

No. 560

**GREECE
and
DENMARK**

**Agreement relating to the operation of regular air services
(with annex). Signed at Athens, on 14 November 1947**

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

**GRECE
et
DANEMARK**

**Accord relatif à l'exploitation de lignes de communication
aérienne régulière (avec annexe). Signé à Athènes, le
14 novembre 1947**

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

TRANSLATION — TRADUCTION

No. 560. AGREEMENT¹ BETWEEN THE ROYAL GREEK GOVERNMENT AND THE ROYAL DANISH GOVERNMENT RELATING TO THE OPERATION OF REGULAR AIR SERVICES. SIGNED AT ATHENS, ON 14 NOVEMBER 1947

The Royal Greek Government and the Royal Danish Government, being desirous of concluding an agreement for the purpose of establishing direct air communications as soon as possible between Denmark and Greece, have for that purpose appointed their plenipotentiaries who have agreed as follows:

Article 1

Each Contracting Party shall grant to the other Contracting Party the necessary rights, as specified in the annex hereto, for the establishment of the international civil air routes and services enumerated in that annex. Such services may be inaugurated immediately or at a later date, at the option of the Contracting Party to whom the rights are granted.

Article 2

1. Each of the services enumerated in the annex hereto may be brought into operation as soon as the Contracting Party entitled under article 1 to designate one or more airlines to operate the route in question shall have done so, and the Contracting Party granting that right shall be bound, subject to paragraph 2 of the present article and to article 6 below, to grant the necessary permission forthwith to the airline or airlines concerned.

2. (a) Airlines so designated may be required, before receiving permission to inaugurate the services covered by the present agreement, to satisfy the competent aeronautical authorities of the country granting the said rights that it possesses the necessary qualifications, in accordance with the laws and regulations normally applied by those authorities for the operation of international civil air routes by commercial airlines.

¹ In accordance with article 12, the agreement came into force on 14 November 1947, as from the date of signature, having been considered definitive as from 22 December 1948, the date on which the Greek Government notified the Danish Government of the ratification thereof by the Greek Government.

(b) In areas under military occupation or in zones affected by the latter, the inauguration of such services shall be subject to the approval of the competent military authorities.

Article 3

In order to avoid discrimination and ensure equality of treatment, it is agreed that:

(a) The two Contracting Parties may impose, or permit to be imposed, fair and reasonable charges for the use of airports and other facilities. Each of the Contracting Parties agrees, however, that such charges shall not be higher than those 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 either Contracting Party by the other Contracting Party, or by its nationals, and intended solely for the use by aircraft of the latter, shall be accorded national or most-favoured-nation treatment with respect to customs duties, inspection fees and other duties and charges imposed by the Contracting Party whose territory is entered.

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

Article 4

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

Article 5

(a) The laws and regulations of either Contracting Party concerning the admission to or departure from its territory of aircraft engaged in international air navigation, or the operation and navigation of such aircraft while within its territory, shall apply to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or leaving and while within the territory of that Contracting Party.

(b) The laws and regulations of either Contracting Party concerning the admission to or departure from its territory of passengers, crew or cargo, such as those relating to entry, clearance, immigration, passports, customs and quarantine, shall be complied with by or on behalf of the said passengers, crew and cargo, upon entering or leaving and while within the territory of that Contracting Party.

Article 6

Each Contracting Party reserves the right to withhold or revoke a certificate or permit granted to an airline of the other Contracting Party if it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of the other Contracting Party, or in case of failure of an airline to comply with the laws of the State over which it operates as provided in article 5 above, or to perform its obligations under the present agreement.

Article 7

The present agreement and all contracts connected therewith shall be registered with the International Civil Aviation Organization established by the Convention on International Civil Aviation signed at Chicago on 7 December 1944.¹

Article 8

Should either of the Contracting Parties consider it desirable to modify any provision or provisions of the annex to the present agreement, such modifications may be effected by direct agreement between the competent aeronautical authorities of the two Contracting Parties.

