

**No. 6718**

---

**CZECHOSLOVAKIA  
and  
IRAQ**

**Air transport Agreement (with annex). Signed at Prague,  
on 11 March 1960**

*Official texts: Czech, Arabic, and English.*

*Registered by the International Civil Aviation Organization on 15 May 1963.*

---

**TCHÉCOSLOVAQUIE  
et  
IRAK**

**Accord relatif aux transports aériens (avec annexe). Signé à  
Prague, le 11 mars 1960**

*Textes officiels tchèque, arabe et anglais.*

*Enregistré par l'Organisation de l'aviation civile internationale le 15 mai 1963.*

No. 6718. AIR TRANSPORT AGREEMENT<sup>1</sup> BETWEEN THE  
REPUBLIC OF IRAQ AND THE CZECHOSLOVAK REPUB-  
LIC. SIGNED AT PRAGUE, ON 11 MARCH 1960

---

The Government of the Republic of Iraq and the Government of the Czechoslovak Republic,

Desiring to conclude an agreement for the purpose of stimulating and promoting the development of mutual air transportation and establishing air services between and beyond their respective territories

Have agreed as follows :

*Article 1*

The Contracting Parties grant the rights specified in the present Agreement and in the Annex hereto for the purpose of establishing air services on the routes described in the Annex. 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 Contracting Party shall have the right to designate an airline for the purpose of operating the agreed air services on the specified routes.

2. On receipt of such designations, the other Contracting Party shall, subject to the provisions of paragraphs (3) and (4) of this article, without unnecessary delay grant to the airline designated the appropriate operating authorizations.

3. The aeronautical authorities of one Contracting Party may require the airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil the conditions prescribed under the laws and regulations normally and reasonably applied by them to the operation of international air services.

4. Each Contracting Party shall have the right to refuse to accept the designation of an airline and to withhold or revoke the grant to an airline the operating authorization or to impose such conditions in the granted authorization as it may consider necessary in any case in which it is not satisfied that substantial ownership and effective control of a designated airline are vested in the other Contracting Party to its nationals or in case of failure by a designated airline to comply with its laws and regulations or otherwise to fulfil the conditions stipulated in the present Agreement.

---

<sup>1</sup> Came into force on 22 August 1961, in accordance with the provisions of article 10.

Such action shall be taken only after consultation between the Contracting Parties unless immediate suspension or imposition of conditions is essential to prevent further infringements of laws or regulations.

### *Article 3*

1. The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation of such aircraft while within its territory, shall apply to the aircraft of the designated airline of the other Contracting Party.

2. The laws and regulations of one Contracting Party relating to the admission to 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 complied with, by such passengers, crew or cargo of the aircraft of the designated airline of the other Contracting Party upon entrance into or departure from and while within the territory of the first Contracting Party.

### *Article 4*

1. Fuel, lubricating oils, regular aircraft equipment, spare parts and aircraft stores introduced into or taken off the aircraft in the territory of one Contracting Party by, or on behalf of the airline designated by the other Contracting Party and intended solely for use by aircraft of such other Contracting Party shall be accorded in respect to customs duties, inspection fees and other national duties or charges, treatment not less favourable than that granted to other airline engaged in similar international air services.

2. Aircraft of designated airline of one Contracting Party, fuel, lubricating oils, regular aircraft equipment, spare parts and stores retained on board such aircraft shall be exempted in the territory of the other Contracting Party from customs, inspection fees or similar duties or charges, even though such supplies are used or consumed by or on such aircraft on flights in that territory. If these materials were unloaded on the territory of the other Contracting Party, with the exception of fuel and oils which may not be unloaded, then these unloaded materials shall be subject to the respective customs laws.

3. Spare parts, regular equipment and aircraft stores for use in the operation of the agreed services may be stored at airports served by the designated airlines at the predetermined charges.

### *Article 5*

Each Contracting Party may impose or permit to be imposed just and reasonable charges for the use of airports and other facilities, provided that these

charges shall not be higher than those paid by other airlines engaged in similar international air services.

#### *Article 6*

There shall be direct contact and consultation as necessary between the aeronautical authorities of the Contracting Parties to ensure close collaboration in all matters affecting the fulfilment of the present Agreement.

#### *Article 7*

If any dispute arises between the Contracting Parties relating to the interpretation or application of this Agreement, the Contracting Parties shall settle it by direct negotiations between the aeronautical authorities or, in case of failure of the negotiations, through diplomatic channels.

