

No. 1013

**GREECE
and
SYRIA**

**Agreement relating to civil air services between their respective territories (with annex and exchange of letters).
Signed at Damascus, on 5 July 1949**

Official text: English.

Registered by Greece on 3 January 1951.

**GRÈCE
et
SYRIE**

Accord relatif aux services aériens civils entre leurs territoires respectifs (avec annexe et échange de lettres). Signé à Damas, le 5 juillet 1949

Texte officiel anglais.

Enregistré par la Grèce le 3 janvier 1951.

No. 1013. AGREEMENT¹ BETWEEN THE ROYAL HELLENIC GOVERNMENT AND THE GOVERNMENT OF THE SYRIAN REPUBLIC RELATING TO CIVIL AIR SERVICES BETWEEN THEIR RESPECTIVE TERRITORIES. SIGNED AT DAMASCUS, ON 5 JULY 1949

The Royal Hellenic Government and the Government of the Syrian Republic desiring to conclude an Agreement for the purpose of establishing civil air communications as soon as possible between Greece and Syria, have accordingly appointed plenipotentiaries for this purpose, who being duly authorised to this effect, have agreed as follows:

Article 1

Each contracting party grants the other contracting party, the rights specified in the Annex to this Agreement, for the purpose of the establishment of the international civil air services therein described. 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 specified air services may be put into operation as soon as the contracting party to whom the rights have been granted has designated an airline or airlines for the specified route or routes and the contracting party granting the rights shall, subject to paragraph (2) of this Article and to Article 6, be bound to grant without delay the appropriate operation permission to the airline or airlines concerned.

(2) (a) The airline or airlines designated may be required to satisfy the competent air authorities of the contracting party granting the rights that it (or they) is (or are) qualified to fulfil the conditions prescribed under the laws and regulations normally applied by these authorities to the operations of commercial airlines.

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

¹ Came into force on 5 July 1949, as from the date of signature, in accordance with article 13.

Article 3

(1) The charges which either of the contracting parties may impose or permit to be imposed, on the designated airline or airlines of the other contracting party for the use of public airports and other facilities 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 or carried on board aircraft in the territory of one contracting party by, or on behalf of, the other contracting party or its designated airline and intended solely for use by the latter's aircraft shall be accorded with respect to customs duties, inspection fees and all other duties imposed by the former contracting party, treatment not less favorable than that granted to national airlines or the airline of the most favored nation.

(3) Aircraft operated on the agreed services and supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of the designated airline or airlines of one contracting party shall be exempt in the territory of the other contracting party from customs duties, inspection fees, and similar duties even though such supplies be used 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 in force 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 rights, 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

(1) The laws, rules and regulations of one contracting party relating to entry into 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 apply to aircraft of the designated airline or airlines of the other contracting party.

(2) The laws, rules and regulations of one contracting party relating to the entry into or departure from its territory of passengers, crew or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs and quarantine) shall be applicable to the passengers, crew or cargo of the aircraft of the designated airline or airlines of the other contracting party while in the territory of the first contracting party.

Article 6

Each contracting party reserves the right to withhold or revoke an operating permit in any case in which it is not satisfied that substantial ownership and effective control of the designated airline or airlines of the other contracting party are vested in nationals of either contracting party, or in case of failure by the designated airline or airlines to comply with its laws, rules and regulations as referred to in Article 5, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement.

Article 7

This Agreement shall be registered with the International Civil Aviation Organization set up under the Convention¹ on International Civil Aviation drawn up at the Chicago Conference in December, 1944.

Article 8

If either of the contracting parties consider it desirable to modify any provisions of the Annex to this Agreement, such modification may be made by direct consultation and agreement between the competent air authorities of both contracting parties such consultation to begin within a period of sixty days from the date of the request.

Article 9

Any dispute between the two contracting parties relating to the interpretation or application of this Agreement or its Annex, which cannot be settled by negotiations, shall be referred to the Council of the International Civil Aviation Organization, which will deal with the matter in accordance with the provisions of its regulations governing such matters.

¹ United Nations, *Treaty Series*, Vol. 15, p. 295; Vol. 26, p. 420; Vol. 32, p. 402; Vol. 33, p. 352; Vol. 44, p. 346, and Vol. 51, p. 336.

Article 10

If a general multilateral Air Transport Convention comes into force which is accepted by both contracting parties, the present Agreement shall be amended so as to conform with the provisions of the said Convention.

Article 11

Either contracting party may at any time give notice to the other if it desires to terminate this Agreement. If such notice is given, this Agreement shall terminate 12 months after the date of its receipt by the other contracting party, unless the notice to terminate is withdrawn by agreement before the expiry of this period.

Article 12

For the purpose of this Agreement and its Annex unless the context otherwise requires:

(a) The term "competent air authorities" shall mean in the case of the Royal Hellenic Government, the Direction General of the State Service of Civil Aviation, and, in the case of the Syrian Government, the Direction of Communications.

(b) The term "Territory" shall have the meaning assigned to it by article 2 of the Convention on the International Civil Aviation signed at Chicago in December, 1944.

(c) The definitions contained in paragraphs (a), (b), (c) and (d) of Article 96 of the Convention on International Civil Aviation signed in Chicago in December, 1944, shall apply.

Article 13

The provisions of this Agreement shall become operative from the date of its signature. The instruments of ratification shall be exchanged in Damascus as soon as possible and the Agreement shall be considered definitive as from the date of this exchange.

