



THE USE OF AIRCRAFT NATIONALITY AND REGISTRATION MARKS ADAPTED BY ANNEX 7 INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

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Abstrak

Penelitian ini membahas penggunaan kode registrasi dan tanda kebangsaan pesawat sesuai Annex 7 ICAO serta dampak hukumnya jika terjadi pelanggaran. Penelitian ini menekankan pentingnya kepatuhan terhadap regulasi untuk menjamin keselamatan, keamanan, dan akuntabilitas penerbangan serta memberikan kontribusi teoritis dan praktis dalam memahami dan menerapkan aturan registrasi pesawat secara internasional. Penelitian menganalisis pelanggaran oleh pesawat asing yang melayani rute domestik di Indonesia tanpa registrasi sah, melanggar Annex 7 ICAO dan hukum nasional. Penelitian ini menekankan pentingnya kepatuhan terhadap regulasi untuk menjamin keselamatan, keamanan, dan akuntabilitas penerbangan serta memberikan kontribusi teoritis dan praktis dalam memahami dan menerapkan aturan registrasi pesawat secara internasional.

Kata kunci : Tanda Kebangsaan dan Pendaftaran Pesawat; Annex 7 ICAO; Konvensi Chicago 1944; Pelanggaran Kedaulatan Udara; Hukum Penerbangan

Abstract

This study discusses the use of aircraft registration codes and nationality marks according to ICAO Annex 7 and their legal impacts if violations occur. This study emphasizes the importance of compliance with regulations to ensure flight safety, security, and accountability and provides theoretical and practical contributions in understanding and implementing international aircraft registration rules. The study analyzes violations by foreign aircraft serving domestic routes in Indonesia without valid registration, violating ICAO Annex 7 and national law. This study emphasizes the importance of compliance with regulations to ensure flight safety, security, and accountability and provides theoretical and practical contributions in understanding and implementing international aircraft registration rules.

Keywords : Aircraft Nationality & Registration Marks; Annex 7 ICAO; Chicago Convention 1944; Violation of Air Sovereignty; Aviation Law

I. INTRODUCTION

A. Background

Aircraft registration codes function like license plates and are required for all civil aircraft under the ICAO's Chicago Convention. These codes are crucial for aviation safety, accountability, and traceability. Each aircraft must display nationality and registration marks to prevent double registration and illegal operations. While countries like Indonesia have national regulations (e.g., Law No.1 of 2009), they must align with international standards set by ICAO. ICAO, as a UN agency, develops global aviation rules through SARPs and facilitates communication among member states to address operational challenges. Properly regulated registration marks help identify aircraft, deter violations such as foreign aircraft operating domestic routes, and aid emergency response. A case in Indonesia, where 30 unregistered foreign aircraft operated domestically, illustrates the risks of non-compliance. This highlights the importance of ICAO Annex 7 in maintaining safety,



legal order, and cooperation in international civil aviation.

B. Theoretical Framework

1. International Civil Aviation Organization (ICAO)

The International Civil Aviation Organization (ICAO) is a specialized UN agency formed through the 1944 Chicago Convention to ensure the safety, security, and efficiency of international civil aviation.¹ It provides global standards and recommended practices (SARPs) in several official languages and promotes harmonization of aviation regulations among member states, while respecting each nation's domestic laws. ICAO evolved from earlier efforts like the 1919 Paris Peace Conference and the establishment of the International Commission for Air Navigation (ICAN). After World War II, the 1944 Chicago Conference led to the formal creation of ICAO, replacing ICAN. The Convention affirmed that every state has complete sovereignty over its airspace, and foreign aircraft must obtain permission before entering. ICAO works to promote international cooperation and sustainable growth in civil aviation. It focuses on areas such as improving air navigation systems and infrastructure, enhancing aviation security and facilitation, supporting economic development in air transport, and protecting the environment from aviation's negative impacts.

2. Aircraft Nationality & Registration Marks

An aircraft's nationality is defined by the country where it is registered, similar to a ship's flag under maritime law.² Nationality and registration marks must be clearly displayed on the aircraft using Roman capital letters, in specific positions, and in accordance with ICAO Annex 7. Each aircraft must carry a Certificate of Registration that includes its nationality and registration marks. These marks help identify the aircraft internationally and ensure it complies with safety regulations. ICAO prohibits the use of invalid or duplicated registration codes, double registrations across countries, and incorrect formatting or display of the marks. Article 20 of the Chicago Convention requires all civil aircraft in international operations to bear proper nationality and registration marks at all times.

