

No. 6022

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**COSTA RICA, EL SALVADOR, GUATEMALA,  
HONDURAS and NICARAGUA**

**Convention establishing the Central American Air Navigation Services Corporation (with annex). Signed at Tegucigalpa, on 26 February 1960**

*Official text: Spanish.*

*Registered by the International Civil Aviation Organization on 2 January 1962.*

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**COSTA RICA, SALVADOR, GUATEMALA,  
HONDURAS et NICARAGUA**

**Convention portant création d'une Société des services de navigation aérienne pour l'Amérique centrale (avec annexe). Signée à Tegucigalpa, le 26 février 1960**

*Texte officiel espagnol.*

*Enregistrée par l'Organisation de l'aviation civile internationale le 2 janvier 1962.*

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

No. 6022. CONVENTION<sup>3</sup> ESTABLISHING THE CENTRAL AMERICAN AIR NAVIGATION SERVICES CORPORATION. SIGNED AT TEGUCIGALPA, ON 26 FEBRUARY 1960

DIPLOMATIC CONFERENCE FOR THE ESTABLISHMENT OF A CENTRAL AMERICAN INTER-GOVERNMENTAL CORPORATION FOR AERONAUTICAL COMMUNICATIONS

WHEREAS, cooperation among the States of Central America in the field of civil aviation, especially following the establishment of the Flight Information Centre at Tegucigalpa in October 1957, has already resulted in an improvement of the safety of civil aviation in that area;

WHEREAS, the introduction of jet aircraft requires a considerable strengthening of the organization of the air traffic and communications services and the radio aids to air navigation;

WHEREAS, to ensure efficiency of such services without entailing a burden which would be out of proportion to the economic resources of States, duplication of services should be avoided and a rational integration achieved so that the Contracting Parties may meet their international commitments;

IT IS THEREFORE RESOLVED

To adopt the following :

“ Convention Establishing the Central American Air Navigation Services Corporation. ”

<sup>1</sup> Translation by the International Civil Aviation Organization.

<sup>2</sup> Traduction de l'Organisation de l'aviation civile internationale.

<sup>3</sup> In accordance with article 32, the Convention came into force on 1 December 1961, the first day of the month following the deposit of the fourth instrument of ratification, in respect of the following States on behalf of which the instruments of ratification were deposited with the International Civil Aviation Organization on the dates indicated below :

Honduras . . . . .	5 October 1960
Nicaragua . . . . .	26 October 1960
Guatemala (with declaration*) . . . . .	3 August 1961
El Salvador . . . . .	8 November 1961

\* The instrument of ratification deposited by Guatemala contained the following declaration :

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION BY THE INTERNATIONAL CIVIL AVIATION ORGANIZATION]

« Por razón de imperativos constitucionales, el Artículo 25 del mencionado Convenio se cumplirá sin menoscabo de lo estatuido por el inciso 30 sub inciso b) del Artículo 149 de la Constitución de la República. »

For imperative constitutional reasons, Article 25 of the said Convention shall be observed subject to what is stipulated by paragraph 30, sub-paragraph b) of Article 149 of the Constitution of the Republic.

*Article 1*

There is established a public service corporation named "Central American Air Navigation Services Corporation" hereafter referred to as the "Corporation", the objects of which are determined in the present instrument. The Headquarters of the Corporation shall be at the location of the Flight Information Centre serving the territory of the Contracting Parties, and presently located at Tegucigalpa, Central District, Honduras.

*Article 2*

(1) The Corporation shall have the exclusive franchise for the air traffic and aeronautical telecommunications services and aeronautical radio navigation aids in the territories of the Contracting Parties.

- (a) It shall provide such services and aids, as are specified in the ICAO Regional Plan, in the territories of the Contracting Parties and in such other areas as have been entrusted to them by international agreement.
- (b) It may provide to other States, by agreement, such services and aids as are specified in the ICAO Regional Plan.
- (c) It may provide such services and aids, not specified in the ICAO Regional Plan, within the territories of the Contracting Parties by contract with any public or private party.

(2) The Corporation may also provide other aeronautical services listed in the ICAO Regional Plan subject to authorization in writing by the competent authorities of all the Contracting Parties.

