

No. 15683

UNITED STATES OF AMERICA
and
IRAN

Exchange of notes constituting an agreement relating to air transport services (with memorandum of consultations dated 25 November 1975). Washington, 29 December 1975 and 19 January 1976

Exchange of notes constituting an agreement amending and extending the above-mentioned Agreement. Washington, 31 March and 28 April 1976

Authentic texts: English.

Registered by the United States of America on 19 May 1977.

ÉTATS-UNIS D'AMÉRIQUE
et
IRAN

Échange de notes constituant un accord relatif aux services de transport aérien (avec mémorandum de consultations en date du 25 novembre 1975). Washington, 29 décembre 1975 et 19 janvier 1976

Échange de notes constituant un accord modifiant et prorogant l'Accord susmentionné. Washington, 31 mars et 28 avril 1976

Textes authentiques : anglais.

Enregistrés par les États-Unis d'Amérique le 19 mai 1977.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND IRAN RELATING TO AIR TRANSPORT SERVICES

I

The Department of State to the Iranian Embassy

The Department of State refers to the consultations between delegations representing the Government of the United States and the Government of Iran which were held in Washington, November 18-20 and 24-25, 1975 to discuss certain air fares offered by Iran Air. The Department of State proposes that the following interim understandings constitute an agreement between the governments of the United States and Iran until April 1, 1976:

“1. The United States authorities will defer further consideration of the suspension of the Iran Air reduced air fares.

“2. On the basis of comity and reciprocity, the aeronautical authorities of each country will favorably consider applications by airlines of the other country for the operation of charter flights between their two countries, without requiring payment of no-objection fees. The airlines of each country may operate such flights with leased aircraft in addition to their own equipment, subject to conformance with applicable regulations of the other country.

“3. The two sides will consult further on the foregoing matters and, in response to the outstanding Iranian request for consultations, on other matters under the Air Transport Agreement² during January 1976 or, if it is not possible to make arrangements then, at the earliest possible date in February 1976.”

The Department of State proposes that this note and the reply of the Embassy of Iran shall render such agreement effective from the date of the Embassy's reply.

Washington, December 29, 1975.

Department of State

II

IMPERIAL EMBASSY OF IRAN

WASHINGTON, D.C.

No. 8707

The Imperial Embassy of Iran presents its compliments to the Department of State and has the honor to refer to the Department's note dated December 29, 1975, the full text of which reads as follows:

[See note I]

¹ Came into force on 19 January 1976, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 1027, No. I-15102.

The Imperial Embassy of Iran wishes to inform the Department of State of the concurrence of the Imperial Government of Iran thereto.

The Imperial Embassy of Iran would also like to recall that during the consultations held between the two delegations representing their respective governments in Washington in November 1975, the Iranian delegation expressed the view that charter flights should not unduly affect scheduled services.

The Imperial Embassy of Iran avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

Washington, D.C., January 19, 1976.

Department of State
Washington, D.C.

MEMORANDUM OF CONSULTATIONS

Delegations representing the Government of the United States of America and the Government of Iran met in Washington November 18-20 and 24-25, 1975, to continue their consultations with regard to the Iranian Government order providing for reduced air fares for certain Iranian nationals.

The two Delegations discussed various aspects of the reduced air fare question, as well as the operation of charter flights between the two countries. In the interest of working toward a long-term solution of these problems, the two Delegations agreed to recommend to their Governments that they exchange notes providing that, for an interim period until April 1, 1976, the following understandings will apply:

1. The United States authorities will defer further consideration of the suspension of the Iran Air reduced air fares.
2. On the basis of comity and reciprocity, the aeronautical authorities of each country will favorably consider applications by airlines of the other country for the operation of charter flights between their two countries, without requiring payment of no-objection fees. The airlines of each country may operate such flights with leased aircraft in addition to their own equipment, subject to conformance with applicable regulations of the other country.
3. The two sides will consult further on the foregoing matters and, in response to the outstanding Iranian request for consultations, on other matters under the Air Transport Agreement during January 1976 or, if it is not possible to make arrangements then, at the earliest possible date in February 1976.

The United States Delegation expressed its view that the Iranian authorities should examine the possibility of decreasing the categories of persons eligible for the reduced air fares, and/or a schedule for phasing out those fares, as well as the question of Pan American's participation therein.

The Iranian Delegation expressed its view that charter flights should not unduly affect scheduled services.

November 25, 1975.

[Signed]

EZEDINE KAZEMI
Chairman
Iranian Delegation

[Signed]

MICHAEL H. STYLES
Chairman
United States Delegation

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND IRAN AMENDING AND EXTENDING THE AGREEMENT OF 29 DECEMBER 1975 AND 19 JANUARY 1976² RELATING TO AIR TRANSPORT SERVICES

I

The Department of State refers the Iranian Embassy to the negotiations between delegations representing the Government of the United States and the Government of Iran which were held in Washington, February 17-20 to discuss certain air fares offered by Iran Air and other outstanding issues affecting commercial air transport between Iran and the United States. The Department of State proposes that the interim agreement concluded by an exchange of notes on January 19, 1976² be extended until December 31, 1976. The Department of State also proposes that the following paragraph be added to the above-referenced agreement in accordance with the views expressed in paragraph 6 of the Memorandum of Consultations of February 20, 1976:

“4. The two sides agreed on the need to facilitate the development of charter air transport between their respective territories. To this end, they agreed to remove the so-called right-of-first-refusal, and cumbersome administrative complexities and delays which hamper the growth of charter air transport between their respective countries.”

The Department of State assumes that if this proposal is acceptable to the Iranian Government, it will not be necessary to hold further consultations under Article 12 of the Agreement on Air Transport Services to revise Article 8 as was requested in the note 15952/18 of March 9th from the Imperial Ministry of Foreign Affairs.

The Department of State proposes that this note and the reply of the Embassy of Iran shall render such agreement effective from the date of the Embassy's reply.

Washington, 31 March 1976.

Department of State

II

IMPERIAL EMBASSY OF IRAN
WASHINGTON, D.C.

April 28, 1976

Note #1019

The Imperial Embassy of Iran presents its compliments to the Department of State and has the honor to refer to the note of March 31, 1976, concerning the

¹ Came into force on 28 April 1976, the date of the note in reply, in accordance with the provisions of the said notes.

² See p. 138 of this volume.

negotiations between the two governments with regard to certain air fares and other outstanding issues affecting commercial air transport between Iran and the United States, which reads as:

[See note I]

The Imperial Embassy of Iran is pleased to inform the Department of State that the Imperial Government of Iran is willing to accept the proposal as stated in said note, effective from the date of this note, April 28, 1976 until December, 1976.

The Imperial Embassy of Iran avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

United States Department of State
Washington, D.C.

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