3. Air Law

Air law is the legal framework governing the use of airspace and aviation activities. It is based on the principle that every country has full and exclusive sovereignty over the air above its territory, including its territorial waters. This law aims to support national interests while preventing conflict between nations through internationally agreed rules. Unlike maritime law, which developed from custom, air law is built on formal conventions that emerged after the invention of aircraft.³ The first air law conference took place in Paris in 1910 following security concerns caused by German balloons entering French airspace.⁴

¹ Agustini, Kareng, and Victoria, "The Role of ICAO (International Civil Aviation Organization) in Implementing International Flight Safety Standards."

² R Slatter, "Nationality Marks Should Comply With Icao Annex 7 Specifications," *ICAO Journal*, 1992.

³ Boer Mauna, *Hukum Internasional: Pengertian, Peranan Dan Fungsi Dalam Era Dinamika Global* (Bandung: P.T. Alumni, 2011).

⁴ Yaya Kareng, "International Aviation/Airspace Law an Overview," *International Journal of Law Reconstruction* 4, no. 1 (2020) <https://doi.org/10.26532/ijlr.v4i1.10941>.



Over time, major international treaties were signed, such as the Warsaw Convention (1929), Tokyo Convention (1963), and the foundational Chicago Convention (1944). These agreements laid the legal foundation for modern civil aviation and established rules for international air travel and cooperation among states.

4. Aviation Law

Aviation law covers legal and commercial issues related to air travel and aircraft operation.⁵ It often overlaps with international law due to the global nature of aviation and shares some elements with maritime law. ICAO plays a leading role in setting international standards and resolving cross-border aviation legal matters. Each country, including Indonesia, adapts ICAO guidelines into national laws. In Indonesia, aviation is regulated under Law No. 1 of 2009.⁶ Aviation law ensures orderly air transportation, regulates the use of airspace, and supports the public and economic benefits of aviation. The roots of aviation law go back to early legal issues involving balloon flights, including the 1910 incident involving German balloons over French territory.⁷ Over time, as aviation evolved from military use to commercial transport, legal frameworks developed to manage the new complexities of international air travel.

C. Formulation of The Problem

1. How are the regulation of the aircraft nationality & registration marks from the perspective of international aviation law?
2. What are the legal consequences of violating the nationality & registration under annex 7 ICAO?

II. RESEARCH METHODS

For this research. The Author uses doctrinal research. doctrinal research is a research which provides a systematic exposition of the rules governing a particular legal category, analyses the relationship between rules, explain areas of difficulty and, perhaps, predicts future development.⁸ The approaches in this study are statute approach and case approach. Statute approach means the research is using statutory regulations as the fundamental references. According to Peter Mahmud Marzuki statute approach works by examining all regulatory legislation pertaining to the issue at hand, Utilizing laws and regulations is the Legislative Approach, It is a theoretical and analytical research aimed at understanding, interpreting or criticizing the existing ones. The case approach is a method where researchers attempt to construct legal arguments from the viewpoint of actual cases that take place in the field naturally, these cases are intimately tied to other cases or legal events that take place in the field. The specification used By the author is descriptive analysis. Descriptive analytics is a statistical interpretation used to analyze historical data to identify patterns and relationships.⁹ Works by preserving unprocessed data in a way that

⁵ Yaya Kareng, "International Aviation/Airspace Law an Overview," *International Journal of Law Reconstruction* 4, no. 1 (2020): Pg. 56, <https://doi.org/10.26532/ijlr.v4i1.10941>.

⁶ The Audit Board of the Republic of Indonesia, "UU No. 1 Tahun 2009," BPK RI § (2009).

⁷ Kareng, "International Aviation/Airspace Law an Overview."

⁸ Peter Mahmud Marzuki, *Penelitian Hukum*, Kencana Prenada Media Group, Jakarta, 2011, Pg. 32.

