

No. 1854

**BELGIUM
and
GREECE**

**Agreement (with annex) concerning air transport between
their respective territories. Signed at Athens, on
21 June 1949**

Official texts: French and Greek.

Registered by Belgium on 24 September 1952.

**BELGIQUE
et
GRÈCE**

**Accord (avec annexe) relatif aux transports aériens entre
leurs territoires respectifs. Signé à Athènes, le 21 juin
1949**

Textes officiels français et grec.

Enregistré par la Belgique le 24 septembre 1952.

[TRANSLATION — TRADUCTION]

No. 1854. AGREEMENT¹ BETWEEN THE ROYAL GOVERNMENT OF BELGIUM AND THE ROYAL GREEK GOVERNMENT CONCERNING AIR TRANSPORT BETWEEN THEIR RESPECTIVE TERRITORIES. SIGNED AT ATHENS, ON 21 JUNE 1949

The Royal Government of Belgium and the Royal Greek Government, desiring to conclude an agreement concerning the establishment of air communications between Belgian and Greek territories, have for the purpose appointed their plenipotentiaries, who have agreed as follows :

Article 1

The Contracting Parties shall grant one another the rights specified in the annex hereto for the purpose of establishing the international civil air routes and services enumerated therein.

The said 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 mentioned in the annex hereto shall be put into operation as soon as the Contracting Party empowered to do so under article 1 hereof has designated one or more airlines for the routes concerned.

The Contracting Party granting the right shall, subject to the provisions of paragraph 2 of this article and to those of article 6 below, give the necessary operating permit forthwith to the airline or airlines concerned.

2. (a) The airline or airlines thus designated by one of the Contracting Parties may, before being authorized to open the services specified in the present Agreement, be called upon to satisfy the competent aeronautical authorities of the other Contracting Party as to its or their qualifications under the laws and regulations in force in that country for the operation of international civil air routes by commercial airlines.

¹ Came into force provisionally, except for article 11, by signature on 21 June 1949, in accordance with article 14. The instruments of ratification were exchanged at Brussels on 26 August 1952. This Agreement also applies to the territories of the Belgian Congo and Ruanda-Urundi.

(b) In areas where a military occupation has its headquarters and in zones affected by military occupation, 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 :

1. Each of the Contracting Parties may levy or permit to be levied fair and reasonable charges for the use of airports and other installations. Each of the Contracting Parties agrees, however, that these charges shall not be higher than those which would be paid for the use of the said airports and installations by its national aircraft engaged in similar international services.

2. Fuel, lubricating oils and spare parts brought into or taken on board in the territory of either Contracting Party by or on behalf of any airline designated by the other Contracting Party, and intended solely for use by the aircraft of the latter shall be accorded treatment as favourable as that given to the national airlines operating international air services or to those of the most favoured nation as regards the levying of customs duties, inspection fees or other national duties or charges levied by the Contracting Party in whose territory the import or export took place.

3. Aircraft of either of the Contracting Parties operating on the routes defined in 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, on arriving in 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.

4. The supplies enumerated in paragraph 3 of this article which benefit by the exemption described above may be unloaded only with the approval of the customs authorities of the other Contracting Party.

If such supplies are to be re-exported, they shall, pending their re-exportation, be placed under the customs supervision of the other Contracting Party.

Article 4

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by either Contracting Party and which are 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 right, however, to refuse to recognize for the purpose of flights over its own territory certificates of competency or licences issued to its own nationals by another State.

Article 5

1. The laws and regulations of either 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 inside its territory shall apply to the aircraft of the airline or airlines of the other Contracting Party and shall be complied with by such aircraft on arrival in, departure from or while inside the territory of the first Contracting Party.

2. Passengers, crew and consignors of goods shall comply, in person or through their agents, with the laws and regulations in force in the territory of one Contracting Party concerning the admission, stay in, or departure from its territory of passengers, crew and cargo, and with those relating to entry, departure, immigration, passports, customs and quarantine.

Article 6

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 a certificate or permit whenever it has no proof that the substantial ownership and effective control of that airline are vested in nationals of the latter Contracting Party, or whenever such an airline fails to comply with the laws and regulations of the State over which it operates, as described in article 5 above, or to discharge its obligations under this Agreement.

Article 7

For the purposes of the present Agreement and its annex, the term "territory" shall be deemed to mean the land and the territorial waters adjacent thereto under the sovereignty, suzerainty, protection, a mandate or trusteeship of either of the Contracting Parties.

Article 8

This Agreement and all contracts connected therewith shall be registered with the International Civil Aviation Organization set up by the Convention on International Civil Aviation signed at Chicago on 7 December 1944.¹

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 9

In a spirit of close collaboration, the aeronautical authorities of the two Contracting Parties shall, where necessary, consult from time to time to ensure the application and proper implementation of the principles defined in this Agreement and its annex.

