

**No. 11871**

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**MULTILATERAL**

**Multilateral Agreement relating to the collection of route charges.  
Done at Brussels on 8 September 1970**

*Authentic texts: German, English, French and Dutch.*

*Registered by Belgium on 17 July 1972.*

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**MULTILATÉRAL**

**Accord multilatéral relatif à la perception des redevances de route.  
Conclu à Bruxelles le 8 septembre 1970**

*Textes authentiques: allemand, anglais, français et néerlandais.*

*Enregistré par la Belgique le 17 juillet 1972.*

## MULTILATERAL AGREEMENT <sup>1</sup> RELATING TO THE COLLECTION OF ROUTE CHARGES

The Governments of the States party to the “Eurocontrol” International Convention relating to co-operation for the safety of air navigation, concluded at Brussels on 13th December 1960, <sup>2</sup> hereinafter called “the Convention”, and party to the Convention on International Civil Aviation, concluded at Chicago on 7th December, 1944, <sup>3</sup> viz.:

The Government of the Federal Republic of Germany,

The Government of the Kingdom of Belgium,

The Government of the French Republic,

The Government of the United Kingdom of Great Britain and Northern Ireland,

The Government of the Grand Duchy of Luxembourg,

The Government of the Kingdom of the Netherlands,

The Government of Ireland,

hereinafter called “the Governments”;

Having regard to the Convention and particularly to the provisions of article 6, paragraph 2 *e*), and article 20 thereof;

Having regard to directives numbers 11 and 14 given to the Air Traffic Services Agency by the Permanent Commission for the Safety of Air Navigation at its XIXth and XXIVth Sessions on the 7th December, 1967 and 3rd July, 1969 respectively;

<sup>1</sup> Came into force on 15 December 1971 after it had been ratified by all States parties to the “Eurocontrol” International Convention of 13 December 1960 relating to co-operation for the safety of air navigation, and parties to the Convention of 7 December 1944 on international civil aviation, in accordance with article 3.

Instruments of ratification were deposited with the Government of Belgium as follows:

<i>State</i>	<i>Date of deposit of instrument</i>	<i>State</i>	<i>Date of deposit of instrument</i>
France . . . . .	27 October 1971	Belgium * . . . . .	29 October 1971
United Kingdom of Great Britain and Northern Ire- land . . . . .	27 October 1971	Ireland . . . . .	29 October 1971
Federal Republic of Ger- many . . . . .	29 October 1971	Luxembourg . . . . .	17 November 1971
		Netherlands . . . . .	15 December 1971

\* With reservations and a declaration, for the text of which see p. 44 of this volume.

<sup>2</sup> United Nations, *Treaty Series*, vol. 523, p. 117.

<sup>3</sup> *Ibid.*, vol. 15, p. 295; for the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209, and vol. 740, p. 21.

Having regard to the Convention on International Civil Aviation and particularly to article 15 thereof;

Considering that, at its 61st and 62nd Sessions, the Council of the International Civil Aviation Organization approved the recommendations on charges for airport and route air navigation facilities and services made by the Conference of ICAO Member States which was held at Montreal from 30th March to 18th April, 1967, and that in keeping with the spirit of those recommendations it is, *inter alia*, desirable in the case of flights involving take-offs or landings or of straightforward overflights that there should be a single charge, relating to all the route facilities and services provided by a State or a group of States for the flight in question and that the charge should be based principally on the factors of distance and weight, combined if necessary with any other aircraft characteristics which may affect the nature of the service provided;

Considering that it is therefore necessary for the Member States of the European Organisation for the Safety of Air Navigation (Eurocontrol) to adopt a common policy with respect to the establishment of charges for the use of route air navigation facilities and services in the airspace falling within their competence;

Considering that the implementation of the principle of a single charge necessarily implies that for a given flight in airspaces falling within different spheres of responsibility, the total amount due as the charge should be payable by the user to a single body entrusted with collection;

Considering that the Governments have made known their intention to entrust to the Eurocontrol Organisation by means of bilateral agreements the collection of this single user charge;

Have agreed as follows:

### *Article 1*

(a) The Governments shall establish charges for the use of route air navigation facilities and services in the airspace falling within their competence, in accordance with the measures unanimously agreed by their representatives acting in their dual capacities as national authorities and as members of the Commission.

(b) These charges shall constitute the remuneration for services rendered.

(c) The charges relating to the use of air navigation facilities and services in the upper and lower airspaces shall constitute a single charge.

*Article 2*

The proceeds in respect of the charges shall be entered in a special budgetary statement and recorded in separate accounts and shall be refunded to the States after deduction of collection costs.

