

No. 3482

**DENMARK
and
LEBANON**

Air Transport Agreement (with annex and exchange of notes). Signed at Beirut, on 21 October 1955

Official text: French.

Registered by Denmark on 30 July 1956.

**DANEMARK
et
LIBAN**

Accord relatif aux transports aériens (avec annexe et échange de notes). Signé à Beyrouth, le 21 octobre 1955

Texte officiel français.

Enregistré par le Danemark le 30 juillet 1956.

[TRANSLATION — TRADUCTION]

No. 3482. AIR TRANSPORT AGREEMENT¹ BETWEEN DENMARK AND LEBANON. SIGNED AT BEIRUT, ON 21 OCTOBER 1955

The Royal Government of Denmark and
The Government of the Lebanese Republic,

Desiring to promote civil air transportation between Denmark and Lebanon,
have agreed as follows :

Article 1

The Contracting Parties grant each other the following rights, necessary for the establishment of the air services (hereinafter referred to as the "agreed services") specified in the annex² hereto :

1. The airline or airlines designated by one Contracting Party shall enjoy, in the territory of the other Contracting Party, rights of transit and of nontraffic stops ; they may also use airports and other facilities provided for international traffic. They shall also enjoy, in the territory of the other Contracting Party and on the routes specified in the annex hereto, the right to pick up and set down international traffic in passengers, mail and cargo in accordance with the terms of this Agreement.

2. The right of the designated airline or airlines to pick up and set down, at the points and on the routes specified, international traffic destined for or coming from third countries, shall be exercised in accordance with the general principles of orderly development to which both Governments subscribe and in such a manner that capacity shall be related to :

- (a) traffic demands between the country of origin and the countries of destination,
- (b) the requirements of economic operation of the services in question, and
- (c) the traffic demands of the areas through which the airline passes, after taking account of local and regional services.

Article 2

1. The agreed services may be inaugurated as soon as :

- (a) the Contracting Party to whom rights have been granted has designated an airline or airlines for this purpose ;

¹ Came into force provisionally on 21 October 1955 by signature and definitively on 8 February 1956, in accordance with article 15.

² See p. 27 of this volume.

(b) the Contracting Party granting the rights has issued to the said airlines the appropriate operating permit, which, subject to the provisions of paragraph 2 of this article and of article 5 below, it shall do without undue delay.

2. Nevertheless, before being authorized to inaugurate the agreed services, the airline or airlines designated may be required to satisfy the aeronautical authority of the Contracting Party granting the rights that they are qualified to fulfil the conditions prescribed under the laws and regulations normally applied by that authority to the operation of international air services.

3. In areas occupied by armed forces the inauguration of the agreed services shall further be subject, where appropriate, to authorization by the competent military authorities.

Article 3

There shall be fair and equal opportunity in the territory of the Contracting Parties for the designated airline or airlines to operate the agreed services.

Article 4

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

Article 5

Each Contracting Party reserves the right to withhold an operating permit from an airline designated by the other Contracting Party or to revoke such a permit, in any case where it is not satisfied that preponderant ownership and effective control of such airline are vested in nationals of either Contracting Party, or in case of failure by such airline to comply with the laws and regulations referred to in article 6 below or with the conditions under which the said permit is granted.

Article 6

1. The laws and regulations of either Contracting Party relating to the admission to and departure from its territory of aircraft engaged in international air navigation or to flights of such aircraft over the said territory shall apply, without distinction as to nationality, to the aircraft of the designated airlines.

2. The laws and regulations of either Contracting Party relating to the admission to, stay in and departure from its territory of passengers, crews, mail and cargo, such as regulations relating to entry, immigration and clearance, passports, customs and quarantine, shall apply to the passengers, crews, mail and cargo of aircraft of the airlines designated by the other Contracting Party while within the said territory.

3. Passengers in transit through the territory of a Contracting Party shall be subject to a simplified control system. Baggage and cargo shall be exempt from customs duties, inspection fees and other national duties and charges if in direct transit.

Article 7

Rates shall be fixed at reasonable levels, regard being paid to economy of operation, reasonable profit and the characteristics of each service, such as speed and accommodation. The recommendations of the International Air Transport Association (IATA) shall also be taken into account as far as possible. Failing any such recommendations, the Lebanese and Danish airlines shall consult the airline or airlines of third countries operating on the same routes. Their arrangements shall be subject to the approval of the competent aeronautical authorities of the Contracting Parties. If the airlines are unable to reach agreement those authorities shall endeavour to find a solution. In the last resort recourse shall be had to the procedure provided for in article 11 of this Agreement.

Article 8

Transfers of funds received by the airline or airlines designated by the Contracting Parties shall be made in accordance with the currency regulations in force in the two countries. The Contracting Parties shall do everything in their power to facilitate the transfer of such funds.

Article 9

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

1. Each Contracting Party may impose or permit to be imposed fair and reasonable charges for the use of airports and other facilities ; such charges shall not be higher than would be paid by its national aircraft or the aircraft of the most favoured nation engaged in similar international services.

