

No. 548

**INDIA
and
ETHIOPIA**

Exchange of notes constituting an agreement relating to a temporary authorization for the operation of an Ethiopian air service between Addis Ababa and Bombay. Addis Ababa, 6 January 1949, and New Delhi, 7 June 1949

English official text communicated by the Secretary-General of the International Civil Aviation Organization. The registration took place on 7 September 1949.

**INDE
et
ETHIOPIE**

Echange de notes constituant un accord relatif à l'autorisation temporaire d'exploiter un service aérien éthiopien entre Addis-Abéba et Bombay. Addis-Abéba, 6 janvier 1949, et New-Delhi, 7 juin 1949

Texte officiel anglais communiqué par le Secrétaire général de l'Organisation de l'aviation civile internationale. L'enregistrement a eu lieu le 7 septembre 1949.

No. 548. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENTS OF INDIA AND ETHIOPIA RELATING TO A TEMPORARY AUTHORIZATION FOR THE OPERATION OF AN ETHIOPIAN AIR SERVICE BETWEEN ADDIS ABABA AND BOMBAY. ADDIS ABABA, 6 JANUARY, AND NEW DELHI, 7 JUNE 1949

I

No. 16F1/10

Addis Ababa, January 6th, 1949

MINISTRY OF FOREIGN AFFAIRS

The Ministry of Foreign Affairs present their compliments to the Ministry of External Affairs and Commonwealth Relations of the Government of India and have the honour to refer to the latter's note of December 16th No. D.4695-X/48 concerning the draft of a temporary authorization for the operation of air services between Addis Ababa and Bombay as agreed in New Delhi following discussions in that capital on November 26th and 27th.

As indicated in the Ministry's telegrams from Addis Ababa of December 9th and the Ministry's telegram in reply of December 22nd from New Delhi it has been agreed to establish a bi-monthly service between Addis Ababa and Bombay beginning January 8th.

The Ministry now have to communicate their formal acceptance of the draft under reference, initialed copies attached hereto, and to request that a copy similarly initialed in New Delhi be returned for the files of the Ministry and the present exchange of notes with a copy of the agreement as initialed be filed with ICAO in Montreal.

Pursuant to Articles 1 and 7 of the Agreement, Ethiopian Airlines Incorporated, a wholly owned government corporation, are hereby designated as the only airline to operate the service on behalf of Ethiopia. Pursuant to Article 5 a copy of all the services of that airline including the timetables and tariff

¹ Came into force on 6 January 1949, by the exchange of telegrams.

schedules of the service in question, is attached for the information of the Director General of Civil Aviation in India.

The Ministry of Foreign Affairs avail themselves of this opportunity to renew to the Ministry of External Affairs and Commonwealth Relations of the Government of India the assurances of their highest consideration.

To the Ministry of External Affairs
and Commonwealth Relations
of the Government of India
New Delhi 3

TEMPORARY AUTHORIZATION FOR THE OPERATION OF AN ETHIOPIAN AIR SERVICE
BETWEEN ADDIS ABABA AND BOMBAY

The Government of India authorise provisionally the operation, by an airline designated by the Government of Ethiopia, of a scheduled air service from Addis Ababa to Bombay *via* Aden, Masirah and/or Karachi on the understandings and conditions set out in this note. The Government of Ethiopia hereby grant reciprocal rights for the operation by an airline designated by the Government of India of air services on routes to, from and across Ethiopian territory to be mutually agreed to at a later date:—

2. (1) It is the intention of both Governments to conclude a reciprocal agreement relating to air services between their respective territories.
 - (2) The Governments of India and Ethiopia have ratified the Convention on International Civil Aviation signed at Chicago on December 7, 1944.¹
 - (3) The air services will be operated in accordance with the principles of the Convention.
3. The air service authorised to be operated by the Operator designated by the Government of Ethiopia and the scheduled landings authorised in Indian territory are as under:—

A service not more than three times a week in each direction between Addis Ababa and Bombay, with scheduled landings at Bombay Air Port.

¹ United Nations, *Treaty Series*, Volume 15, page 295; Volume 26, page 420; Volume 32, page 402, and Volume 33, page 352.

4. The Ethiopian Air line will be entitled to set down and pick up traffic to and from India, provided that it will not be entitled to pick up or set down at Bombay traffic destined for or originating from Karachi.
5. The Ethiopian Air Line before commencing operations will supply to the Director General of Civil Aviation in India copies of timetables and tariff schedules and will generally keep the Director General informed with regard to the operation of the air service and any change in timetables or tariffs.
6. The rates to be charged for carriage to and from India by Ethiopian Air Service shall be fixed at reasonable levels, due regard being paid to all relevant factors including economic operation, reasonable profit, differences of characteristics of service (including standards of speed and accommodation) rates charged by other air lines operating on the route or sections thereof, the relevant rates adopted by the International Air Transport Association and shall be subject to the approval of the two Governments. The Government of India reserve the right to withdraw the authority given in this letter if they are not satisfied that the Ethiopian Air Service have taken all reasonable steps to comply with these conditions.
7. The Ethiopian Air Service to be designated by the Government of Ethiopia shall furnish to the Director General of Civil Aviation in India monthly a statement showing the services operated to and from India and the traffic carried to and from India, and the origin and destination of such traffic.
8. The Ethiopian Air Service shall use aircraft and employ personnel fulfilling all international requirements and the Company's servants and agents shall comply with the laws and regulations in force in India relating to entry, departure, navigation and operation of aircraft and their equipment and to the entry and departure of passengers, crew or cargo of aircraft, and shall satisfy the Director General of Civil Aviation in India, as and when required, that they are qualified to do so.
9. Paragraph 5, 6, 7 and 8 and any other pertinent provisions of this Agreement shall apply on a reciprocal basis to any airline that may be designated by the Government of India to operate an air service between India and Ethiopia during the period of this agreement.

10. In respect of Customs duties and levies, Article 24 of the Chicago Convention shall apply.

11. The inclusion or exclusion of any particular provision in this agreement shall in no way prejudice the terms of any agreement which may be negotiated between the two Governments subsequently.

12. This authority shall remain in force for a period of six calendar months from the date of acceptance of the conditions contained in this letter or until the agreement referred to in paragraph 2 is concluded, whichever is earlier.

This authority, together with the acceptance thereof, will be registered with the International Civil Aviation Organization by the Government of India.

II

BY AIR MAIL
REGISTERED
No. D.3125/49-AFR

MINISTRY OF EXTERNAL AFFAIRS

Dated the 7th June, 1949

The Ministry of External Affairs present their compliments to the Ministry of Foreign Affairs of Ethiopia, and with reference to the latter's Note No. 16F1/10 dated 6th January, 1949 and their telegram dated the 6th May 1949, have the honour to return herewith one of the initialled copies of the "Temporary Authorisation for the operation of an Ethiopian Air Service, between Addis Ababa and Bombay" duly initialled by the Foreign Secretary. Action is being taken to file with the Council of the International Civil Aviation Organization a copy of the "Temporary Authorisation", as initialled, together with the Exchange of Notes.

2. The Government of India also agree to the extension of the temporary Authorisation for a period of 6 months from the 6th July 1949.

3. The Ministry of External Affairs avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of Ethiopia the assurances of their highest consideration.

[SEAL]

The Ministry of Foreign Affairs
Government of Ethiopia
Addis Ababa