#### *Article 8*

If either of the Contracting Parties considers it desirable to modify the air routes or any provision of the Annex to this Agreement, such modification may be made by direct negotiation between the aeronautical authorities of the Contracting Parties. When these authorities agree on new terms or amendments which are of such nature as to affect the Annex, these modifications shall come into effect when confirmed by an exchange of diplomatic notes.

#### *Article 9*

For the purpose of the present Agreement :

1. The term "territory", "air service", "international air service", "airline" shall have the meaning specified in the Convention of International Civil Aviation signed at Chicago on December 7, 1944 ;<sup>1</sup>

2. The term "aeronautical authorities" shall mean in the case of the Republic of Iraq the Ministry of Communications, General Directorate of Civil Aviation, in the case of the Czechoslovak Republic the Ministry of Transport, Civil Aviation Department, and in both cases anybody authorized to perform the functions presently exercised by the aforesaid authorities ;

3. The term "agreed air services" and "specified routes" shall mean the international air services and the routes specified in the Annex to this Agreement ;

4. The term "designated airline" shall mean an airline that one Contracting Party has notified to other Contracting Party to be the airline which will operate any of the agreed services.

<sup>1</sup> See footnote 2, p. 22 of this volume.

*Article 10*

The present Agreement shall enter into force on a date of exchange of diplomatic notes confirming its approval by appropriate authorities of the Contracting Parties in accordance with the laws prevailing in each of their respective countries.

*Article 11*

Either Contracting Party may at any time give notice to the other Contracting Party if it desires to terminate this Agreement. If such notice is given, this Agreement shall terminate at the date specified in the notice provided that the Agreement shall not expire sooner than twelve months after the date of receipt of the notice by the other Contracting Party, unless the notice is withdrawn by agreement before the expiration of that period.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having been duly authorized to that effect by their respective Governments, have signed the present Agreement.

DONE at Prague in duplicate this eleventh day of March, 1960, in Arabic, Czech and English languages ; in case of dispute the English text will prevail.

For the Government  
of the Republic of Iraq :

(Signed) H. TALABANI

For the Government  
of the Czechoslovak Republic :

(Signed) Dr. VLASÁK

## A N N E X

## SECTION I

## Czechoslovak routes

1. The Government of the Republic of Iraq shall grant to the airline designated by the Government of the Czechoslovak Republic the necessary permission to operate the following international air services :

Prague—intermediate points in Europe and Near East—Baghdad or Basra and beyond in two directions and vice versa, with the following exceptions :

- a) the designated airline is not allowed to have the right of landing in Baghdad and Basra at the same flight and it has to choose Baghdad or Basra ;
- b) the designated airline is not allowed to embark and disembark in Iraq passengers, freight and mail destined to or coming from the following countries : Lebanon, United Arab Republic, Iran, Saudi Arabia, Jordan, Kuwait, Bahrain, Turkey.

2. The above-mentioned permission shall include :
  - a) the right to load in Iraq passengers, freight and mail destined to Czechoslovak territory or to the territory of other States ;
  - b) the right to unload in Iraq passengers, freight and mail loaded in the territory of Czechoslovakia or of other States.

## SECTION II

### Iraqi routes

1. The Government of the Czechoslovak Republic shall grant to the airline designated by the Government of the Republic of Iraq the necessary permission to operate the following international air services :

Baghdad – intermediate points in Middle East and Europe – Prague – London and vice versa.

2. The above-mentioned permission shall include :
  - a) the right to load in Czechoslovakia passengers, freight and mail destined to Iraqi territory to the territory of other States ;
  - b) the right to unload in Czechoslovakia passengers, freight and mail loaded on the territory of Iraq or of other States.

## SECTION III

The transport capacity provided by each designated airline for the operation of the agreed air services shall be adapted to the traffic demands ; it shall be determined by mutual agreement between the designated airlines in regard of their common routes and in any case shall be subject to the approval of the aeronautical authorities of both Contracting Parties.

## SECTION IV

1. The tariffs on any agreed air service shall be established between the designated airlines at reasonable rates, due regard being paid to all relevant factors, including cost of operation, characteristics of service (such as standards of speed and accommodation) and the tariffs of other airlines for any part of the same route.

2. If the designated airlines cannot agree, or if for some other reason a tariff cannot be agreed in accordance with the provisions of paragraph 1 the aeronautical authorities of the Contracting Parties shall determine the tariffs by agreement between themselves, which shall be confirmed by exchanging letters through the diplomatic channels.

3. If the aeronautical authorities of the Contracting Parties cannot come to an agreement, the differences will be settled according to article 7 of this Agreement.