School of Global  
Governance at Beijing Institute of Technology (BIT), China**

***Case of the Republic of Altoría v. the State of Ventura***

Concerning the Extraterritorial Interdiction and Seizure of a Civil Aircraft

## **I. INTRODUCTION**

This Moot Court concerns the legality under international law of the extraterritorial interception, diversion, boarding, seizure, technical inspection, and prolonged detention of a foreign-registered civil aircraft during peacetime.

The dispute arises between the Republic of Altoria and the State of Ventura following the interception of Flight AT-472, a Boeing 787 registered in Altoria, operated by Altoria National Airlines, during an alleged hijacking incident on 12 June 2025. Altoria National Airlines is the national flag carrier. Fifty-seven percent of its shares are owned by the Republic of Altoria, which also has the power to appoint a majority of the Board of Directors pursuant to the Articles of Association. The airline, however, remains a private entity subject to civil law.

The case requires participants to examine sovereignty over national airspace, the prohibition on the threat or use of force, the scope of Article 3 bis of the Chicago Convention, jurisdiction over hijacked aircraft under the Tokyo Convention framework, counter-terrorism obligations, counter-narcotics enforcement, diplomatic inviolability, human rights law, State responsibility, reparations, and jurisdictional conflict between the ICJ and the ICAO Council.

The matter unfolds against a backdrop of rising transnational narcotics trafficking, increasing politicization of aerial interdiction practices, and contested interpretations of necessity and extraterritorial enforcement jurisdiction.

## **II. THE PARTIES**

The Republic of Altoria is a developing State located at the strategic crossroads of Europe and Asia. It operates Altoria Grand International Airport, one of the largest transit hubs in its region, facilitating over 40 million passengers annually. Civil aviation accounts for 25% of its GDP. The Republic of Altoria has incorporated ICAO SARPs into domestic law and maintains strict aviation security oversight.

The State of Ventura is a technologically advanced State possessing extensive military, intelligence, cyber-surveillance, and satellite capabilities. Between 2022 and 2024, the State of Ventura experienced a severe synthetic opioid crisis, resulting in over 10,000 deaths. Public pressure prompted a security-oriented response extending beyond traditional territorial enforcement mechanisms.

Both States are parties to the Chicago Convention (1944), Tokyo Convention (1963), Hague Convention (1970), Montreal Convention (1971), Montreal Convention (1999), Beijing Convention (2010) and the 2014 Protocol, the 1988 UN Convention

against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the Vienna Convention on Diplomatic Relations, and the UN Charter.

### **III. GEOPOLITICAL AND SECURITY BACKGROUND**

Between 2022 and 2024, Ventura authorities documented a dramatic increase in synthetic narcotics trafficking. Parliamentary hearings revealed that traffickers exploited long-haul commercial aviation networks, often routing shipments through transit hubs to obscure origin and destination.

A classified Ventura intelligence report of March 2024 concluded that certain diplomatic cargo channels and bonded freight mechanisms were being exploited for concealment. Although no State was formally accused, intelligence analysis suggested patterns involving transit through Altoría's hub.

In April 2024, Ventura adopted the Aerial Security and Interdiction Law (ASIL). The ASIL authorizes identification, interception, diversion, and inspection of suspect civil aircraft, including operations conducted beyond Ventura sovereign airspace where "vital national security interests" are deemed at risk.

Several ICAO Member States expressed concern that ASIL conflicted with Article 1 (complete and exclusive sovereignty over airspace) and Article 3 bis (refraining from the use of weapons against civil aircraft) of the Chicago Convention.

Following a constitutional challenge filed by the International Peace Party, the Constitutional Court of Ventura expressed serious concerns regarding the compatibility of ASIL with the Constitution. However, the Court declined to suspend the operation of the Law pending review and commenced proceedings on an expedited basis.

### **IV. PRE-INCIDENT INTELLIGENCE DEVELOPMENTS**

On 11 June 2025, Ventura intelligence circulated an internal memorandum alleging that Flight AT-472, departed from Alta Civitas, Capital City of Altoría to Valetudo, Capital City of Sanitaria, would transport approximately 500 kilograms of synthetic narcotics concealed within sealed freight containers. The planned flight route is not destined through the airspace of Ventura. The intelligence was based on intercepted communications between suspected traffickers operating in a third State.

