

**No. 24127**

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**BELGIUM  
and  
YUGOSLAVIA**

**Air Transport Agreement (with annex). Signed at Belgrade  
on 24 September 1957**

*Authentic text: French.*

*Registered by Belgium on 9 June 1986.*

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**BELGIQUE  
et  
YOUGOSLAVIE**

**Accord relatif aux transports aériens (avec annexe). Signé à  
Belgrade le 24 septembre 1957**

*Texte authentique : français.*

*Enregistré par la Belgique le 9 juin 1986.*

[TRANSLATION — TRADUCTION]

## AIR TRANSPORT AGREEMENT<sup>1</sup> BETWEEN THE KINGDOM OF BELGIUM AND THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA

The Government of the Kingdom of Belgium and the Government of the Federal People's Republic of Yugoslavia, hereinafter referred to as the "Contracting Parties",

Considering that they have valid cause to organize regular air services in a safe and orderly manner and to develop co-operation between them in this field to the greatest possible extent, thus contributing to international collaboration,

Considering that it is thus necessary to conclude an agreement regulating regular air services between their countries,

Have appointed plenipotentiaries, duly authorized for that purpose, who have agreed as follows:

*Article I.* The Contracting Parties grant each other on a basis of reciprocity the right to establish the regular air services specified in the annex to this Agreement.

In accordance with the provisions of this Agreement, the services may be operated in full or in part, immediately or at a later date, at the discretion of the Contracting Party to which the right is granted.

*Article II.* 1. The aeronautical authorities of one Contracting Party shall designate to the aeronautical authorities of the other Contracting Party one or more airlines which, under this Agreement, may operate regular air services.

2. On receipt of such designation, the aeronautical authorities of the other Contracting Party, subject to the provisions of paragraph 3 below and of article III of this Agreement, shall, without delay, grant the necessary operating authorization to the designated airline or airlines.

3. The respective aeronautical authorities may, before granting the above authorization to a designated airline, satisfy themselves that the airline meets the requirements of the laws and regulations customarily applied to international air services, provided that such laws and regulations are not in contradiction with the provisions of this Agreement.

4. On compliance with the provisions of paragraphs 1 and 2 of this article, the airline or airlines so designated and authorized may begin at any time to operate regular air services.

*Article III.* 1. The aeronautical authorities of one Contracting Party reserve the right to deny the designated airline or airlines of the other Contracting Party an operating permit or to revoke such a permit temporarily or definitively, if it has no evidence that a majority share of the ownership and the effective control of the said airlines are vested in the other Contracting Party or in its nationals.

2. The aeronautical authorities of the Contracting Parties reserve the right to revoke the operating permit temporarily or definitively if the designated airline or

<sup>1</sup> Came into force provisionally on 24 September 1957 by signature, and definitively on 20 December 1960 by the exchange of instruments of ratification, which took place at Brussels, in accordance with article XVIII.

airlines fail to comply with the laws and regulations normally applied in their respective territories to international air services, or if they do not respect the provisions of this Agreement.

3. Such measures, however, may be taken only if consultations between the aeronautical authorities are held to no avail.

*Article IV.* Paid carriage from one point to another of the same territory (cabotage) shall remain the exclusive preserve of the national airlines of each Contracting Party, whatever the point of origin or final destination of such traffic.

*Article V.* 1. The designated airline or airlines shall be accorded fair and equitable treatment for the purpose of the operation of the services specified in the annex.

2. These services shall have as their primary objective the provision of capacity adequate to current and reasonably anticipated requirements for air traffic between the territory of the Contracting Party under whose authority the designated airlines operate and the country of destination.

3. In the operation of the said services, the capacity provided by the designated airlines, on the same segments ending in their respective territories, must be reasonably adequate to the demand for air transport.

4. No distinction shall be made by the Contracting Parties in their territory between the designated airlines and foreign airlines.

*Article VI.* The rights granted may not be exercised abusively by the designated airline or airlines of one Contracting Party to the detriment or disadvantage of any airline of the other Contracting Party operating regular services over all or part of the same route specified in the annex.

*Article VII.* 1. Tariffs shall be established at reasonable levels, due regard being paid to economy of operation, reasonable profit and the characteristics of each service, so as to avoid any undesirable competitive practices. In establishing such tariffs, account shall also be taken of the relevant principles governing international air services.

