

No. 980

FRANCE
and
GREECE

Agreement concerning air transport between their respective territories (with annex and exchange of letters). Signed at Athens, on 5 May 1947

Official texts: French and Greek.

Registered by the International Civil Aviation Organization on 17 November 1950.

FRANCE
et
GRÈCE

Accord relatif aux transports aériens entre leurs territoires respectifs (avec annexe et échange de lettres). Signé à Athènes, le 5 mai 1947

Textes officiels français et grec.

Enregistré par l'Organisation de l'aviation civile internationale le 17 novembre 1950.

TRANSLATION¹ — TRADUCTION²

No. 980. AGREEMENT³ BETWEEN THE ROYAL HELLENIC GOVERNMENT AND THE GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING AIR TRANSPORT BETWEEN THEIR RESPECTIVE TERRITORIES. SIGNED AT ATHENS, ON 5 MAY 1947

The Royal Hellenic Government and the Government of the French Republic, being desirous of concluding an Agreement for the establishment of direct air communications between Greece and France, have, for that purpose, appointed their Plenipotentiaries, who have agreed as follows:

Article I

The Contracting Parties grant to each other the rights specified in the annex hereto with a view to 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 these rights are granted.

Article II

(1) Each of the air services mentioned in the annex hereto shall be brought into operation as soon as the Contracting Party entitled under article I to designate one or more airlines to operate the routes in question, shall have done so.

The Contracting Party granting that right shall be bound, subject to the provisions of paragraph (2) of the present article and to those of article VI below, to issue the necessary operating permit without delay to the airline or airlines concerned.

(2) (a) The airline or airlines so designated by either of the Contracting Parties may be required, before receiving permission to inaugurate the services specified in the present Agreement, to satisfy the competent aviation authorities of the other Contracting Party, that it (they) possesses (possess)

¹ Translation communicated by the International Civil Aviation Organization.

² Traduction transmise par l'Organisation de l'aviation civile internationale.

³ Provisionally put into effect as from the date of signature, on 5 May 1947, by an exchange of letters, and came into force on 8 March 1949, by the exchange of instruments of ratification at Athens, in accordance with article XIV.

the necessary qualifications, in accordance with the laws and regulations in force in that country relating to the operation of international civil air routes by commercial airlines.

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

Article III

In order to prevent discrimination and to ensure uniform treatment, it is agreed that:

(1) Each of the Contracting Parties may impose, or permit to be imposed, fair and reasonable charges for the use of airports and other facilities by the airlines designated by the other Contracting Party. Each of the Contracting Parties agrees, however, that these charges 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.

(2) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by an airline designated by the other Contracting Party, or by its nationals, and intended solely for use by the aircraft of the latter Contracting Party, shall be accorded, with respect to customs duties, inspection fees or other national duties and charges imposed by the Contracting Party into whose territory they have been introduced, treatment as favourable as the treatment applied to the national airline or the airline of the most favoured nation.

(3) Any aircraft of either of the Contracting Parties employed on the routes covered by the present Agreement, also fuel supplies, lubricating oils, spare parts, regular equipment and aircraft stores carried by civil aircraft of the airlines of the Contracting Parties authorized to operate the routes and services specified in the annex, shall, on entry into or departure from 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 the said territory.

(4) The supplies enumerated in paragraph (3) of the present Article, and which are exempt as described above, may only be unloaded with the approval of the customs authorities of the other Contracting Party.

Such supplies, if they are to be re-exported, shall be kept under customs supervision by the other Contracting Party until re-exported.

Article IV

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by either Contracting Party and not having expired, shall be recognized as valid by the other Contracting Party for the purpose of operation of 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 and licences granted to its own nationals by another State.

Article V

(1) The laws and regulations of one Contracting Party relating to the entry into and departure from its territory of aircraft engaged in international navigation, or to the operation and navigation of such aircraft while within its territory, shall apply to aircraft of the airline or airlines of the other Contracting Party, and such aircraft shall comply with them on entry into, departure from, and during their stay in the territory of the first Contracting Party.

(2) The laws and regulations governing in the territory of the Contracting Parties the entry, stay or departure of passengers, crew or cargo carried in aircraft, such as those relating to entry, clearance formalities, immigration, passports, customs and quarantine, shall be complied with by passengers, crew and cargo, either personally or through a third party acting on their behalf, upon entry into, departure from and during their stay in the territory of that Contracting Party.

Article VI

Each Contracting Party reserves the right to withhold a certificate or permit from an airline designated by the other Contracting Party, or to revoke such certificate or permit, if it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of that Contracting Party, or if the airline fails to comply with the laws and regulations of the State flown over, as provided in article V above, or fails to fulfil the obligations imposed upon it by the present Agreement.

Article VII

The present Agreement and all contracts relating thereto shall be registered with the Provisional International Civil Aviation Organization, estab-

lished by the Interim Agreement¹ on Civil Aviation signed at Chicago on 7 December 1944.

Article VIII

In a spirit of close collaboration, the aviation authorities of the two Contracting Parties shall from time to time consult together with a view to ensuring the application and satisfactory implementation of the principles laid down in the present Agreement and the annex thereto.

Article IX

Should either of the Contracting Parties consider it desirable to modify any clause of the annex to this Agreement, such modification may be effected by direct agreement between the competent aviation authorities of the two Contracting Parties.

