

No. 12778

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**BRAZIL  
and  
DENMARK, NORWAY and SWEDEN**

**Protocol relating to air transport between Brazil and the  
Scandinavian countries. Signed at Rio de Janeiro on 18  
March 1969**

*Authentic text: English.*

*Registered by the International Civil Aviation Organization on 1 October 1973.*

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**BRÉSIL  
et  
DANEMARK, NORVÈGE et SUÈDE**

**Protocole relatif aux transports aériens entre le Brésil et les  
pays scandinaves. Signé à Rio de Janeiro le 18 mars  
1969**

*Texte authentique : anglais.*

*Enregistré par l'Organisation de l'aviation civile internationale le 1<sup>er</sup> octobre  
1973.*

## PROTOCOL<sup>1</sup>

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In the course of the negotiations for Air Services Agreements between Brazil and the Scandinavian countries, signed on March 18, 1969,<sup>2</sup> the following agreement was reached:

1. The designated carriers of the Scandinavian countries and of Brazil shall have the right to operate, on the routes specified in the annex of the agreements, one weekly frequency with DC-8 or Boeing 707 aircraft with a number of seats offered for sale not exceeding 156. This number may, however, be exceeded exceptionally and subject to a special authorization granted by the competent aeronautical authorities.

2. Any change of aircraft should be previously authorized by the aeronautical authorities of the Contracting Parties.

3. The Brazilian designated carrier shall enjoy, on the specified routes, full rights to carry passengers, cargo and mail, between the Scandinavian countries and intermediate points in third countries.

4. The Scandinavian designated carrier shall enjoy, on the specified routes, full rights to carry passengers, cargo and mail between Brazil and the points in Africa specified in the annex. It shall also enjoy, on the specified routes, rights to carry passengers, cargo and mail between Brazil and Prague and/or Vienna. The total number of passengers to be carried between one or both of these latter points and Brazil, including transit passengers who have interrupted the journey (stop over) shall be annually fixed taking into consideration the provisions of article 5 of the Agreement.

5. The Scandinavian designated carrier shall enjoy, on the specified routes, fifth freedom rights between Brazil and points beyond. The number of passengers to be carried—including transit passengers who have interrupted (stop over) the journey in Brazil—shall be determined by the Brazilian authorities, who will apply the same criteria adopted for the other European carriers which operate the same points.

6. The designated carriers may embark and disembark airline employees and their dependants when in service, disembarking or embarked at one of the stopping points specified in the annex and situated outside the territories of the respective Contracting Parties.

7. Considering that the services of the carriers Det Danske Luftfartsselskap A/S (DDL), Det Norske Luftfartsselskap A/S (DNL) and AB Aerotransport

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<sup>1</sup> Came into force provisionally on 18 March 1969, simultaneously with the three Air Transport Agreements concluded on the same date between Brazil, on the one hand, and Denmark, Norway and Sweden, respectively, on the other hand (see foot-note 2 below). Subsequently, the Protocol came into force definitively on 26 September 1969 in respect of the Agreement between Brazil and Denmark, 7 October 1969 in respect of the Agreement between Brazil and Sweden, and 10 October 1969 in respect of the Agreement between Brazil and Norway, that is to say on the respective dates of definitive entry into force of the three Agreements concerned. (The documentation required for the registration of the present Protocol had been received from ICAO on 3 April 1972 together with that relating to the Air Transport Agreement of 18 March 1969 between Brazil and Sweden (United Nations, *Treaty Series*, vol. 819, p. 181). Through an oversight the Protocol was treated as an annex to the latter Agreement: in order to correct the situation, and in consultation with ICAO, the Secretariat subsequently re-assigned the Protocol the present registration number, which was the earliest one available.)

<sup>2</sup> United Nations, *Treaty Series*, vol. 819, p. 181, and vol. 832, pp. 55 and 83.

(ABA), are at present jointly operated under the designation of Scandinavian Airlines System (SAS), the Brazilian aeronautical authorities accept as national crews, for the purpose of article IX, paragraph 1, of the Agreements, the mixed crews whose members are nationals of the three countries, taking into account the provisions of the International Civil Aviation Convention, concluded in Chicago on 7 December, 1944.<sup>1</sup>

7.1 The aircraft and equipment belonging to the three carriers mentioned above, used in the services of the Scandinavian Airlines System, may use all routes indicated in the annex during the situation described in the previous paragraph.

7.2 The civil liability and the obligations established in the agreements are assigned to the designated carrier considered as operating the aircraft.

7.3 If the Scandinavian Airlines System suspends its operations new operational conditions shall be examined to be applied to the carriers designated by the three Scandinavian countries.

For the Government of the Federative  
Republic of Brazil:

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MÁRCIO DE SOUZA E MELLO

For the Government of Denmark:

J. PALUDAN

For the Government of Norway:

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For the Government of Sweden:

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<sup>1</sup> United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 269 and 217; vol. 418, p. 161; vol. 514, p. 209, and vol. 740, p. 21.