(3) The Corporation shall be responsible for :

- (a) The study of standardization, on the basis of International Standards and Recommended Practices of the International Civil Aviation Organization, of national regulations governing air traffic and of the activity of the services responsible for its safety and organization, and their submission to the Contracting Parties.
- (b) The initiation of all necessary steps for the proper training of its personnel.
- (c) The promotion and coordination of studies concerning air navigation facilities to take account of technical developments and, as required, the proposal to the Contracting Parties of amendments to the Regional Air Navigation Plan relating to matters covered by the present Article for submission to the International Civil Aviation Organization.

*Article 3*

The Corporation shall enjoy legal personality. It shall have the capacity to exercise rights, enter into contracts and to be represented before the Courts and outside the Courts, and for the performance of its functions it shall have the status of a public utility agency.

*Article 4*

The Corporation shall be governed by a Board of Directors composed of the members representing the Contracting Parties, each Contracting Party having one representative. Each member shall have one alternate who shall replace him in his absence. The members and their alternates shall preferably be competent aeronautical authorities designated by the Contracting Party they represent.

No meeting of the Board of Directors shall be validly constituted unless all members are present, and decisions shall be taken by a majority vote. The Board shall establish, by unanimous decision of its members, its rules of procedure and any other rules that may be required for the operation of the Corporation.

*Article 5*

The Corporation shall immediately upon its inception be insured against risks resulting from its liability towards third parties and from damages to the installations necessary to its functioning through appropriate insurance contracts with one or more companies approved by the Board of Directors of the Corporation.

*Article 6*

The Contracting Parties shall extend to the Corporation in respect of the installations effected and the services established in their respective territories, the facilities and privileges necessary for the discharge of its functions accorded to international organizations, autonomous bodies, and government agencies.

*Article 7*

The Contracting Parties shall take the necessary steps to enable the Corporation to carry out all operations for the achievement of its functions, including the allotment of radio frequencies.

*Article 8*

The Corporation shall ensure the liaison necessary to the performance of its functions with States and international organizations, and shall maintain all contacts useful to the proper operation of its own services.

*Article 9*

For the achievement of the purposes set forth in paragraph (1) of Article 2 above, the Corporation shall apply to air traffic control the regulations in force in the territories of the Contracting Parties and in all the airspace for which air traffic services have been entrusted to the Corporation.

If any difficulty arises in the implementation of the provisions of this Article, the Corporation shall propose to the Contracting Parties any measures deemed necessary in accordance with Article 2 (3) (a) and (c) above.

*Article 10*

In the performance of its air traffic control functions, the Corporation shall give all necessary instructions to aircraft commanders, and they shall comply with such instructions.

*Article 11*

The competent authorities of the Contracting Parties shall have jurisdiction in respect of all violations under Article 10 occurring within the limits of their territory.

*Article 12*

The Corporation shall report to the competent national authority any violation of the air traffic regulations occurring within the area of jurisdiction entrusted to the Corporation.

*Article 13*

International agreements and national regulations concerning access to, overflight, and security of the territories of the Contracting Parties shall be observed by the Corporation in the exercise of its functions.

*Article 14*

To enable the Contracting Parties to secure the enforcement of national law and regulations and of international agreements, the Corporation shall make available to the Contracting Parties such information relating to aircraft as they may request, and any other information that may come to its attention relating to the particular case, even though it may not have been requested.

*Article 15*

The Corporation shall cooperate at all times with the competent authorities of the Contracting Parties in facilitating the efficient administration of justice,

the observance of police regulations and in preventing any abuse arising out of the privileges, immunities, exemptions and facilities recited in this Convention.

#### *Article 16*

For the performance of its functions, the Corporation shall be empowered to erect any buildings and installations that it may require.

In order to reduce expenditures in the fields both of capital investment and management, it shall, whenever possible, make use of existing public and private services and facilities.

#### *Article 17*

The Corporation, its assets and revenues, as well as the acts, operations and transactions authorized by this Convention, shall be exempt from all taxes or dues of any kind to the extent permitted under the relevant legislations.

The Corporation shall also be exempt from any obligations relating to the collection or payment of taxes or dues of any kind. It shall also be exempt from any import or export prohibition or restriction to the extent necessary for its operation.

#### *Article 18*

The Corporation shall have the right to hold any currency and to maintain accounts to the extent necessary for the performance of its functions. It shall be granted the most favourable rate of exchange.

The Contracting Parties shall grant the Corporation the necessary authorizations, in accordance with the procedures prescribed in the relevant national regulations and international agreements, to effect all movements of funds arising out of the establishment and activities of the Corporation, including the issue of loans and payment of interest thereon.