No formal notification was transmitted to Altoría authorities prior to departure of the aircraft.

Altoria asserts that it was unaware of any credible threat related to Flight AT-472 and that its pre-flight security screening procedures complied with ICAO Annex 17 standards.

The substance allegedly discovered onboard – identified by Ventura authorities as “Synaptrex-9 Hydrochloride” – is a synthetic precursor compound classified under Schedule II of the 1988 Convention.

While Ventura asserts that Synaptrex-9 is primarily used in the illicit production of high-potency synthetic narcotics, Altoria maintains that the compound is also lawfully manufactured as a critical intermediate chemical in the production of neurodegenerative therapeutic agents, including experimental Alzheimer’s treatments currently undergoing Phase III clinical trials.

The shipment was consigned to a licensed pharmaceutical manufacturer, Medicorum Incorporation, in a third State, the Republic of Sanitaria. Medicorum Incorporation is 68% owned by the Republic of Altoria, which has the power to appoint a majority of its Board of Directors. However, strategic decisions of the Medicorum Incorporation are subject to approval of the Sanitaria Health Authority (SHA). SHA is an independent authority in the Republic of Sanitaria.

Ventura intelligence report has the note that Medicorum Incorporation is a vehicle used by an international cartel, Societas Noctis, for transnational narcotics trafficking. Societas Noctis is alleged to be linked to the financing of terrorist activities in Ventura.

## **V. CHRONOLOGY OF EVENTS**

### **12 June 2025**

08:15 UTC – Flight AT-472 departs Altoria Grand International Airport.

10:40 UTC – Two passengers force entry into cockpit.

10:52 UTC – Transponder code 7500 transmitted (hijacking).

11:02 UTC – Altoria ATC begins emergency coordination.

11:07 UTC – Ventura fighter aircraft enter Altoria airspace without prior consent.

11:09 UTC – Fighters establish radar weapons lock.

11:11 UTC – Radio instructions issued demanding course alteration.

11:15 UTC – Aircraft diverted toward Ventura territory.

**13 June 2025** – Aircraft lands at Ventura Air Force Base Fortis.

**June–August 2025** – Aircraft detained for inspection.

**June 2025** – Other passengers released and returned to their point of origin, all costs are reimbursed by Ventura.

**August 2025** – The Captain of Flight AT-472 is arrested by Ventura authorities on suspicion of membership in the international cartel, Societas Noctis, based on

intelligence reports and electronic communications allegedly recovered during the investigation. The First Officer and remaining crew members are released; however, criminal proceedings remain pending against the entire flight crew. The First Officer is prohibited from leaving Ventura pending investigation. All crew are citizens of Altoria.

**September 2025** – The aircraft is formally seized pursuant to an order issued by the Ventura Criminal Court under ASIL pending final determination of criminal proceedings. Ventura authorities subsequently registered the aircraft under domestic registry and began using it for Ventura Police operations. Seizure is based on the allegation that the aircraft was used for criminal purposes, transnational narcotics trafficking.

## **VI. THE HIJACKING**

The hijackers were dual nationals (Altoria and Imperium Tenebrarum) claiming persecution in Imperium Tenebrarum.

Altoria and Imperium Tenebrarum are two states that have extensive commercial trade, and signed an integrated joint defense and security cooperation agreement; besides, the commercial cooperation agreements between them facilitate acquisition of each other's citizenship with simplified procedures. The hijackers' families, business interests, and social ties are located in Imperium Tenebrarum. They demanded asylum in Ventura and threatened to detonate an improvised device while on board and during the flight, later determined to be inoperative.

The pilot followed Tokyo Convention procedures, attempted de-escalation, and maintained communication with Altoria authorities.

Ventura argues that the hijacking created an imminent transnational threat justifying immediate action and based on ASIL to prevent transnational narcotics trafficking.

