

No. 505

**TURKEY
and
JORDAN**

**Air Transport Agreement (with annex). Signed at Ankara,
on 7 May 1948**

Turkish and Arabic official texts communicated by the Permanent Representative of Turkey to the United Nations. The registration took place on 13 July 1949.

**TURQUIE
et
JORDANIE**

**Accord relatif aux transports aériens (avec annexe). Signé à
Ankara, le 7 mai 1948**

Textes officiels turc et arabe communiqués par le représentant permanent de la Turquie auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 13 juillet 1949.

TRANSLATION — TRADUCTION

No. 505. AIR TRANSPORT AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE TURKISH REPUBLIC AND THE GOVERNMENT OF THE HASHEMITE KINGDOM OF JORDAN. SIGNED AT ANKARA, ON 7 MAY 1948

The Government of the Turkish Republic and the Government of the Hashemite Kingdom of Jordan,

Having decided to conclude an agreement for air services between Turkey and the Hashemite Kingdom of Jordan,

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 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 paragraph (b) of this article and in article 6 below, be bound to grant without delay the desired 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 quality 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 23 February 1949, upon the exchange of the instruments of ratification at Amman, in accordance with article 12.

(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

(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 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, departure, 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 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.

(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

The term "territory" shall have the meaning assigned to it by article 2 of the Convention on International Civil Aviation signed at Chicago on 7 December 1944.¹

This provision shall apply to this agreement and its annex, except where otherwise provided therein.

Article 11

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 12

The ratifications shall be exchanged at Amman 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 Turkish and Arabic languages, this seventh day of May, one thousand nine hundred and forty-eight.

For the Government of the
Turkish Republic:
(Signed) Fuad CARIM

For the Government of the
Hashemite Kingdom of Jordan:
(Signed) OMER ZEKI EL AFYONI

¹ United Nations, *Treaty Series*, Volume 15, page 295, and Volume 26, page 420.

ANNEX

1. Airlines of the Government of the Turkish Republic authorized under the present agreement are accorded rights of transit and non-traffic stop in Jordanian territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail on the following routes:

Ankara to Amman, Aqaba and beyond, via intermediate points situated in Turkey, or in the territory of the other country, or in a direct line, in both directions.

2. Airlines of the Government of the Hashemite Kingdom of Jordan authorized under the present agreement are accorded rights of transit and non-traffic stop in Turkish territory, as well as the right to pick up and discharge international traffic in passengers, cargo and mail on the following routes:

Amman to Ankara, Istanbul and beyond, via intermediate points situated in the Hashemite Kingdom of Jordan or in the territory of the other country, or in a direct line, in both directions.

3. In the establishment and operation of the air services covered by this agreement and its annex, the following principles shall apply:

(a) It is desirable to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good-will among peoples and ensuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

(b) The air transport facilities available to the travelling public should bear a close relationship to the requirements of the public for such transport.

(c) Equal facilities shall so far as possible be given to the airlines of the two Governments for the establishment of the air services provided for by this agreement and its annex on any of the air routes between the two countries.

(d) In the operation of the airlines of either Contracting Party of the trunk services described in the annex to this agreement, the interest of the airlines of the other Contracting Party shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

(e) The understanding of the Contracting Parties that the capacity of the services provided by a designated airline under this annex shall in the first place be adequate to the traffic demands between the country of which such airline is a national and the country of ultimate destination of the traffic.

(f) The Contracting Parties agree that rates shall be fixed at reasonable levels, due regard being paid to all relevant factors, such as economical operation, reasonable profit, the different characteristics of the services and equipment with respect to speed and comfort, and the rates charged by any other airline operating on the same route.

4. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes covered by this agreement and its annex shall be applied in accordance with the general principles of orderly development to which both Contracting Parties subscribe and shall be subject to the general principle that capacity should be related to:

- (a) Traffic requirements between the country of origin and the country of destination;
- (b) The requirements of through airline operation, and
- (c) The traffic requirements of the area through which the airline passes after taking account of local and regional services.

5. The Contracting Parties agree to the following provisions:

(a) No airline of one party shall operate services for remuneration or hire between two points in the territory of the other party.

(b) Their airlines shall not start to operate services for remuneration or hire between their territories on fixed air routes until the competent aeronautical authorities of the two States have reached an agreement on transport capacity and on an equitable distribution of traffic between the two countries.

(c) No part of the present agreement or its annex shall be considered or interpreted as granting exclusive rights to one Contracting Party or to airlines of that Contracting Party or as preventing the granting of similar rights to airlines of another State or as constituting discriminatory treatment.

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

(Signed) Fuad CARIM

(Signed) OMER ZEKI EL AFYONI