

No. 208

**TURKEY
and
SWEDEN**

**Air Transport Agreement (with Annex). Signed at Ankara,
on 26 June 1946**

*French official text communicated by the Permanent Representative of Turkey
to the United Nations. The registration took place on 9 March 1948.*

**TURQUIE
et
SUEDE**

**Accord, accompagné d'une annexe, relatif aux transports
aériens. Signé à Ankara, le 26 juin 1946**

*Texte officiel français communiqué par le représentant permanent de la Turquie
auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu
le 9 mars 1948.*

TRANSLATION — TRADUCTION

No. 208. AIR TRANSPORT AGREEMENT¹ BETWEEN THE SWEDISH GOVERNMENT AND THE GOVERNMENT OF THE TURKISH REPUBLIC. SIGNED AT ANKARA, ON 26 JUNE 1946

The Swedish Government and the Government of the Turkish Republic,
Having decided to conclude an agreement for air services between Sweden and Turkey,

Have to this effect appointed plenipotentiaries, who, being duly authorized, have agreed as follows:

Article 1

The Contracting Parties grant each other the rights specified in the annex hereto with a view to establishing the international civil air routes and services therein described; such services may be begun immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

Article 2

(a) Each of the air services for which establishment rights have been granted by one Contracting Party to the other Contracting Party may be put into operation as soon as the latter party has designated an airline or airlines for the operation of the service in question; the Contracting Party granting the rights shall, subject to the provisions laid down in article 6 below, be bound to grant without delay the requisite operating permit to the airline or airlines concerned.

(b) The Contracting Party granting the above-mentioned rights may require the airline or airlines thus specified to furnish complete evidence of qualification in accordance with the laws and regulations in force in its territory before granting permission to engage in the operations contemplated by this agreement.

¹ Came into force on 24 October 1946, upon the exchange of the instruments of ratification at Ankara, in accordance with article 11.

(c) The Governments concerned may designate areas in which the establishment of an international air service shall be subject to the approval of the competent military authorities.

Article 3

In order to prevent discriminatory practices and to ensure equality of treatment, it is agreed that:

(a) The charges which either of the Contracting Parties may impose or permit to be imposed for the use of its airports or other facilities by the airlines of the other Contracting Party shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by an airline designated by the other Contracting Party, or on behalf of such an airline, and intended solely for use by aircraft of the other Contracting Party, shall be accorded national or most-favoured-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the annex shall, upon arriving in or leaving the territory of the other Contracting Party, be exempt from customs duties, inspection fees or other similar duties, even though such supplies be used or consumed by such aircraft on flights in that territory.

Article 4

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one Contracting Party and still valid shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licences granted to its own nationals by another State.

Article 5

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international

air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the airline or airlines of the other Contracting Party.

(b) The passengers and crews of aircraft and consignors of goods by air shall comply, either in person or through the intermediary of a third person acting in their name and on their behalf, with the laws and regulations in force on the territory of each Contracting Party respecting the entry, stay and departure of passengers, crews or cargo, such as regulations relating to entry, clearance, immigration, passports, customs and quarantine.

Article 6

Each Contracting Party reserves the right to withhold an operating permit from an airline designated by the other Contracting Party, or to revoke such a permit in any case where it is not satisfied that the substantial ownership and effective control of that airline are vested in nationals of the latter Party, or whenever that airline fails to comply with the laws and regulations of the State over which it operates, as described in article 5 above, or to perform its obligations under this agreement.

Article 7

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

Article 8

Should either of the Contracting Parties desire to modify any provision or provisions of the annex to this agreement, it may request that a consultation should be held between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. Any modification agreed upon by the said authorities shall not come into effect until it has been confirmed by an exchange of diplomatic notes.

If a general multilateral air convention comes into force with respect to the two Contracting Parties, they shall consult together with a view to bringing the provisions of this agreement and its annex into harmony with the provisions of the said convention.

Article 9

(a) The Contracting Parties agree to submit to arbitration any dispute relative to the interpretation or application of this agreement or of the annex thereto which is incapable of settlement by direct negotiation.

(b) Such a dispute shall be referred to the Council of the International Civil Aviation Organization established by the Convention on International Civil Aviation signed at Chicago on 7 December 1944, or, until such time as the said Convention comes into force, to the Interim Council established by the Interim Agreement on International Civil Aviation signed at Chicago on the same date.

(c) Notwithstanding anything to the contrary, the Contracting Parties may by agreement settle the dispute by referring it either to an arbitration tribunal or to any other person or body designated by them.

(d) The Contracting Parties undertake to comply with the award.

Article 10

Either Contracting Party may notify the other of its desire to denounce this agreement. Such denunciation shall take effect twelve months after the date on which the other Contracting Party receives notice, unless the notice to terminate is annulled by agreement before the expiry of this period.

Article 11

The ratifications shall be exchanged at Ankara as soon as possible. This agreement shall enter into force on the date of the exchange of the instruments of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present agreement and have affixed thereto their seals.

DONE at Ankara in duplicate, in the French language, this twenty-sixth day of June, one thousand nine hundred and forty-six.

For the Swedish Government:

ERIC VON POST

For the Government of the
Turkish Republic:
FERIDUN CEMAL ERKIN

A N N E X

A. The rights of transit and non-traffic stops over Turkish territory and the right to pick up and set down international traffic in passengers, mail and goods at Ankara and Istanbul are granted to the Swedish airlines to be designated in accordance with this agreement on the following routes:

“From Sweden to Turkey and the countries beyond via intermediate points in either direction.”

B. Similarly the rights of transit and non-traffic stops over Swedish territory, and the right to pick up and set down in Sweden international traffic in passengers, mail and goods over routes to be subsequently determined are granted to the Turkish airlines which will be designated in accordance with this agreement.

C. It is agreed that, before putting an airline into operation, each Contracting Party will notify the other Contracting Party of the itinerary which it proposes for entry into and departure from the territory of that Contracting Party, which shall then indicate the exact points of entry and departure and the route to be followed over its territory.