Altoria maintains that the situation remained under control and did not justify foreign military intervention.

In addition, Altoria strongly alleges that the compound is also lawfully manufactured as a critical intermediate chemical in the production of neurodegenerative therapeutic agents, including experimental Alzheimer's treatments currently undergoing Phase III clinical trials. Altoria added that the shipment was consigned to a licensed pharmaceutical manufacturer, Medicorum Incorporation.

## **VII. INTERCEPTION AND DIVERSION**

Ventura fighter jets entered Altoria sovereign airspace without prior authorization. Visual intercept maneuvers were conducted. Radar lock was established for approximately four minutes. No missiles were fired.

Ventura asserts that radar lock constituted a precautionary measure.

Altoria argues that such conduct amounted to a threat of force within the meaning of Article 2(4) of the UN Charter.

The aircraft complied and altered course toward Ventura territory.

## **VIII. BOARDING, DETENTION, AND SEARCH**

Upon landing, armed Ventura security personnel opened the doors and boarded the aircraft. The hijackers were arrested. All passengers and crew were detained for questioning for up to 72 hours.

Diplomatic cargo bearing official seals was opened during inspection. Ventura alleges discovery of 500 kilograms of synthetic narcotics.

Altoria alleges evidence falsification and violation of diplomatic inviolability.

The aircraft remained grounded for 11 weeks. Avionics components were removed for inspection. Maintenance seals were broken. Post-return technical evaluation revealed structural wear and financial losses exceeding USD 48 million.

Ventura disputes the real diplomatic character of the cargo despite the diplomatic seal, alleging improper designation and abuse of diplomatic labeling mechanisms.

## **IX. HUMAN RIGHTS DIMENSION**

Several passengers alleged degrading treatment during detention. Two passengers, Altoria citizens, initiated proceedings before the regional human rights body, Curia Humanitatis, against Ventura. Altoria wanted to be added to the proceedings as claimant based on the allegation that its citizens are victims. Both Ventura and Altoria accept the jurisdiction of the court and the statute of the court permits State Parties to represent their nationals where their human rights and freedoms are allegedly breached by another State Party.

Curia Humanitatis applies the European Convention on Human Rights at its jurisprudence.

Ventura contends that any detention was lawful, proportionate, and limited in duration.

The extraterritorial application of human rights obligations forms part of the dispute.

## **X. DIPLOMATIC EXCHANGES**

**17 June 2025** – Altoría issues formal protest.

**18 June 2025** – Ventura responds invoking necessity and counter-narcotics obligations.

**20 June 2025** – Diplomatic negotiations fail.

## **XI. PROCEEDINGS BEFORE THE ICJ**

15 September 2025 – Altoría institutes proceedings before the ICJ.

Claims include violation of sovereignty, unlawful use of force, breach of Chicago Convention, breach of diplomatic law, and compensation.

Ventura accepts jurisdiction and files counter-claims alleging failure of due diligence in preventing hijacking and narcotics trafficking.

## **XII. PROCEEDINGS BEFORE THE ICAO COUNCIL**

Altoría files complaint under Article 84 of the Chicago Convention on 15 September 2025 as well.

Ventura argues that ICAO has primary jurisdiction and that the ICJ proceedings are inadmissible or premature.

## **XIII. ISSUES PRESENTED**

1. Whether Ventura violated Altoría's sovereignty.
2. Whether radar lock and diversion constituted a threat or use of force.
3. Whether Article 3 bis of the Chicago Convention was breached.
4. Whether extraterritorial interdiction is lawful.
5. Whether jurisdiction over the hijacked aircraft was lawfully exercised.
6. Whether diplomatic inviolability was violated.
7. Whether human rights obligations were triggered.
8. Whether ICAO has exclusive or primary jurisdiction.
9. Whether State responsibility arises.
10. The scope of reparations owed.

#### **XIV. APPLICABLE LAW**

Participants may rely on the UN Charter, Chicago Convention, Tokyo Convention, Hague Convention, Montreal Convention, Vienna Convention on Diplomatic Relations, ARSIWA, customary international law, and general principles of law.