#### *Article 19*

The personnel of the Corporation shall be composed of nationals of the Central American States.

In special circumstances to be determined by the Board of Directors, it may engage personnel from other countries to provide technical services, provided however that it would be difficult or impossible to have such services performed by nationals from Central American States because of the specialized knowledge required; it being understood furthermore that such personnel contracted from other countries shall be required to train nationals of the Contracting Parties within a reasonable period of time and under the supervision of the Contracting Parties.

*Article 20*

In implementation of the above Article, the Corporation undertakes to engage the services of personnel currently employed by the State, by autonomous bodies, and private enterprises and presently providing the services which under the present Convention are entrusted to the Corporation. The present work-contracts of such personnel will not be affected and they shall enjoy all the rights provided under the relevant laws, internal working rules or contracts and collective labour agreements, without prejudice to any increased benefits which the Corporation may grant to employees. In such cases the former employer and the Corporation shall be jointly and severally responsible for the payment of services performed.

Should it not be possible to contract the above personnel, for reasons beyond their control, with the result that their services would be terminated, and should such personnel not be able to obtain, in accordance with the relevant labour legislation, the indemnities and other allowances for termination of contract, independently of the will of the parties, the Corporation shall be required to pay the employees whose services are terminated such indemnities and entitlements as are provided under the relevant national law.

*Article 21*

The Contracting Parties shall extend to foreign personnel engaged by the Corporation all immigration facilities granted to foreign experts on international missions.

Facilities shall be granted for the admission free of duty of the personal effects and furniture of the Corporation's employees, their wives and dependent members of their families on their appointment, transfer or termination by the Corporation.

*Article 22*

In order to establish the Corporation, the Contracting Parties agree :

(1) To place at its disposal working capital in the amount of \$100,000 (U.S.) to be contributed by them in equal shares.

(2) To acquire, if necessary, and to transfer to the Corporation without charge the full use and benefit of the equipment listed in the Annex to this Convention, each Contracting Party being responsible for the equipment listed in its own territory.

(3) To transfer to the Corporation without charge the full use and benefit of all buildings and installations and land on which they stand as well as all other property, moveable and immovable, directly related to the performance of the Corporation's functions.

### Article 23

The Corporation shall ensure its financial balance by means of its own resources, except for the contributions of the Contracting Parties referred to in Article 22 and the loans referred to in this Article and Article 24.

To that end it shall establish rates and conditions of applicability of user charges and levy and collect such charges. The Contracting Parties shall assist the Corporation upon its request in securing payment of such charges. The charges shall be subject to the provisions of Article 15 of the Convention on International Civil Aviation.<sup>1</sup>

### Article 24

The Corporation may procure through loans on the national and international financial markets the resources necessary for the achievement of its purposes.

The Contracting Parties shall, subject to unanimous consent, guarantee in equal shares the loans contracted by the Corporation.

### Article 25

Any dispute between the Contracting Parties or one or more of the Contracting Parties and the Corporation concerning the interpretation or application of this Convention which cannot be settled by direct negotiations shall be resolved by an arbitration tribunal composed as follows : each of the Contracting Parties shall draw up and maintain a list of three judges belonging to their Supreme Court of Justice. Within six months of the entry into force of this Convention such list shall be notified to the Secretary General of the Organization of Central American States.

The Secretary General of the Organization of Central American States shall for each litigation draw lots to select from among the complete list of nominees the arbiters, each to be of a different nationality, who shall make up the tribunal.

The decision shall be rendered by a majority vote and shall be *res judicata* in respect of the parties concerned.

### Article 26

The Corporation shall establish its own Statutes which shall be submitted for approval to each of the Contracting Parties through the appropriate channels.

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<sup>1</sup> See footnote 2 p. 162 of this volume.



*Article 27*

Any modification of the present Convention and its Statutes shall be subject to the unanimous agreement of the Contracting Parties.

*Article 28*

This Convention is concluded for a period of fifteen years. It shall automatically be extended for successive periods of five years.

Any one of the Contracting Parties may give notice of denunciation of the present Convention five years after it has come into force, by notification addressed to the International Civil Aviation Organization with a copy to the Organization of Central American States. The International Civil Aviation Organization shall immediately notify the other Contracting Parties of such denunciation which shall take effect one year following the date of receipt of the notification.