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

Article 9

Any dispute between the Contracting Parties regarding the interpretation or application of the present agreement or its annex 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 unless the Contracting Parties agree that the dispute be settled by arbitration and submit it to an Arbitral Tribunal appointed by common agreement between the two Contracting Parties. The two Contracting Parties undertake to comply with the decision of the Organization or with the award of the Arbitral Tribunal.

Article 10

Should a multilateral international civil aviation convention accepted by the two Contracting Parties come into force, the present agreement shall be amended so as to conform with the provisions of that convention.

Article 11

Either Contracting Party may at any time give notice to terminate the present agreement. In such case, the present agreement shall cease to have effect twelve months after the date of receipt of the notice by the other Contracting Party, unless such notice be withdrawn by common consent before the end of that period.

Article 12

The present agreement shall enter into force on the date of signature.

The Royal Greek Government shall communicate to the Royal Danish Government the ratification of the agreement by the Greek Parliament, and the Royal Danish Government shall consider this agreement as definitive as from the date of the communication of the Royal Greek Government.

IN FAITH WHEREOF the plenipotentiaries duly authorized by their respective Governments have signed the present agreement and thereto affix their seals.

DONE at Athens, in duplicate, on the 14th day of November, nineteen hundred and forty-seven.

ANNEX

1. The Greek airlines authorized under the present agreement shall have the right to cross Danish territory without landing, to make non-traffic stops therein, and to pick up and set down international passenger, cargo and mail traffic at Copenhagen on the following route or routes:

Greece (Athens)—via intermediate countries—Denmark (Copenhagen), in both directions;

Greece (Athens)—via intermediate countries—Denmark (Copenhagen), and countries beyond, in both directions.

2. The Danish airlines authorized under the present agreement shall have the right to cross Greek territory without landing, to make non-traffic stops therein, and to pick up and set down international passenger, cargo and mail traffic at Athens on the following route or routes:

Denmark (Copenhagen)—via intermediate countries—Greece (Athens), in both directions;

Denmark (Copenhagen)—via intermediate countries—Greece (Athens), and countries beyond, in both directions.

3. The following principles shall govern the establishment and operation of the air services covered by the present agreement and the annex thereto:

- (a) that it is desirable to promote and encourage as wide a distribution as possible of the benefits of air travel for the general good of mankind at the lowest rates consistent with sound economic principles, to encourage air travel as a means of promoting friendly understanding and goodwill between nations, and at the same time to ensure the many indirect benefits to the common prosperity of both countries of this new mode of transport;
- (b) that the air transport facilities available to the travelling public shall bear a close relationship to the requirements of the public for such transport;
- (c) that there shall be a fair and equal opportunity for the airlines of the two nations to operate on any route or routes between their respective territories covered by the present agreement and the annex thereto;
- (d) that in the operation by the airlines of either Contracting Party of the trunk services described in the annex to the present agreement, the interests 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 over the whole or part of the same routes;

(e) that it is agreed between the two Contracting Parties that the primary objective of the services offered by an airline designated under the present agreement and the annex thereto shall be the provision of capacity adequate to the traffic demands between the country to which the airline belongs and the country of ultimate destination of the traffic.

4. The right to pick up and set down international traffic to or from third countries, at a point or points on the routes specified in the present agreement and its annex, shall be exercised in accordance with the general principles of orderly development to which both Contracting Parties have subscribed, and shall be subject to the general principle that capacity shall be related to:

- (a) traffic requirements between the country of origin and the countries of destination;
- (b) the requirements of through airline operation;
- (c) the traffic requirements of the areas traversed, after taking account of local and regional services.

5. The routes to be followed, the points between which frontiers shall be crossed, and the customs airports shall be fixed by each competent aeronautical authority and communicated to the other aeronautical authority as soon as possible.