#### **XV. ANNEXES**

Annex I – Extracts from Chicago Convention

Annex II – Extracts from Tokyo Convention

Annex III – Extracts from UN Charter

Annex IV – ASIL

Annex V – Diplomatic Notes

Annex VI – ICAO Procedural Documents

**Note:** Other legal instruments referred under the Case are also within the scope of the preparation.

***All States, entities and persons in this Problem are fictional. Any resemblance to real States or entities is purely coincidental.***

**ANNEX I**  
**EXTRACTS FROM THE CONVENTION ON INTERNATIONAL CIVIL**  
**AVIATION (CHICAGO, 1944)**

**SUMMARY**

**Article 1 – Sovereignty**

The contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory.

**Article 3 bis – Interception of Civil Aircraft**

(a) The contracting States recognize that every State must refrain from resorting to the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered. This provision shall not be interpreted as modifying in any way the rights and obligations of States set forth in the Charter of the United Nations.

(b) The contracting States recognize that every State, in the exercise of its sovereignty, is entitled to require the landing at some designated airport of a civil aircraft flying above its territory without authority or if there are reasonable grounds to conclude that it is being used for any purpose inconsistent with the aims of this Convention; it may also give such aircraft any other instructions to put an end to such violations. For this purpose, the contracting States may resort to any appropriate means consistent with relevant rules of international law, including the relevant provisions of this Convention.

(c) Every civil aircraft shall comply with an order given in conformity with paragraph (b) of this Article. To this end each contracting State shall establish all necessary provisions in its national laws or regulations to make such compliance mandatory for any civil aircraft registered in that State or operated by an operator who has his principal place of business or permanent residence in that State. Each contracting State shall make any violation of such applicable laws or regulations punishable by severe penalties and shall submit the case to its competent authorities in accordance with its laws or regulations.

(d) Each contracting State shall take appropriate measures to prohibit the deliberate use of any civil aircraft registered in that State or operated by an operator who has his principal place of business or permanent residence in that State for any purpose inconsistent with the aims of this Convention. This provision shall not affect paragraph (a) or derogate from paragraphs (b) and (c) of this Article.

#### **Article 84 – Settlement of Disputes**

If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its Annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council.

No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party.

Any contracting State may, subject to Article 85, appeal from the decision of the Council to an ad hoc arbitral tribunal agreed upon with the other parties to the dispute or to the International Court of Justice. Such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

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***\*\*\*All articles shall be taken into account from the original text***

**ANNEX II**  
**TOKYO CONVENTION (1963) WITH RELEVANT REFERENCES TO**  
**THE BEIJING CONVENTION (2010) AND 2014 PROTOCOL**  
**(Extended Version)**

**SUMMARY**

**I. Tokyo Convention (1963) – Core Jurisdictional Framework**

Article 3 – Jurisdiction

1. The State of registration of the aircraft is competent to exercise jurisdiction over offences and acts committed on board.
2. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 4 – Limitations on Jurisdiction of Other States

A State other than the State of registration may interfere with an aircraft in flight only where:

- (a) the offence has effect on its territory;
- (b) the offence is committed by or against its national;
- (c) the offence is against its security;
- (d) the exercise of jurisdiction is necessary to ensure compliance with international obligations.

Article 9 – Unlawful Seizure of Aircraft

Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander in cases of unlawful seizure.

**II. Beijing Convention (2010) – Expansion of Aviation Security Offences**

The Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing, 2010) expands the scope of punishable offences to include:

- Use of civil aircraft as a weapon;
- Release or discharge of biological, chemical, or nuclear (BCN) weapons from an aircraft;
- Transport of BCN weapons or related material;
- Transport of explosive, radioactive, or similar substances intended for terrorist purposes;
- Organization or direction of aviation-related terrorist offences;
- Threats to commit such offences where credible.

The Beijing Convention reinforces obligations of States to establish jurisdiction where the offence affects their territory or national security.