*Article 3*

This Agreement shall enter into force as soon as the Governments have approved it:

- (a) either by signature without a reservation as to ratification,
- (b) or by signature with a reservation as to ratification, followed by ratification.

The instruments of ratification shall be deposited with the Government of the Kingdom of Belgium, which shall inform the other signatory Governments and the Eurocontrol Organisation of such deposits.

*Article 4*

This Agreement shall remain in force until the expiry of the Convention, unless it is terminated at the request of one of the Governments, which must give two years written notice to the Government of the Kingdom of Belgium, which shall inform the other Governments and the Eurocontrol Organisation thereof.

*Article 5*

The Government of the United Kingdom of Great Britain and Northern Ireland may, at the time of signature or of ratification of this Agreement or at any subsequent time, declare by written notification addressed to the Government of the Kingdom of Belgium that the Agreement shall extend to all or part of the Channel Islands and to the Isle of Man; the Agreement shall then extend to the territories indicated in the notification from the date of receipt of that notification or from any other date which may be specified therein.

The Government of the Kingdom of Belgium shall inform the other Governments and the Eurocontrol Organisation of any extension of this Agreement made in accordance with the foregoing paragraph and shall indicate in each case the date on which this Agreement has been so extended.

*Article 6*

Accession to this Agreement is open to any State which accedes to the Convention in accordance with the provisions of Article 41 thereof.

The instrument of accession shall be deposited with the Government of the Kingdom of Belgium which shall notify the Governments of the other States and the Eurocontrol Organisation. Accession shall take effect from the first day of the month following the deposit of the instrument of accession.

*Article 7*

The Representatives of the Governments, acting in their dual capacities as national authorities and as Members of the Commission, shall decide by unanimity the conditions governing admission of States which are not parties to the Convention to the system of charges established in virtue of this Agreement.

*Article 8*

The Government of the Kingdom of Belgium shall cause this Agreement to be registered with the International Civil Aviation Organization.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed this Agreement.

DONE at Brussels, this eighth day of September, 1970 in the English, German, French and Dutch languages, in a single copy, which shall remain deposited in the archives of the Kingdom of Belgium which shall send certified true copies to all the Governments.

In the case of any inconsistency, the text in the French language shall prevail.

Für die Regierung der Bundesrepublik Deutschland:  
For the Government of the Federal Republic of Germany:  
Pour le Gouvernement de la République fédérale d'Allemagne:  
Voor de Regering van de Bondsrepubliek Duitsland:

Das Abkommen tritt für die Regierung der Bundesrepublik Deutschland erst dann in Kraft, wenn sie erklärt hat, daß die innerstaatlichen Voraussetzungen hierfür erfüllt sind.<sup>1</sup>

R. VON UNGERN-STERNBERG

Für die Regierung des Königreichs Belgien:  
For the Government of the Kingdom of Belgium:  
Pour le Gouvernement du Royaume de Belgique:  
Voor de Regering van het Koninkrijk België:

Onder voorbehoud van bekrachtiging.  
Sous réserve de ratification.

A. BERTRAND

Für die Regierung der Französischen Republik:  
For the Government of the French Republic:  
Pour le Gouvernement de la République française:  
Voor de Regering van de Franse Republiek:

Sous réserve de ratification.

G. DE JUNIAC

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

The Agreement shall not enter into force in respect of the Federal Republic of Germany until that Government has announced that the relevant domestic requirements have been complied with.

Dans le cas de la République fédérale d'Allemagne l'Accord entrera en vigueur dès que le Gouvernement aura déterminé que les conditions préalables requises à cette fin sur le plan intérieur sont réunies.

RESERVATIONS <sup>1</sup>  
AND DECLARATION MADE  
UPON RATIFICATION

RÉSERVES <sup>1</sup> ET DÉCLARATION  
FAITES LORS  
DE LA RATIFICATION

[TRANSLATION — TRADUCTION]

*Reservations*

The Government of the Kingdom of Belgium declares that it is excluding from the application of the said Agreement the provisions of article 2.

It further declares that the system for the collection of route charges does not apply to State-owned aircraft.

*Declaration*

These two reservations will be withdrawn when the legislature has approved the Agreement in question.

*Réserves*

« Le Gouvernement du Royaume de Belgique déclare exclure de l'application dudit accord les dispositions de son article 2. »

« Il déclare en outre que le système de perception de redevances de route ne s'applique pas aux aéronefs d'État. »

*Déclaration*

« Ces deux réserves seront retirées lorsque les chambres législatives auront approuvé l'accord en question. »

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<sup>1</sup> In a declaration effected on 24 May 1972 the Government of Belgium indicated that it withdrew the two reservations.

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<sup>1</sup> Dans une déclaration effectuée le 24 mai 1972 le Gouvernement belge a déclaré retirer ces deux réserves.