2. The designated airlines of one Contracting Party shall submit their schedules, not later than thirty days before their introduction, to the aeronautical authorities of the other Contracting Party for their approval, together with their tariffs for information purposes. Similarly, any changes which may be made to such schedules and tariffs must be communicated to the said authorities as soon as possible.

*Article VIII.* 1. Each Contracting Party agrees that the charges levied on the designated airline or airlines of the other Contracting Party for the use of airports and other technical installations shall not exceed those levied on other foreign airlines operating similar international services.

2. Fuel and lubricating oils taken on board, together with spare parts and standard equipment introduced into the territory of one Contracting Party solely for use by aircraft operated by the designated airline or airlines of the other Contracting Party on the agreed services, shall receive in the said territory, on a basis of reciprocity, treatment as favourable as that accorded to foreign airlines operating similar international services with respect to customs duties, inspection fees and other national duties and taxes.

3. Aircraft used by the designated airline or airlines of one Contracting Party in the operation of the air services specified in the annex, together with the fuel, lubricating oils, spare parts, standard equipment and aircraft stores remaining on board such aircraft shall, in the territory of the other Contracting Party, be exempt from customs duties, inspection fees and other national duties and taxes, even if, to the extent necessary to operate the agreed services, they are used or consumed while in the said territory, provided that they are not disposed of or sold.

4. The articles exempted under paragraph 3 above may not be unloaded in the territory of a Contracting Party without the consent of the customs authorities of that Contracting Party. During stops, such articles shall be subject to control by the said authorities, although their movement and use for technical purposes may not be impeded.

*Article IX.* Certificates of airworthiness and licences issued or validated by one Contracting Party shall be recognized by the other Contracting Party for the purpose of operating the agreed services. However, each Contracting Party reserves the right to refuse to recognize for the purpose of flight over its own territory licences issued to its own nationals by another State.

*Article X.* The aircraft used by the designated airline or airlines of the Contracting Parties to operate the services which are the subject of the annex, together with the members of their crews, must carry the following valid documents:

- Certificate of registration;
- Certificate of airworthiness;
- Appropriate licences for each member of the crew;
- Journey log book or equivalent document;
- Operating licence for the radio equipment on board the aircraft;
- Passenger list;
- Cargo and mail manifest; and
- If required, special permit for carriage by air of certain categories of cargo.

*Article XI.* 1. Each Contracting Party undertakes to assist aircraft of the other Contracting Party in distress in its territory in the same manner as it assists its own aircraft. This undertaking applies equally to searches for missing aircraft.

2. In the event of an accident involving such an aircraft and causing death, or severe injury or serious damage to the aircraft, the Contracting Party on whose territory the accident occurs shall open an inquiry into the cause and circumstances of the accident. The Contracting Party under whose authority the aircraft operates shall be authorized to send observers to assist in the inquiry. The Contracting Party conducting the inquiry shall communicate its report and conclusions to the other Contracting Party through its aeronautical authorities.

*Article XII.* 1. The laws and regulations relating in the territory of one Contracting Party to the entry, presence and departure of aircraft operated on international air services or to the operation of such aircraft within and over its territory shall apply to the aircraft of the designated airline or airlines of the other Contracting Party.

2. The laws and regulations of one Contracting Party relating to the admission to, presence in and departure from its territory of passengers, crew, mail and cargo,

such as those governing immigration, passports, customs, foreign exchange and quarantine, shall apply to the passengers, crew, mail and cargo transported by the aircraft of the designated airline or airlines of the other Contracting Party while within the territory of the first Contracting Party.

*Article XIII.* In a spirit of close collaboration, the aeronautical authorities of the Contracting Parties shall consult each other from time to time with a view to ensuring the satisfactory implementation of the principles laid down in this Agreement and shall exchange any information necessary to that end.

*Article XIV.* 1. Should one Contracting Party consider it desirable to amend any clause of this Agreement, it may at any time request, through the diplomatic channel, negotiations on the matter between the aeronautical authorities. Such negotiations shall begin within 60 days of the date of the request. If the authorities agree on such amendments, they shall enter into force only when each of the Contracting Parties has notified the other Contracting Party of its ratification or approval thereof.