### **III. 2014 Protocol – Strengthening Enforcement and Jurisdiction**

The 2014 Protocol (relating to amendments within the aviation security regime) reinforces:

- Broader bases of jurisdiction (including nationality and territorial impact);
- Enhanced obligations to criminalize preparatory acts;
- Cooperation in extradition and mutual legal assistance;
- Expanded recognition of threats involving dual-use chemical substances.

The expanded framework reflects contemporary concerns that civil aviation may be exploited for hybrid threats combining terrorism, transnational crime, and the movement of dual-use chemical precursors.

### **IV. Relevance to the Present Dispute**

While the Tokyo Convention primarily allocates jurisdiction to the State of registration, the Beijing Convention and subsequent amendments reflect a broader international trend toward enhanced jurisdiction where aviation-related conduct threatens international peace, national security, or involves dangerous substances.

These developments may be invoked to interpret the evolving scope of State authority in cases involving hijacking combined with suspected transport of dual-use chemical precursors.

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***\*\*\*All articles shall be taken into account from the original text***

## **ANNEX III**

### **EXTRACTS FROM THE CHARTER OF THE UNITED NATIONS**

#### **SUMMARY**

##### **Article 1(1) – Purposes of the United Nations**

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

##### **Article 2(4) – Prohibition of the Threat or Use of Force**

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations.

##### **Article 33 – Peaceful Settlement of Disputes**

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

##### **Article 51 – Inherent Right of Self-Defence**

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

### **Article 103 – Supremacy of the Charter**

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

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***\*\*\*All articles shall be taken into account from the original text***

## **ANNEX IV**

### **ASIL (Revised Strategic Security Version – 2024)**

#### **(Aerial Security and Interdiction Law of the State of Ventura)**

##### **I. Strategic Security Premise**

1. The State of Ventura recognizes that contemporary transnational threats exploit civil aviation infrastructure, diplomatic cargo channels, dual-use chemical trade, and hijacking incidents as hybrid operational platforms.
2. Ventura affirms that international law must be interpreted dynamically in light of evolving threats to human life and national survival.
3. Where rigid adherence to territorial formalism would enable mass harm, the protection of life prevails.

##### **II. Expanded Self-Defence Doctrine**

4. Ventura interprets Article 51 of the UN Charter as encompassing ongoing armed attacks, imminent armed attacks, hybrid attacks combining criminal, terrorist, and transnational narcotics components, and systemic narcotics operations causing mass casualties within Ventura territory.
5. The large-scale importation of synthetic narcotics causing thousands of deaths constitutes a non-kinetic armed attack when attributable to organized transnational networks.
6. Aircraft knowingly or negligently facilitating such operations may be treated as operational vectors of an armed attack.

##### **III. Extraterritorial Aerial Interdiction Authority**

7. Ventura reserves the right to intercept civil aircraft beyond its sovereign airspace where (a) credible intelligence establishes a high probability of grave transnational harm, (b) the territorial State is unwilling, unable, or structurally compromised, and (c) delay would materially endanger lives.
8. Prior notification is not a legal prerequisite where operational secrecy is essential to prevent destruction of evidence or escalation of threat.
9. Entry into foreign sovereign airspace under these conditions constitutes a lawful security intervention and does not amount to prohibited use of force when confined to controlled aerial measures.

#### **IV. Threat of Force and Radar Lock**

10. Radar lock and weapons tracking are classified as calibrated deterrent signals.
11. A threat of force within the meaning of Article 2(4) of the UN Charter requires unlawful coercive intent. Defensive deterrence aimed at preventing mass harm does not meet this threshold.
12. Controlled diversion of a civil aircraft under military escort does not constitute use of force where no weapons are discharged, safe landing is ensured, and civilian lives are preserved.

#### **V. Instrumentality Doctrine**

13. Any aircraft materially used as a vehicle for transnational narcotics trafficking, hybrid criminal-terrorist operations, or concealment of illicit chemical precursors may be classified as an instrumentality of serious international crime.
14. Instrumentalities lose the protective presumption ordinarily afforded to civil aircraft where credible evidence indicates systematic abuse.