⁹ Jaspersoft, "What Is Descriptive Analytics?," www.jaspersoft.com, 2025, <https://www.jaspersoft.com/articles/what-is-descriptive-analytics>.

facilitates comprehension and analysis, such as by reorganizing classifying, and altering data to reveal valuable information about the data it contains.¹⁰ Primary legal materials, secondary legal materials, and tertiary legal materials are used in this research and are taken from Legislative Regulations, Legal Literature, Official Documents and Archives, Official Statistics and Data, and Legal Comments and Analysis. Which consist of the regulations that made by the ICAO in the annex 7 regarding the aircraft nationality and regitsrations marks. library research methods is used in this research which a description or narrative of the problem taken from research methods such as interviews, observation, and text or document analysis will be the output. The emphasis of library research is to find various theories, laws, propositions, principles, opinions, ideas and others that can be used to analyze and solve the problems being studied.¹¹ This research utilizes qualitative methods. Qualitative research involves *collecting and analyzing non-numerical data* to understand concepts, opinions or experiences, resulting in a descriptive of the problem that is based on analysis of text or documents.

III. RESULTS & DISCUSSION

1. The Regulation Of The Aircraft Nationality & Registration Marks From The Perspective Of International Aviation Law

Under international aviation law, all aircraft must be registered with a country's civil aviation authority and carry a Registration Certificate when in operation. Similar to a car license plate, aircraft registration is a unique alphanumeric code identifying each aircraft.¹² The system dates back to 1919 and was further formalized during the 1944 Chicago Conference, which led to the creation of the International Civil Aviation Organization (ICAO).¹³ The conference introduced nationality marks capital Roman letters chosen by each country to be used as part of registration codes for global identification.

The registration code plays a critical role in aviation safety, regulation, and investigation. It allows authorities to identify an aircraft, track its ownership and maintenance history, and respond efficiently in emergencies such as terrorism or crashes. Although ICAO sets international standards, each member country retains the right to regulate its own aircraft under these broad guidelines.

Annex 7 of the ICAO details how aircraft nationality and registration marks should be assigned, formatted, and displayed.¹⁴ Codes must consist of Roman capital letters and/or Arabic numbers, painted or permanently affixed to the aircraft. Placement and size requirements vary by aircraft type, and specific design rules ensure clarity and global consistency. Marks must also avoid combinations that could be confused with distress or radio signals.¹⁵ Annex 7 also applies to all types of aircraft, including airships and high-altitude balloons. It specifies exact placement for registration marks, such as on the hulls

¹⁰ QuestionPro, "Descriptive Analysis: What It Is + Best Research Tips," QuestionPro Survey Software, 2025, <https://www.questionpro.com/blog/descriptive-analysis/>.

¹¹ Sarjono. DD., Panduan Penulisan Skripsi, Yogyakarta : Jurusan Pendidikan Agama Islam, (2008), Pg.20

¹² STIE STEKOM, "Registrasi Pesawat," p2k.stekom.ac.id, 2025, https://p2k.stekom.ac.id/ensiklopedia/Registrasi_pesawat.

¹³ ICAO, "Int. Civ. Aviat. Organ."

¹⁴ International Civil Aviation Organization, "Annex 7, Aircraft Nationality and Registration Marks," International Civil Aviation Organization § (2012).

¹⁵ *Ibid.*, Section 4

or stabilizers of airships and the fuselage and wings of heavier-than-air aircraft.

The Chicago Convention, especially Articles 17 to 21, reinforces the idea that an aircraft's nationality is tied to its country of registration. It ensures each aircraft is registered in only one state at a time and obliges states to share registration and ownership data with ICAO or other states upon request, supporting transparency and accountability.¹⁶

Aircraft registration is also governed by CASR Part 45, which specifies how registration codes must be applied, including the use of fire resistant plates for aircraft components. For fixed wing aircraft, the codes must appear on the top right wing and bottom left wing, as well as on the fuselage or tail. Special categories like experimental or restricted aircraft have additional marking requirements. Aircraft made in Indonesia for export must follow the registration code of the destination country, and foreign-registered aircraft cannot operate domestically unless under special conditions. If an Indonesian-registered aircraft is sold to a foreign party, its registration must be removed unless the buyer is Indonesian.¹⁷

2. The legal Consequences Of Violating The Aircraft Nationality & Registration Marks Under Annex 7 ICAO

The ICAO has set strict regulations on nationality and registration marks to ensure proper aircraft identification, jurisdiction, and compliance with the laws of the country where the aircraft is registered. Violations of these regulations do occur for example, when foreign airlines operate domestic flights in other countries. This breaches ICAO Annex 7 and the Chicago Convention 1944, which clearly state that an aircraft cannot be validly registered in more than one country and foreign airlines cannot operate domestic flights elsewhere.