2. Fuel, lubricating oils and spare parts introduced into or taken on board in the territory of one Contracting Party by or on behalf of the airline or airlines

designated by the other Contracting Party and intended solely for the aircraft of such airline or airlines shall be accorded national or most-favoured-nation treatment with respect to customs duties, inspection fees or other national duties or charges.

3. The aircraft operated on the agreed services by the designated airlines of one Contracting Party, and fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board such aircraft shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or other national duties or charges, even though such supplies be used or consumed on flights in that territory.

4. Goods so exempted may be unloaded only with the approval of the customs authorities of the other Contracting Party; they shall be placed under customs supervision until re-exported, but this shall not prevent their use for technical reasons.

Article 10

Should either of the Contracting Parties consider it desirable to modify any clause of this Agreement or of its annex, the aeronautical authorities of the Contracting Parties shall consult together for that purpose. Such consultation shall take place within sixty days from the date of the request therefor.

If the said authorities agree on the modifications to be made in the Agreement, such modifications shall come into effect only after they have been confirmed by an exchange of diplomatic notes.

Article 11

Any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its annex which cannot be settled by direct negotiation shall be referred to an arbitral tribunal selected by agreement between them. If they fail to reach agreement in the matter, the dispute shall be referred to any tribunal which may be established within the International Civil Aviation Organization or, if there is no such tribunal, to the International Court of Justice at The Hague.

The Contracting Parties undertake to comply with the decisions so given, which shall in all cases be regarded as final.

Article 12

This Agreement and its annex shall be brought into harmony with any multi-lateral agreement to which the two Contracting Parties may accede.

Article 13

Either Contracting Party may terminate this Agreement by giving one year's notice to the other Contracting Party.

Article 14

This Agreement and all agreed supplements and modifications shall be registered with the International Civil Aviation Organization.

Article 15

This Agreement shall enter into force provisionally on the date of its signature and definitively as soon as the formalities prescribed by the internal legislation of each of the Contracting Parties have been complied with.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

DONE in duplicate at Beirut, on 21 October 1955, in the French language.

For the Royal Government of Denmark :

(Signed) Georg L. HØST

For the Government of the Lebanese Republic :

(Signed) Sélim LAHOUD

A N N E X

1. *Lebanese routes :*

Lebanon — Turkey — Athens — Rome or Milan — Geneva or Zurich or Munich or Vienna — Frankfurt or Amsterdam — Copenhagen — Stockholm and points beyond, in both directions.

2. *Danish routes :*

(a) Scandinavia — Germany and/or Netherlands — Switzerland — Austria — Italy — Greece — Turkey — Lebanon — Syria — (see attached letter) Basra — Iran and points beyond, in both directions.

(b) Scandinavia — Germany — Switzerland — Italy — Lebanon — Syria — (see attached letter) Basra — Pakistan — India — Thailand and points beyond, in both directions.

The airlines designated by the Contracting Parties may permanently or temporarily omit certain of the intermediate stops listed above.

EXCHANGE OF NOTES

I

Beirut, 21 October 1955

Your Excellency,

With reference to the Agreement signed on 21 October 1955¹ between Denmark and Lebanon, I have the honour to inform you that, in accordance with article 1 of that Agreement, the Danish Government has designated Det Danske Luftfartsselskab (DDL) to operate the routes specified in schedule 2² attached to the Agreement.

In this connexion I have the honour to confirm, on behalf of my Government, the following understanding reached in the course of the negotiations which preceded the signature of the Agreement :

1. Det Danske Luftfartsselskab (DDL), cooperating with Det Norske Luftfartsselskab (DNL) and AB Aerotransport (ABA) under the designation of Scandinavian Airlines System (SAS), shall be authorized to operate the services assigned to it under the Agreement with aircraft, crews and equipment of either or both of the other two airlines.

2. In so far as Det Danske Luftfartsselskab (DDL) employ aircraft, crews and equipment of the other two airlines participating in the Scandinavian Airlines System (SAS), the provisions of the Agreement shall apply to such aircraft, crews and equipment as though they were the aircraft, crews and equipment of Det Danske Luftfartsselskab (DDL), and the competent Danish authorities and Det Danske Luftfartsselskab (DDL) shall accept full responsibility under the Agreement therefor.

(Signed) Georg L. HØST

His Excellency Mr. Sélim Lahoud
Minister of Foreign Affairs

II

Beirut, 21 October 1955

Your Excellency,

With reference to the Agreement signed on 21 October 1955 between Lebanon and Denmark, I have the honour to inform you that, in accordance with article 1 of that Agreement, the Lebanese Government will designate at a later date the

¹ See p. 19 of this volume.

² See p. 27 of this volume.

airline or airlines which are to operate the routes specified in schedule 1¹ attached to the Agreement.

In this connexion I have the honour to confirm, on behalf of my Government, the following understanding reached in the course of the negotiations which preceded the signature of the Agreement :

[See note I]

(Signed) Sélim LAHOUD

His Excellency Mr. Georg L. Høst
Minister of Denmark

¹ see p. 27 of this volume.