

No. 2506

GREECE
and
LUXEMBOURG

**Agreement (with annex) concerning air transport between
their respective territories. Signed at Luxembourg, on
22 October 1951**

Official texts: French and Greek.

Registered by Greece on 18 March 1954.

GRÈCE
et
LUXEMBOURG

**Accord (avec annexe) relatif aux transports aériens entre
leurs territoires respectifs. Signé à Luxembourg, le 22
octobre 1951**

Textes officiels français et grec.

Enregistré par la Grèce le 18 mars 1954.

[TRANSLATION — TRADUCTION]

No. 2506. AGREEMENT¹ BETWEEN THE ROYAL GREEK GOVERNMENT AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG CONCERNING AIR TRANSPORT BETWEEN THEIR RESPECTIVE TERRITORIES. SIGNED AT LUXEMBOURG, ON 22 OCTOBER 1951

The Royal Greek Government and the Government of the Grand Duchy of Luxembourg, desiring to conclude an agreement concerning the establishment of direct air communications between Greece and Luxembourg, have to that end appointed their plenipotentiaries, who have agreed on the following provisions:

Article 1

The Contracting Parties shall grant one another the rights specified in the Annex² 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 air 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 qualifications under the laws and regulations in force in that country for the operation of international civil air routes by commercial airlines.

(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.

¹ Came into force on 22 October 1951, upon signature, in accordance with article 13.

² See p. 137 of this volume.

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, spare parts and equipment brought into or picked up 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 national airlines operating international air services or to that 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 into whose territory the supplies have been imported or from which they have been exported.

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 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 airline or airlines of the other Contracting Party and shall be complied with by such aircraft on arrival in, departure from or while within the territory of that 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 each Contracting Party, concerning the admission, stay and departure 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 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

This Agreement and all contracts connected therewith shall be registered with the International Civil Aviation Organization established by the Convention on International Civil Aviation concluded on 7 December 1944 at Chicago.¹

Article 8

The aeronautical authorities of the two Contracting Parties shall consult together from time to time in a spirit of close collaboration to ensure that this Agreement and its Annex are being properly implemented and that the principles therein defined are being applied.

Article 9

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 modification by direct agreement between themselves.

Article 10

Any dispute between the Contracting Parties relating to the interpretation and application of this Agreement or its Annex which it has proved impossible to

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; Vol. 51, p. 336; Vol. 139, p. 469, and Vol. 178, p. 420.

settle 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. The Contracting Parties may, however, 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 11

Should the Contracting Parties ratify or accede to a multilateral convention on international civil aviation, the present Agreement and its Annex shall be amended so as to conform to the provisions of that convention.

Article 12

Either Contracting Party 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 on which the notice is received by the other Contracting Party unless such notice is withdrawn by common consent before the end of that period.

Article 13

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

It shall enter into force provisionally on the date of its signature.

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

DONE at Luxembourg on 22 October 1951, in duplicate, in the Greek and French languages, both texts being equally authentic.

For the Royal
Greek Government :
D. KAPSALIS

For the Government of the Grand
Duchy of Luxembourg :
Joseph BECH

A N N E X

I

The airline or airlines of the Royal Greek Government authorized under the present Agreement shall have the right to cross Luxembourg territory without landing, to make non-traffic stops therein, and to pick up and set down passengers, cargo and mail destined

for or coming from the territory of one Contracting Party and coming from or destined for the territory of the other, on the following routes :

1. From Athens—via intermediate points or not—to Luxembourg—and countries beyond or not—in both directions.

II

The airline or airlines of the Government of the Grand Duchy of Luxembourg 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 passengers, cargo and mail destined for or coming from the territory of one Contracting Party and coming from or destined for the territory of the other, on the following routes :

1. From Luxembourg—via intermediate points or not—to Athens—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 Annex, it is agreed between the two Contracting Parties :

1. 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 stimulate international air travel as a means of promoting friendly understanding and common goodwill among nations and at the same time to ensure the many indirect benefits of this new mode of transport for the common welfare 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 there should be fair and equal opportunity for the airlines of the two nations to operate any route or routes which are covered by the present Agreement and its Annex.

4. That in the operation by the airlines of either Contracting Party of the services mentioned in the Annex to the present 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 may not be unduly affected.

5. That the essential aim of the services provided by the airline or airlines designated under the present Agreement and its Annex shall be the provision of capacity adequate to meet the traffic demands 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 the present 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 said Association, the Greek and Luxembourg 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 10 of this 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 permits given to their respective airline or airlines designated to operate the routes referred to in the present Annex. This will include copies of the permits given, together with any modifications thereof and all attached documents.