A relevant case occurred in Indonesia, where aviation observer Alvin Lie reported that 30 foreign aircraft with registration codes "T7" (San Marino) and "N" (USA) had been operating domestic routes without proper registration. Indonesian law requires aircraft operating domestic routes to carry a "PK" registration code. These foreign aircraft, based at Halim Perdanakusuma Airport in Jakarta, violated Indonesia's cabotage principle, which restricts domestic air services to national carriers a rule first introduced in the 1919 Paris Convention and reaffirmed in Article 7 of the 1944 Chicago Convention.¹⁸

The violation of Indonesian sovereignty and international aviation law is clear. For foreign aircraft to operate in Indonesia, they must receive approval from the Ministry of Foreign Affairs and the Ministry of Defense, followed by a flight clearance from the Ministry of Transportation, as detailed in Minister of Transportation Regulation No. 66 of 2015. This includes submitting extensive documentation such as the aircraft's airworthiness certificate, insurance, flight plans, and more. Only under certain conditions such as VVIP transport, humanitarian aid, or national strategic interests can unregistered foreign aircraft operate in Indonesian airspace.¹⁹ Additionally, ICAO Annex 7 mandates

¹⁶ The Chicago Convention, Convention on International Civil Aviation Done at Chicago.

¹⁷ Commonwealth of Australia, "The Civil Aviation Regulations 1988 (CAR) and Civil Aviation Safety Regulations 1998 (CASR)," www.casa.gov.au, accessed April 23, 2025, <https://www.casa.gov.au/search-centre/rules>.

¹⁸ kumparanBISNIS, "Alvin Lie: 30 Pesawat Asing Terbang Mondar-Mandir Di Rute Domestik RI," kumparan.com, 2023, <https://kumparan.com/kumparanbisnis/alvin-lie-30-pesawat-asing-terbang-mondar-mandir-di-rute-domestik-ri-20h8IKy8AHT>.

¹⁹ "Minister of Transportation of Republic of Indonesia Regulation Number 66/2015" (2015).



that registration certificates match the country of registry. Unauthorized operations violate both international and national law. In this case, Articles 17–21 and Article 3(c) of the Chicago Convention were breached, along with Article 12, which obligates aircraft to follow the rules of the airspace they fly in. Since the aircraft in question did not comply with Indonesian regulations and were not PK-registered, they were operating illegally. Legal sanctions are outlined in Law No. 1 of 2009. Article 414 imposes up to five years in prison or a fine of IDR 2 billion for operating foreign aircraft without a permit. Article 415 adds similar penalties for airworthiness violations, while Article 416 penalizes unauthorized domestic commercial flights with up to one year in prison or a fine of IDR 500 million. Article 84 emphasizes that only licensed Indonesian air carriers may operate domestic commercial flights.

IV. CONCLUSION

The regulation of aircraft nationality and registration marks is a main part of international aviation law, outlined in the 1944 Chicago Convention (Articles 17–21) and ICAO Annex 7. These rules ensure each aircraft has a unique registration indicating its nationality, placing it under the legal and safety oversight of its registering state. Registrations must meet ICAO standards for format and visibility, aiding identification, air traffic control, and safety. Aircraft can only be registered in one country at a time, and ICAO member states must report registration data to promote transparency. While national regulations like Indonesia's Civil Aviation Safety Regulations apply, they must align with international standards.

Violations of these rules such as foreign-registered aircraft (e.g., from San Marino or the U.S.) operating Indonesian domestic routes, breach international law, including regulations of the Chicago Convention and ICAO Annex 7. They also violate Indonesia's sovereignty, cabotage laws, and national regulations like the Minister of Transportation Regulation No. 66/2015. Such breaches may lead to legal penalties, airspace restrictions, and even criminal sanctions under Law No. 1 of 2009, emphasizing the need for strict compliance with aviation laws.

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