*Article 29*

In case of dissolution, the Corporation shall be deemed to remain in existence until its complete liquidation.

This shall be carried out by liquidators appointed by the Board. The liquidators shall have the most extensive powers for the realization of the assets of the Corporation. After discharging its liabilities, the available balance shall be shared among the States participating in the Convention pursuant to a unanimous decision of the Board of Directors.

At the time of liquidation, an agreement shall be entered into with the States in which the facilities of the Corporation are located to arrange the possible take-over of all or part of the facilities with a view to continuing to provide the services.

*Article 30*

In the case of emergency, the Governments concerned shall consult together on the measures to be taken with regard to difficulties in the application of all or part of the provisions of this Convention.

*Article 31*

This Convention shall, upon signature, be deposited in the archives of the International Civil Aviation Organization which shall deliver a certified true copy thereof to all the signatory countries and to the Organization of Central American States.

*Article 32*

This Convention shall be ratified and shall come into force on the first day of the month following deposit of the instrument of ratification of the fourth Contracting Party to complete this formality.

The instruments of ratification shall be deposited with the International Civil Aviation Organization which shall notify the parties interested.

*Article 33*

This Convention shall, upon coming into force, be registered by the International Civil Aviation Organization which shall cause it to be registered by the United Nations.

*Article 34*

A non-signatory State may accede to this Convention after it has come into force by depositing an instrument of accession with the International Civil Aviation Organization. The accession of any non-signatory State to this Convention shall be subject to the unanimous consent of the Contracting Parties and to the conclusion of a preliminary financial agreement between the non-signatory State and the Corporation which consent and agreement shall be notified by each Contracting Party to the International Civil Aviation Organization.

Upon compliance with the foregoing requirements, the International Civil Aviation Organization shall notify the parties interested and the accession shall come into force on the first day of the month following such compliance.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, duly authorized to that effect, have signed this Convention at Tegucigalpa, Central District, Honduras, on the twenty-sixth day of February One Thousand Nine Hundred and Sixty.

For Costa Rica :

(Signed) Guillermo SALAZAR ROLDÁN

For El Salvador :

(Signed) Jorge ROVIRA

for Guatemala :

(Signed) Rodolfo MENDOZA AZURDIA

for Honduras :

(Signed) Lisandro ROSALES ABELLA

for Nicaragua :

(Signed) Alfonso ORTEGA URBINA

## ANNEX

## COSTA RICA—EL COCO (AND LA SABANA)

*En route*

- i) HF voice Air/Ground/Air—2.9, 5.6 and 10 Mc/s
- ii) VHF voice Air/Ground/Air—126.9 Mc/s
- iii) *Regional & Central American Network*  
HF voice Air/Ground/Air—3,6 and 10 Mc/s

*AFTN, AFS and supplementary point-to-point networks*

- iv) HF CW (MAS) Central American Network  
HF voice (RTF)
- v) HF CW (MAS) Central American Network
- vi) HF CW (MAS)
- vii) HF CW (MAS) Central American Network  
HF voice (RTF)
- viii) RTTY Central American Network

*Navigational aids*

- ix) M.F. NDB (Los Horcones)
- x) M.F. NDB (El Coco)
- xi) V.O.R. (El Coco)

*Meteorological Coms*

- xii) RTTY Interception (CARMET)

*Approach and tower control—terminal facilities*

- xiii) VHF voice—Tower—118.1 Mc/s  
HF voice—Tower—3023.5 Kc/s (El Coco)

*Air traffic control and F.I.O. services*

- xiv) And other equipment required for air traffic control and F.I.O. services.

## EL SALVADOR—ILOPANGO

*En route*

- i) HF voice Air/Ground/Air—2.9, 5.6 and 10 Mc/s
- ii) VHF voice Air/Ground/Air—126.9 Mc/s

*Central American network regional en route*

- iii) HF voice Air/Ground/Air
- iv) HF voice Air/Ground/Air—6 Mc/s

*AFTN, AFS and supplementary point-to-point networks*

- v) HF CW (MAS) Dual channel  
HF (RTF) Central American Network
- vi) HF CW (MAS)

- vii) HF CW (MAS) Central American Network
- viii) HF CW (MAS) Central American Network
- ix) RTTY Central American Network

*Navigational aids*

- x) M.F. NDB
- xi) VOR

*Meteorological Coms*

- xii) HF RTTY (CARMET)