Article 10

Should either of the Contracting Parties consider it desirable to modify any clause of the annex to this Agreement, the competent aeronautical authorities of the two Contracting Parties may make such modifications by direct agreement between themselves.

Article 11

Any dispute between the Contracting Parties relating to the interpretation and application of this Agreement or its annex which cannot be settled by direct negotiation shall be referred to the Council of the International Civil Aviation Organization, in accordance with the provisions of article 84 of the Convention on International Civil Aviation signed at Chicago on 7 December 1944.

Nevertheless, the Contracting Parties may by common agreement settle the dispute by referring it either to an arbitral tribunal or to some other person or body appointed by them.

The Contracting Parties undertake to comply with the decision given.

Article 12

If the two Contracting Parties ratify or accede to a multilateral convention relating to civil air traffic rights, the present Agreement and its annex shall be amended so as to conform with the provisions of that convention.

Article 13

Either Contracting Party may at any time give notice to the other Contracting Party that it desires to terminate this Agreement. Such notice shall take effect twelve months after the date of the receipt of the notice by the other Contracting Party, unless the notice to terminate is withdrawn by agreement before the expiry of this period.

Article 14

This Agreement shall be ratified and the instruments of ratification shall be exchanged at Brussels as soon as possible.

This Agreement, with the exception of article 11, shall come into force provisionally on the date of signature.

IN WITNESS WHEREOF the plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in duplicate, at Athens, this 21st day of June 1949, in the French and Greek languages, both texts being equally authentic.

For the Royal Government of Belgium :
(Signed) BOREL DE BITCHE

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

A N N E X

I

The airline or airlines of the Royal Government of Belgium 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 discharge passengers, cargo and mail destined for or coming from the territory of one of the Contracting Parties and coming from or destined for the territory of the other Contracting Party on the following routes :

1. From Brussels—via intermediate points, or not—to Athens—and countries beyond, or not—in both directions.
2. Stanleyville—via intermediate points, or not—to Athens—and countries beyond, or not—in both directions.

II

The airline or airlines of the Royal Government of Greece authorized under the present Agreement shall have the right to cross Belgian territory without landing, to make non-traffic stops therein and to pick up and discharge passengers, cargo and mail destined for or coming from the territory of one of the Contracting Parties and coming from or destined for the territory of the other Contracting Party on the following routes :

1. From Athens—via intermediate points, or not—to Brussels—and countries beyond, or not—in both directions.
2. From Athens—via intermediate points, or not—to Stanleyville—and countries beyond, or not—in both directions.

III

For the purpose of establishing and operating the air services covered by the present Agreement and its annex, it is agreed between the two Contracting Parties :

(1) That it is desirable to promote and encourage, at the lowest rates compatible with sound economic principles, as wide a distribution as possible of the advantages to the general well-being of humanity resulting from air travel, and to stimulate international air travel as a means of promoting a friendly understanding and common goodwill between nations and at the same time of ensuring the numerous indirect benefits of this new mode of transport for the common good of the two countries.

(2) That the air services placed at the disposal of the public should correspond to the requirements of the public in respect of air transport.

(3) That the airlines of the two nations should have fair and equal opportunities of servicing any route or routes covered by this Agreement and its Annex.

(4) That in the operation by the airlines of either Contracting Party of the services mentioned in the annex to this Agreement, the interests of the airlines of the other Contracting Party shall nevertheless be taken into consideration in order that the services provided by the latter on all or part of the same routes should not be unduly affected.

(5) That the essential aim of the services provided by the airline or airlines designated under this Agreement and its annex shall be the provision of capacity adequate to meet the demands of traffic between the country of origin and the country of destination.

IV

Should the airline or airlines of one of the Contracting Parties as the result of difficulties arising from the war, be temporarily prevented from benefiting immediately from the advantages offered in article 3 of this annex, the situation shall be reviewed by the two Contracting Parties as soon as the airline or airlines of the first Contracting Party is able to make a progressive contribution to the operation of the air services.

V

Rates shall be fixed at reasonable levels, due regard being paid in particular to economical operation, reasonable profit and the characteristics of each service such as speed and comfort.

In fixing these rates account shall be taken of the recommendations of the International Air Transport Association.

In default of recommendations by the International Air Transport Association, the Belgian and Greek airlines shall reach agreement regarding the rates for passengers and cargo to be applied on their routes.

Any agreement so reached shall be subject to the approval of the competent aeronautical authorities of the two countries.

If the airlines cannot reach agreement regarding the rates to be applied, the competent aeronautical authorities of the two countries shall endeavour to reach a satisfactory settlement.

In the last resort recourse shall be had to arbitration as provided in article 11 of the Agreement.

VI

As soon as this Agreement comes into force the aeronautical authorities of the two Contracting Parties shall exchange information as promptly as possible concerning the authorizations extended to their respective designated airline or airlines to operate the routes referred to in the present annex. This will include copies of the authorizations granted, together with any modifications thereof and all attached documents.