

**No. 38**

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**UNITED STATES OF AMERICA AND DENMARK**

**Exchange of Notes constituting an agreement amending the agreement of 16 December 1944 relating to air transport services. Washington, 23 October and 5 December 1945, and 21 March 1946. Came into force on 21 March 1946, by signature**

*English official text communicated by the United States representative to the United Nations. The registration took place on 20 May 1947.*

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**ETATS-UNIS D'AMERIQUE ET DANEMARK**

**Echange de notes constituant un accord amendant l'accord du 16 décembre 1944 relatif aux services de transports aériens. Washington, 23 octobre et 5 décembre 1945, et 21 mars 1946. Entré en vigueur le 21 mars 1946, par signature**

*Texte officiel anglais communiqué par le représentant des Etats-Unis auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 20 mai 1947.*

No. 38. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND DENMARK AMENDING THE AGREEMENT OF 16 DECEMBER 1944 RELATING TO AIR TRANSPORT SERVICES. WASHINGTON, 23 OCTOBER AND 5 DECEMBER 1945, AND 21 MARCH 1946

I

*The Danish Minister to the Secretary of State*

ROYAL DANISH LEGATION

WASHINGTON, D. C.

October 23, 1945

Sir,

On December 16, 1944, an Agreement Relating To Air Transport Services was concluded between Denmark and the United States of America,<sup>1</sup> effective provisionally from January 1, 1945. Acting upon instruction from my Government, I now have the honor to advise you that by Royal decree of September 29, 1945, this Air Transport Agreement has been confirmed by the Danish Government.

At the same time I beg to inform you that I have been instructed to discuss with the American authorities the following two amendments to the Agreement (I and II) of which No. I is proposed by the Danish Government and No. II by the American Government:

I

The Danish Government would appreciate as a matter of reciprocity to have the last lines of paragraph B in the Annex to the Air Transport Agreement amended to read as follows:

“Denmark to the United States and points beyond via immediate points; in both directions.”

II

With reference to paragraph A of the Annex to the Air Transport Agreement, the American Government has expressed a wish through the American Legation in Copenhagen that a clause be inserted at the end of the paragraph, reading as follows:

<sup>1</sup> *United States Executive Agreement Series 430; 58 Stat. 1458.*

“Rights of transit and non-traffic stop are granted United States airlines in the territory of Greenland on a route between the United States and Europe.”

I shall be much obliged if you will be good enough to inform me whether the American Government is prepared to conclude a revised Agreement containing the above mentioned amendments to the text of the Annex to the Air Transport Agreement.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

Henrik KAUFFMANN

The Honorable James F. Byrnes  
Secretary of State  
Department of State  
Washington, D. C.

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## II

### *The Secretary of State to the Danish Minister*

Dec. 5 1945

Sir:

I have received your note of October 23, 1945 in which you advise the Department that by Royal decree of September 29, 1945 the Air Transport Agreement between the United States of America and Denmark, effective provisionally from January 1, 1945, has been confirmed by the Danish Government.

The Department is gratified at this action, and is pleased to advise you that it considers this agreement as being definitively in force as from the date of the aforementioned Royal decree.

You also inform the Department that you have been instructed to discuss with the American authorities two amendments to the Agreement as follows.

1. A change of the last lines in Section B of the Annex amending them to read as follows:

“Denmark to the United States and points beyond, via intermediate points; in both directions.”

I am pleased to inform you that the Department agrees to this change in wording suggested by the Danish Government.

You also inform the Department that the Danish Government accepts the suggestion of the American Government that a clause be inserted at the end of Section A of the Annex, the effect of which would be to grant rights of transit and non-traffic stop in Greenland to United States airlines operating between the United States and Europe. Since the first paragraph of Section A already grants these rights to United States air services operating on the route to Denmark, it is now suggested for purposes of clarity that the proposed final paragraph of Section A read as follows:

“Rights of transit and non-traffic stop with respect to Greenland are also granted to United States airlines on a route or routes between the United States and Europe.”

If the revisions of Sections A and B of the Annex as set forth above are agreeable to the Danish Government, my Government will be pleased to consider the revised Agreement effective as from the date of the Danish Government's reply of acceptance.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:  
William L. CLAYTON

The Honorable Henrik de Kauffmann  
Minister of Denmark

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### III

*The Danish Minister to the Secretary of State*

ROYAL DANISH LEGATION

WASHINGTON, D. C.

93.D.b/1(2)

March 21, 1946

Sir:

I have the honor to advise you that after receiving your note of December 5th regarding the Air Transport Agreement between the United States of America and Denmark of December 16, 1944, I passed the contents of the note on to the Ministry for Foreign Affairs in Copenhagen.

I have now been instructed to inform you that the Danish Government agrees to the two amendments to Section A and B of the Annex to the Agreement as set forth in your aforementioned note and that the revised Agreement will become effective as from today's date.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

Henrik KAUFFMANN

The Honorable James F. Byrnes  
Secretary of State  
Department of State  
Washington, D. C.

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