2. Should the aeronautical authorities of one Contracting Party consider it necessary to amend or add to any clause of the annex, they may at any time request negotiations with the aeronautical authorities of the other Contracting Party. Such negotiations shall take place within 60 days of the date of the request. If the aeronautical authorities agree on the proposed amendments or additions, they shall be adopted in a written Arrangement, which shall also establish the date of their entry into force. The said Arrangement may not derogate from the principles established by this Agreement.

*Article XV.* The aeronautical authorities of the Contracting Parties shall endeavour to settle by direct negotiations any dispute which might arise concerning the interpretation or application of this Agreement and its annex.

Should such negotiations not be successfully concluded within 60 days of the date of receipt of the request by the aeronautical authorities of one Contracting Party, the Contracting Parties shall settle the dispute through the diplomatic channel.

*Article XVI.* For the purposes of this Agreement and the Annex thereto, the following terms mean:

“Territory”: the land and water areas under the sovereignty of the State in question as well as the airspace above such areas;

“Air service”: any regular air service operated by aircraft for the public carriage of passengers, mail or cargo;

“International air service”: any air service which passes through the airspace over the territory of more than one State;

“Airline”: any airline operating an international air service;

“Designated airline”: any airline selected by one Contracting Party to operate the agreed services and designated in accordance with the provisions of article II of this Agreement;

“Aeronautical authorities”:

— In the case of the Kingdom of Belgium, the Ministry of Communications, Aeronautics Administration;

— In the case of the Federal People's Republic of Yugoslavia, the Civil Aviation Office.

These agencies may be replaced by others authorized to assume their present functions.

*Article XVII.* Either Contracting Party may at any time notify the other Contracting Party of its intention to terminate this Agreement. The validity of this Agreement shall expire 12 months after the date of receipt of notification by one of the Contracting Parties, unless such notification is withdrawn by agreement between the Parties before the expiry of that period.

*Article XVIII.* This Agreement shall enter into force on the date on which the Contracting Parties notify each other of its ratification or approval.

These notifications shall be exchanged at Brussels as soon as possible.

That notwithstanding, the Agreement shall be provisionally applied from the date of its signature.

IN WITNESS WHEREOF the plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this agreement, drafted in two original copies in the French language, and have thereto affixed their seals.

DONE at Belgrade on 24 September 1957.

For the Government  
of the Kingdom of Belgium:

[*Signed*]

G. DELCOIGNE

For the Government  
of the Federal People's Republic  
of Yugoslavia:

[*Signed*]

B. JOVANOVIĆ

ANNEX TO THE AIR TRANSPORT AGREEMENT OF 24 SEPTEMBER 1957 BETWEEN THE KINGDOM OF BELGIUM AND THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA

SECTION I

The designated Yugoslav airline or airlines may operate the regular air service specified below:

Belgrade — Vienna — Frankfurt — Brussels, in both directions.

In operating this service, the airline or airlines shall be entitled:

- (a) To disembark in Belgian territory passengers, mail and cargo embarked in Yugoslav territory and in that of any other country;
- (b) To embark in Belgian territory passengers, mail and cargo bound for Yugoslav territory and that of any other country; and
- (c) Not to land at the intermediate points of the air service referred to above.

SECTION II

The designated Belgian airline or airlines may operate the regular air service specified below:

Brussels — Cologne or Dusseldorf — Budapest or Venice — Belgrade, in both directions.

In operating this service, the airline or airlines shall be entitled:

- (a) To disembark in Yugoslav territory passengers, mail and cargo embarked in Belgian territory and in that of any other country;
- (b) To embark in Yugoslav territory passengers, mail and cargo bound for Belgian territory and that of any other country; and
- (c) Not to land at the intermediate points of the air service referred to above.

SECTION III

The designated airlines of the Contracting Parties shall entrust their general representation and the sale of their traffic documents, together with ground support operations, in the territory of the other Contracting Party, to one or more enterprises possessing the nationality of the latter Contracting Party and approved by its aeronautical authorities.

Designated airlines shall be authorized to maintain at the headquarters of their general representatives an employee for permanent liaison between the general management of the operating airline and its general representative.

Such liaison representatives may be of either Belgian or Yugoslav nationality, at the discretion of the airline appointing them.

Liaison representatives not possessing the nationality of the country in which they reside shall be bound to comply with the regulations governing the residence of foreigners.

Belgrade, 24 September 1957

[G. DELCOIGNE]

[B. JOVANOVIĆ]