*Approach and tower control—terminal facilities*

- xiii) VHF voice—Tower—118.1 Mc/s  
HF voice—Tower—3023.5 Kc/s
- xiv) VHF voice INTERNATIONAL DISTRESS AND EMERGENCY—121.5 Mc/s
- xv) VHF voice—Alternative tower—119.1 Mc/s

*Air traffic control and F.I.O. service*

- xvi) And other equipment required for air traffic control and F.I.O. services

GUATEMALA—LA AURORA

*En route*

- i) HF voice Air/Ground/Air—6, 8 and 10 Mc/s
- ii) HF voice Air/Ground/Air—5 and 10 Mc/s
- iii) VHF voice—126.9 Mc/s

*Central American network regional en route*

- iv) HF voice Air/Ground/Air—3 and 6 Mc/s

*AFTN, AFS and supplementary point-to-point networks*

- v) CF CW (MAS) HF voice (RTF)  
Central American network dual channel
- vi) HF RTTY
- vii) HF CW (MAS) Central American Network
- viii) HF CW (MAS) Central American Network
- ix) HF CW (MAS) MEXICO LINK
- x) HF RTTY Central American Network

*Navigational aids*

- xi) M.F. NDB
- xii) M.F. NDB Locater (La Aurora)
- xiii) M.F. NDB—HOMER (Recalada) La Aurora
- xiv) VOR

*Meteorological Coms*

- xv) RTTY Interception (CARMET)

*Approach and tower control—terminal facilities*

- xvi) VHF voice—Tower—118.1 Mc/s  
HF voice—Tower—3023.5 Kc/s
- xvii) VHF voice—Approach Control—119.7 Mc/s

*Air traffic control and F.I.O. services*

- xviii) And other equipment required for air traffic control and F.I.O. services.

## TONCONTIN AIR CENTRE, TEGUCIGALPA, HONDURAS

*F.I.R. en route*

- i) HF voice Air/Ground/Air—5, 10 and 13 Mc/s
- ii) HF voice Air/Ground—2.- Mc/s
- iii) VHF Air/Ground/Air—126.9 Mc/s

*Central American network regional en route*

- iv) HF voice Air/Ground/Air—3 and 6 Mc/s

*AFTN, AFS and supplementary point-to-point facilities*

- v) HF CW (MAS) Central American network  
HF Voice (RTF)
- vi) HF RTTY
- vii) HF RTTY
- viii) HF Voice (ATS direct voice circuit)
- ix) HF CW (MAS) Central American Network
- x) HF CW (MAS) Central American Network
- xi) HF RTTY Central American Network

*Navigational aids*

- xii) M.C. NDB El Sauce
- xiii) LP MF NDB
- xiv) MF NDB San Pedro Sula
- xv) VOR

*Meteorological Coms*

- xvi) RTTY Interception (CARMET)

*Approach and tower control—terminal facilities*

- xvii) VHF voice Tower—118.1 Mc/s  
HF voice Tower—3023.5 Kc/s
- xviii) VHF voice INTERNATIONAL DISTRESS AND EMERGENCY—121.5 Mc/s
- xix) VHF voice Approach Control—119.7 Mc/s

*Air traffic control and F.I.O. services*

- xx) And other equipment required for air traffic control and F.I.O. services.

## NICARAGUA—LAS MERCEDES

*En route*

- i) HF voice Air/Ground/Air—5, 10 and 13 Mc/s
- ii) HF voice Air/Ground/Air—6 Mc/s
- iii) VHF voice Air/Ground/Air—126.9 Mc/s

*Central American Network Regional en route*

- iv) HF voice Air/Ground/Air—6 and 3 Mc/s

*AFTN, AFS and supplementary point-to-point networks*

- v) HF CW (MAS) voice  
HF (RTF) Central American Network
- vi) HF CW (MAS) Central American Network
- vii) HF CW (MAS) Central American Network
- viii) HF RTTY Central American Network

*Navigational aids*

- ix) MF NDB (HOMER)
- x) VOR

*Meteorological Coms*

- xi) HF RTTY interception (CARMET)

*Approach and tower control—terminal facilities*

- xii) VHF voice—Tower—118.1 Mc/s  
HF voice—Tower—3023.5 Kc/s  
VHF voice—INTERNATIONAL EMERGENCY—121.5 Mc/s

*Air traffic control and F.I.O. services*

- xiii) And other equipment required for air traffic control and F.I.O. services.