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

DONE at Damascus in duplicate this fifth day of July, 1949.

For the Royal Hellenic Government:

N. HADJIVASSILIOU

For the Government of Syria:

Mohsen BARAZI

F. SAKKAL

ANNEX

1. It is the desire of the two Governments 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 to the common welfare of their two countries the many indirect benefits of this new form of transportation.

2. It is the understanding of both Governments that the services provided by a designated airline under this Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demand between the country of which such air carrier is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point on the routes specified shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

a) to traffic requirements between the country of origin and the country of destination;

b) to the requirements of through airline operation, and

c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

3. It is the understanding of both Governments that tariffs shall be fixed at reasonable levels, due regard being paid to all relevant factors, including economical operation, reasonable profit, difference of characteristics of service (including standards of speed and accommodation) and the tariffs charged by any other air operators on the specified routes.

4. The two Governments, having subscribed to the provisions and conditions of the Agreement and the general principles established in the preceding paragraphs of this Annex, hereby further declare;

a) That their national airlines will not fly for hire or reward between points within the territory of the other Government.

b) That their designated airlines will not fly for hire or reward on the specified air routes between their two territories until agreement has been reached between

the competent air authorities of the two Governments on the capacity of the service and fair and equal distribution of the traffic offering.

c) That, as regards the right to embark or disembark international traffic at intermediate points on the specified air routes between their two territories, this shall be governed by the principles defined in paragraph (2) above.

d) That the privileges granted to their respective designated airlines will not be exercised to the detriment or disadvantage of the national air transport enterprise of the other Government.

e) That nothing in the provisions of the Agreement or its Annex shall be construed or regarded as conferring sole and exclusive rights on the other Government or its airlines or as excluding and discriminating against the airlines of any other State.

5. Having regard to the provisions of the preceding paragraphs of this Annex and the conditions of the Agreement, the Royal Hellenic Government grants the air carriers designated by the Syrian Government and the Syrian Government grants the air carriers designated by the Royal Hellenic Government the following freedoms of the air in respect of scheduled international air services over the air routes specified in paragraph 6 of the Annex:

a) The privilege to fly across its territory without landing;
b) The privilege to land for non-traffic purposes;
c) The privilege to put down passengers, mail, and cargo taken on in the territory of the State of which such designated air carriers are nationals;

d) The privilege to take on passengers, mail and cargo destined for the territory of the State of which such designated air carriers are nationals;

e) The privilege to take on passengers, mail and cargo destined for any other territory on the specified air routes and the privilege to put down passengers, mail and cargo coming from any such territory.

6. Specified Air Routes:

a) Routes to be served by the designated airlines of the Royal Hellenic Government are as follows:

<i>Point of departure</i>	<i>Intermediate points</i>	<i>Destination in Syria</i>	<i>Point beyond</i>
Athens	(Points to be fixed at a later date)	Damascus	Countries beyond Syria in any direction

b) Routes to be served by the designated airlines of the Syrian Government are as follows:

<i>Point of departure</i>	<i>Intermediate points</i>	<i>Destination in Greece</i>	<i>Point beyond</i>
Damascus	(Points to be fixed at a later date)	Athens	Countries beyond Greece in any direction

DONE at Damascus in duplicate this fifth day of July, 1949.

N. HADJIVASSILIOU
Mohsen BARAZI
F. SAKKAL

EXCHANGE OF LETTERS

I

No. 573

ROYAL GREEK LEGATION

Damascus, July 5, 1949

Excellency,

On the moment of proceeding to the signature of the Agreement between the Royal Hellenic Government and the Syrian Government relating to civil air services between their respective territories, I think it opportune to state that in the opinion of my Government the following rules should be followed in order to secure a spirit of close collaboration in matter of tariff policy to be pursued by our respective national enterprises:

The rates shall be fixed at reasonable levels, due regard being paid to cost of operation, normal profit and characteristics of each service such as speed and comfort.

The recommendations of the International Air Transport Association shall be taken into consideration for the determination of these rates.

In the lack of recommendations of the above mentioned Association the Greek and Syrian air carriers shall agree on the rates for passengers and goods to be applied on their routes.

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These agreements shall be submitted to the competent aeronautical authorities of both countries. If no agreement can be reached by the air carriers on the rates to be charged, the aeronautical authorities of both countries shall try to reach a satisfactory solution.

In the event that both aeronautical authorities cannot reach a satisfactory solution, the dispute shall be referred to the Council of the International Civil Aviation Organisation in conformity with article 9 of this Agreement.

I avail myself of this opportunity to express to Your Excellency the assurance of my highest consideration.

(Signed) N. HADJIVASSILIOU

His Excellency Mohsen Bey Barazi
Prime Minister of Syria
Minister for Foreign Affairs, etc., etc.
Damascus

II

SYRIAN REPUBLIC
MINISTRY OF FOREIGN AFFAIRS

Damascus, July 5, 1949

No. P)333)2

Sir,

I have the honour to acknowledge receipt of your letter dated 5th July No. 573 running as follows:

[See letter I]

I declare myself in accord with the preceding text and avail myself of this opportunity to express to You, Sir, the assurance of my highest consideration.

(Signed) Mohsen BARAZI
Minister of Foreign Affairs

Mr. N. Hadjivassiliou
Chargé d'Affaires of the Royal Hellenic Government
Damascus