Article X

Any dispute between the Contracting Parties regarding the interpretation or application of the present Agreement or the annex thereto which cannot be settled by direct negotiation shall be laid before the Interim Council of the Provisional International Civil Aviation Organization, in accordance with the provisions of article III, section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on 7 December 1944 or its successor organization. Nevertheless, the Contracting Parties may, by common agreement, settle the dispute by submitting it either to an arbitral tribunal or to any other person or body they may appoint.

The Contracting Parties undertake to abide by the decision given.

Article XI

In the event of the Contracting Parties ratifying a multilateral international civil aviation convention, or acceding thereto, the present Agreement or the annex thereto shall be amended to as to conform with the provisions of the said convention.

Article XII

The present Agreement supersedes all previous Franco-Greek arrangements relating to air transport, and in particular the Convention of 5 June 1931².

¹ International Civil Aviation Conference, Chicago, Illinois, 1 November to 7 December 1944. *Final Act and Related Documents*, United States of America, Department of State publication 2282, Conference Series 64.

² League of Nations, *Treaty Series*. Vol. CXXXI, p. 201.

Article XIII

Each of the Contracting Parties may at any time give notice to the other Contracting Party of its desire to denounce the present Agreement. Such denunciation shall take effect twelve months after the date of receipt of the notice by the other Contracting Party unless such notice be withdrawn by mutual agreement before the expiry of that period.

Article XIV

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Athens as soon as possible.

It shall enter into force on the date of exchange of such ratifications.

IN FAITH WHEREOF the Plenipotentiaries, duly authorized to that effect by their respective Governments, have signed the present Agreement and thereto affixed their seals.

DONE at Athens, this fifth day of May nineteen hundred and forty-seven, in duplicate, in the Greek and French languages, both texts being equally authentic.

For the Government of the French Republic:
(Signed) C. DE VAUX SAINT CYR

For the Royal Hellenic Government:
(Signed) C. TSALDARIS

A N N E X

I

The airlines of the Government of the French Republic authorized under the present Agreement shall enjoy the right to cross Greek territory without landing and to make non-traffic stops, together with the right to pick up and set down international traffic, passenger, cargo and mail, on the following routes:

- (1) From France via intermediate points to Athens, in both directions.
- (2) From Algeria via intermediate points to Athens, in both directions.
- (3) From France via intermediate points to Athens (optionally Rhodes) and thence to:
 - (a) Points in Turkey and beyond,
 - (b) Cyprus (optionally), points in Lebanon and beyond,
 - (c) Points in Egypt and beyond.

II

Airlines of the Royal Hellenic Government authorized under the present Agreement shall enjoy the right to cross French territory without landing and to make non-traffic stops, together with the right to pick up and set down international traffic, passenger, cargo and mail, on routes to be determined hereafter.

III

With a view to the establishment and operation of the air services covered by the present Agreement and the annex thereto, it is agreed between the Contracting Parties:

(1) That it is desirable to foster and encourage the maximum diffusion of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles, to stimulate international air travel as a means of promoting friendly understanding and good will among peoples, and at the same time to ensure the many indirect benefits to the common welfare of both countries of this new mode of transport;

(2) That the air services available to the public should meet the public demand for air transport;

(3) That there should be fair and equal opportunity for the airlines of the two nations to serve any and every route covered by the present Agreement and the annex thereto;

(4) 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, however, be taken into consideration so as not to affect unduly the services which the latter provide over the whole or part of the same routes;

(5) That the primary objective of the services operated by the airline or airlines designated under the present Agreement and the annex thereto shall be the provision of capacity adequate to the demand between the country to which the airline or airlines belong and the countries of ultimate destination.

IV

The right to pick up and set down international traffic to or from third countries on the routes specified in the present annex shall be exercised in accordance with the general principles of orderly development to which both Contracting Parties have subscribed and in such conditions that capacity shall be related to:

(1) Demand between country of origin and country of destination;

(2) The requirements of economic trunk service operation;

(3) The demands of the areas traversed, after taking account of local and regional services.

V

Should the airline or airlines of either Contracting Party be temporarily prevented, as a result of difficulties due to the war, from profiting immediately from the advantages offered by section III of the present annex, the position shall be examined afresh by the two Contracting Parties as soon as the airline or airlines of the first Contracting Party is (are) in a position gradually to contribute towards the operation of the air services.

EXCHANGE OF LETTERS

I

FRENCH REPUBLIC
FRENCH EMBASSY IN GREECE

Athens, 5 May 1947

Your Excellency,

I have the honour to inform you that it seems to me preferable that the Air Agreement signed by your Excellency and by myself this day, on behalf of Greece and France, should come into force prior to its ratification by Parliament, which will entail considerable delay.

I therefore venture to suggest to your Excellency that this Agreement be considered as in force provisionally from the moment of signature until such time as it becomes definitive.

I hope that this proposal, which will enable air relations between our two Nations to be more speedily resumed, will meet with your Excellency's approval.

I have the honour to be, etc.

C. DE VAUX ST. CYR

His Excellency Mr. Constantin Tsaldaris
Vice-President of the Council of Ministers
Minister for Foreign Affairs
Athens

II

KINGDOM OF GREECE
MINISTRY OF FOREIGN AFFAIRS

Athens, 5 May 1947

Your Excellency,

I have the honour to acknowledge receipt of the letter of to-day's date which you have been good enough to send me, couched in the following terms:

[*See letter I*]

In reply, I hasten to inform you that the Greek Government agrees to this proposal.

I have the honour to be, etc.

C. TSALDARIS

His Excellency Mr. de Vaux Saint Cyr
French Ambassador to Greece
Athens
