

No. 6022

**COSTA RICA, EL SALVADOR, GUATEMALA,
HONDURAS and NICARAGUA**

Convention establishing the Central American Air Navigation Services Corporation (with annex). Signed at Tegucigalpa, on 26 February 1960

Official text: Spanish.

Registered by the International Civil Aviation Organization on 2 January 1962.

**COSTA RICA, SALVADOR, GUATEMALA,
HONDURAS et NICARAGUA**

Convention portant création d'une Société des services de navigation aérienne pour l'Amérique centrale (avec annexe). Signée à Tegucigalpa, le 26 février 1960

Texte officiel espagnol.

Enregistrée par l'Organisation de l'aviation civile internationale le 2 janvier 1962.

[TRANSLATION¹ — TRADUCTION²]

No. 6022. CONVENTION³ ESTABLISHING THE CENTRAL AMERICAN AIR NAVIGATION SERVICES CORPORATION. SIGNED AT TEGUCIGALPA, ON 26 FEBRUARY 1960

DIPLOMATIC CONFERENCE FOR THE ESTABLISHMENT OF A CENTRAL AMERICAN INTER-GOVERNMENTAL CORPORATION FOR AERONAUTICAL COMMUNICATIONS

WHEREAS, cooperation among the States of Central America in the field of civil aviation, especially following the establishment of the Flight Information Centre at Tegucigalpa in October 1957, has already resulted in an improvement of the safety of civil aviation in that area;

WHEREAS, the introduction of jet aircraft requires a considerable strengthening of the organization of the air traffic and communications services and the radio aids to air navigation;

WHEREAS, to ensure efficiency of such services without entailing a burden which would be out of proportion to the economic resources of States, duplication of services should be avoided and a rational integration achieved so that the Contracting Parties may meet their international commitments;

IT IS THEREFORE RESOLVED

To adopt the following :

“ Convention Establishing the Central American Air Navigation Services Corporation. ”

¹ Translation by the International Civil Aviation Organization.

² Traduction de l'Organisation de l'aviation civile internationale.

³ In accordance with article 32, the Convention came into force on 1 December 1961, the first day of the month following the deposit of the fourth instrument of ratification, in respect of the following States on behalf of which the instruments of ratification were deposited with the International Civil Aviation Organization on the dates indicated below :

Honduras	5 October 1960
Nicaragua	26 October 1960
Guatemala (with declaration*)	3 August 1961
El Salvador	8 November 1961

* The instrument of ratification deposited by Guatemala contained the following declaration :

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION BY THE INTERNATIONAL CIVIL AVIATION ORGANIZATION]

« Por razón de imperativos constitucionales, el Artículo 25 del mencionado Convenio se cumplirá sin menoscabo de lo estatuido por el inciso 30 sub inciso b) del Artículo 149 de la Constitución de la República. »

For imperative constitutional reasons, Article 25 of the said Convention shall be observed subject to what is stipulated by paragraph 30, sub-paragraph b) of Article 149 of the Constitution of the Republic.

Article 1

There is established a public service corporation named "Central American Air Navigation Services Corporation" hereafter referred to as the "Corporation", the objects of which are determined in the present instrument. The Headquarters of the Corporation shall be at the location of the Flight Information Centre serving the territory of the Contracting Parties, and presently located at Tegucigalpa, Central District, Honduras.

Article 2

(1) The Corporation shall have the exclusive franchise for the air traffic and aeronautical telecommunications services and aeronautical radio navigation aids in the territories of the Contracting Parties.

- (a) It shall provide such services and aids, as are specified in the ICAO Regional Plan, in the territories of the Contracting Parties and in such other areas as have been entrusted to them by international agreement.
- (b) It may provide to other States, by agreement, such services and aids as are specified in the ICAO Regional Plan.
- (c) It may provide such services and aids, not specified in the ICAO Regional Plan, within the territories of the Contracting Parties by contract with any public or private party.

(2) The Corporation may also provide other aeronautical services listed in the ICAO Regional Plan subject to authorization in writing by the competent authorities of all the Contracting Parties.

(3) The Corporation shall be responsible for :

- (a) The study of standardization, on the basis of International Standards and Recommended Practices of the International Civil Aviation Organization, of national regulations governing air traffic and of the activity of the services responsible for its safety and organization, and their submission to the Contracting Parties.
- (b) The initiation of all necessary steps for the proper training of its personnel.
- (c) The promotion and coordination of studies concerning air navigation facilities to take account of technical developments and, as required, the proposal to the Contracting Parties of amendments to the Regional Air Navigation Plan relating to matters covered by the present Article for submission to the International Civil Aviation Organization.

Article 3

The Corporation shall enjoy legal personality. It shall have the capacity to exercise rights, enter into contracts and to be represented before the Courts and outside the Courts, and for the performance of its functions it shall have the status of a public utility agency.

Article 4

The Corporation shall be governed by a Board of Directors composed of the members representing the Contracting Parties, each Contracting Party having one representative. Each member shall have one alternate who shall replace him in his absence. The members and their alternates shall preferably be competent aeronautical authorities designated by the Contracting Party they represent.

No meeting of the Board of Directors shall be validly constituted unless all members are present, and decisions shall be taken by a majority vote. The Board shall establish, by unanimous decision of its members, its rules of procedure and any other rules that may be required for the operation of the Corporation.

Article 5

The Corporation shall immediately upon its inception be insured against risks resulting from its liability towards third parties and from damages to the installations necessary to its functioning through appropriate insurance contracts with one or more companies approved by the Board of Directors of the Corporation.

Article 6

The Contracting Parties shall extend to the Corporation in respect of the installations effected and the services established in their respective territories, the facilities and privileges necessary for the discharge of its functions accorded to international organizations, autonomous bodies, and government agencies.

Article 7

The Contracting Parties shall take the necessary steps to enable the Corporation to carry out all operations for the achievement of its functions, including the allotment of radio frequencies.

Article 8

The Corporation shall ensure the liaison necessary to the performance of its functions with States and international organizations, and shall maintain all contacts useful to the proper operation of its own services.

Article 9

For the achievement of the purposes set forth in paragraph (1) of Article 2 above, the Corporation shall apply to air traffic control the regulations in force in the territories of the Contracting Parties and in all the airspace for which air traffic services have been entrusted to the Corporation.

If any difficulty arises in the implementation of the provisions of this Article, the Corporation shall propose to the Contracting Parties any measures deemed necessary in accordance with Article 2 (3) (a) and (c) above.

Article 10

In the performance of its air traffic control functions, the Corporation shall give all necessary instructions to aircraft commanders, and they shall comply with such instructions.

Article 11

The competent authorities of the Contracting Parties shall have jurisdiction in respect of all violations under Article 10 occurring within the limits of their territory.

Article 12

The Corporation shall report to the competent national authority any violation of the air traffic regulations occurring within the area of jurisdiction entrusted to the Corporation.

Article 13

International agreements and national regulations concerning access to, overflight, and security of the territories of the Contracting Parties shall be observed by the Corporation in the exercise of its functions.

Article 14

To enable the Contracting Parties to secure the enforcement of national law and regulations and of international agreements, the Corporation shall make available to the Contracting Parties such information relating to aircraft as they may request, and any other information that may come to its attention relating to the particular case, even though it may not have been requested.

Article 15

The Corporation shall cooperate at all times with the competent authorities of the Contracting Parties in facilitating the efficient administration of justice,