#### **VI. Diplomatic Cargo Exception**

15. Diplomatic labeling shall not create absolute immunity where (a) there are compelling indications of systemic abuse and (b) diplomatic status is exploited to shield criminal operations.
16. Abuse of rights (abus de droit) invalidates reliance on diplomatic protection mechanisms.
17. Judicial authorization under Ventura law suffices to conduct inspection when serious international crimes are implicated.

#### **VII. Seizure and Registry Measures**

18. Judicial seizure of an aircraft used in transnational criminal operations is a lawful enforcement action.
19. Temporary re-registration under Ventura registry during criminal proceedings constitutes a custodial security measure and does not imply unlawful expropriation.
20. Continued operational use by Ventura authorities during judicial custody is permissible where necessary to preserve asset value and public security.

#### **VIII. Human Rights Position**

21. Ventura applies human rights obligations territorially and functionally.

22. Extraterritorial application is limited to situations of effective control; temporary investigative detention consistent with due process does not constitute violation.

23. Security detention of crew members suspected of cartel affiliation is justified where supported by intelligence and judicial oversight.

#### **IX. Relationship with Aviation Law**

24. Article 3 bis of the Chicago Convention does not prohibit proportionate defensive aerial interception in response to imminent hybrid threats.

25. Sovereignty over airspace is not absolute where its exercise enables catastrophic transnational harm.

26. Contemporary customary international law recognizes a limited right of extraterritorial aerial interdiction against grave non-kinetic threats.

#### **X. Concluding Principle**

27. ASIL reflects Ventura's sovereign responsibility to protect its population against mass-casualty hybrid threats and contributes to the progressive development of international security law.

## **ANNEX V**

### **DIPLOMATIC NOTES**

**Diplomatic Note No. 14/2025**  
**Republic of Altoria to the State of Ventura**  
**(17 June 2025)**

The Ministry of Foreign Affairs of the Republic of Altoria presents its compliments to the Ministry of Foreign Affairs of the State of Ventura and conveys, in the strongest possible terms, its profound condemnation of the grave and manifestly unlawful acts committed against Altoria-registered civil aircraft Flight AT-472.

The unauthorized penetration of Altoria's sovereign airspace by Ventura military aircraft, the establishment of radar weapons lock against a civilian aircraft, and the coercive diversion thereof constitute a flagrant violation of Article 1 and Article 3 bis of the Chicago Convention, as well as a breach of Article 2(4) of the Charter of the United Nations.

The forcible boarding, prolonged detention, dismantling of avionics components, and subsequent judicial seizure and re-registration of the aircraft under Ventura registry represent an egregious usurpation of jurisdiction and an unlawful expropriation of State property.

The opening of sealed diplomatic cargo, bearing official markings and documentation, constitutes a serious violation of the Vienna Convention on Diplomatic Relations and undermines the inviolability that lies at the foundation of peaceful international intercourse.

The Republic of Altoria formally demands: (i) the immediate and unconditional restitution of the aircraft; (ii) termination of all criminal proceedings initiated without lawful jurisdiction; (iii) full compensation exceeding USD 48 million for material damage, financial loss, and moral injury; and (iv) binding assurances and guarantees of non-repetition.

The Republic of Altoria reserves all rights under international law, including recourse to judicial and institutional mechanisms.

The Ministry of Foreign Affairs of the Republic of Altoria avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the State of Ventura the assurances of its highest consideration.

**Diplomatic Note No. 27/2025**  
**State of Ventura to the Republic of Altoria**  
**(18 June 2025)**

The Ministry of Foreign Affairs of the State of Ventura presents its compliments to the Ministry of Foreign Affairs of the Republic of Altoria and acknowledges receipt of Diplomatic Note No. 14/2025.

Ventura categorically rejects the allegations advanced by Altoria. The measures undertaken in respect of Flight AT-472 were lawful, necessary, and proportionate responses to an ongoing hijacking scenario compounded by credible intelligence indicating the imminent trafficking of substantial quantities of Schedule II precursor chemicals destined for illicit narcotics production.

The actions taken were grounded in Ventura's inherent right of self-defence pursuant to Article 51 of the Charter of the United Nations and in its international obligations to combat transnational narcotics networks responsible for mass casualties within Ventura territory.

The establishment of radar lock constituted a calibrated deterrent measure. No weapon was discharged. Civilian lives were preserved. The diversion ensured the neutralization of an imminent and multifaceted threat.

Inspection of cargo was conducted pursuant to judicial authorization where compelling evidence indicated abuse of diplomatic designation mechanisms. The subsequent seizure of the aircraft was ordered by a competent and independent judicial authority pending criminal proceedings concerning grave transnational crimes.

Ventura rejects any characterization of its actions as expropriation and reaffirms that all measures remain subject to judicial review and due process safeguards.

While Ventura remains prepared to engage in diplomatic dialogue, it firmly maintains its legal position and reserves all rights and remedies available under international law.

The Ministry of Foreign Affairs of the State of Ventura avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Altoria the assurances of its highest consideration.

**Record of High-Level Diplomatic Consultations  
(20 June 2025)**

High-level representatives of the Republic of Altoria and the State of Ventura convened on 20 June 2025. The discussions were frank and comprehensive.

Altoria reiterated that Ventura's conduct constituted a serious breach of sovereignty, an unlawful threat of force, violations of aviation law, and infringement of diplomatic inviolability.

Ventura reaffirmed that evolving hybrid threats necessitate decisive defensive measures and that its conduct reflected a lawful exercise of security jurisdiction in extraordinary circumstances.

The consultations concluded without resolution. Both States confirmed that they would pursue available legal avenues, including adjudication before competent international bodies.

## **ANNEX VI**

### **ICAO PROCEDURAL DOCUMENTS**

#### **I. Institution of Proceedings Under Article 84 of the Chicago Convention**

On 15 September 2025, the Republic of Altoria filed an Application before the ICAO Council pursuant to Article 84 of the Convention on International Civil Aviation (Chicago Convention).

The Application alleges breaches of Articles 1 and 3 bis of the Convention arising from the interception, diversion, detention, and seizure of Flight AT-472.

The Application was registered by the Secretary General and circulated to all ICAO Member States in accordance with the ICAO Rules for the Settlement of Differences.

#### **II. Written Pleadings Phase**

Pursuant to Procedural Order No. 1, the Council established the following timetable:

- Memorial of the Republic of Altoria – due 30 November 2025.
- Counter-Memorial of the State of Ventura – due 30 January 2026.
- Reply of the Republic of Altoria – due 15 March 2026.
- Rejoinder of the State of Ventura – due 30 April 2026.

The Parties were instructed to address jurisdiction, admissibility, and merits in bifurcated written submissions.

#### **III. Preliminary Objections (Jurisdiction and Admissibility)**

On 5 October 2025, the State of Ventura submitted preliminary objections challenging the jurisdiction of the ICAO Council.

Ventura contends that the dispute primarily concerns issues of use of force and self-defence under the UN Charter, matters allegedly falling outside the technical competence of the Council.

Ventura further argues that parallel proceedings before the International Court of Justice render the ICAO proceedings inadmissible or premature.

The Council decided to bifurcate the proceedings and address jurisdiction and admissibility as a preliminary matter.

#### **IV. Oral Hearings**

The ICAO Council scheduled oral hearings on jurisdiction for 20–24 May 2026 at ICAO Headquarters.

Each Party was allocated equal time for oral submissions and rebuttal. The Council reserved the right to pose written and oral questions pursuant to the applicable procedural rules.

#### **V. Intervention and Observations by Member States**

In accordance with ICAO practice, Member States with a potential interest in the interpretation of Articles 1 and 3 bis were invited to submit written observations.

Several Member States emphasized the principle of complete and exclusive sovereignty over national airspace, while others highlighted evolving security challenges affecting civil aviation.

#### **VI. Relationship with ICJ Proceedings**

The ICAO Council formally acknowledged the parallel proceedings instituted before the International Court of Justice on 15 September 2025.

The Council indicated that it would avoid conflicting determinations and would confine its analysis strictly to obligations arising under the Chicago Convention.

The question of exclusive, primary, or concurrent jurisdiction remains under deliberation.