

No. 6706

**NORWAY
and
SYRIA**

Agreement concerning scheduled civil air services (with annex and exchange of notes). Signed at Damascus, on 25 February 1956

Official text: French.

Registered by the International Civil Aviation Organization on 15 May 1963.

**NORVÈGE
et
SYRIE**

Accord relatif aux transports aériens civils réguliers (avec annexe et échange de notes). Signé à Damas, le 25 février 1956

Texte officiel français.

Enregistré par l'Organisation de l'aviation civile internationale le 15 mai 1963.

[TRANSLATION — TRADUCTION]

No. 6706. AGREEMENT¹ BETWEEN NORWAY AND SYRIA
CONCERNING SCHEDULED CIVIL AIR SERVICES.
SIGNED AT DAMASCUS, ON 25 FEBRUARY 1956

The Royal Government of Norway and the Government of the Syrian Republic,

Desiring to promote scheduled civil air transport between Norway and Syria
have agreed as follows :

Article 1

The Contracting Parties grant each other the following rights necessary for the establishment of the scheduled international civil air services specified in the attached annex, hereinafter referred to as the "agreed services".

The designated airlines of one Contracting Party shall enjoy, in the territory of the other Contracting Party, the right of transit and the right to make non-traffic stops for civil purposes ; they may also use airports and other facilities provided for international traffic. They shall also enjoy, in the territory of the other Contracting Party and on the air routes specified in the annex hereto, the right to pick up and set down international traffic in passengers, mail and cargo in accordance with the terms of this Agreement.

Article 2

(1) The transport capacity offered by the designated airlines shall be related to the traffic demand.

(2) On common routes, the designated airlines shall take into account their mutual interests so as not to affect unduly their respective services.

(3) The agreed services shall have as their primary objective the provision of capacity adequate to meet the traffic demand between the country to which the designated airlines belong and the countries of destination.

(4) The right of the designated airlines to pick up or set down, at the specified points and on the specified air routes, international traffic destined for or coming from third countries shall be exercised in accordance with the general principles of orderly development to which both Governments subscribe and in such a manner that capacity shall be related to :

¹ Came into force on 16 October 1957 by the exchange of the instruments of ratification which took place at Damascus, in accordance with article 18.

- (a) Traffic demand between the country of origin and the countries of destination ;
- (b) The requirements of economic operation of the services involved ; and
- (c) The traffic requirements of the areas traversed, local and regional services being taken into account.

(5) The right to pick up and set down international traffic at points situated on the specified air routes between the territories of the Contracting Parties shall be exercised in accordance with the principle stated in paragraph 2 above.

(6) The designated airlines shall enjoy, in the territory of both Contracting Parties, equal and fair opportunity to operate the agreed services.

Article 3

(1) The agreed services may be inaugurated as soon as :

- (a) The Contracting Party which the rights are granted has designated an airline or airlines for this purpose,
- (b) The Contracting Party granting the rights has issued to the said airlines the appropriate operating permit, which, subject to the provisions of paragraph (2) of this article and to those of article 7 below, it shall do without undue delay.

(2) Nevertheless, before being authorized to inaugurate the agreed services, the designated airlines may be required to satisfy the aeronautical authority of the Contracting Party granting the rights that they are qualified to fulfil the conditions prescribed under the laws and regulations normally applied by that authority to the operation of international air services.

Article 4

The provisions of this Agreement and its annex shall not be regarded or interpreted as conferring exclusive rights on the other Contracting Party or its designated airlines or as excluding or discriminating against airlines of any third country.

Article 5

The provisions of this Agreement and its annex shall not be regarded or interpreted as conferring on the designated airlines of one Contracting Party the right to pick up in the territory of the other Contracting Party, for remuneration or for a consideration of any kind, passengers, cargo or mail destined for another point in the same territory.

Article 6

Unexpired certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the agreed services. Each Contracting Party reserves the right, however, to refuse to recognize as valid for flight over its own territory certificates of competency and licenses issued to its own nationals by the other Contracting Party.

Article 7

Each Contracting Party reserves the right to withhold an operating permit from a designated airline of the other Contracting Party or to revoke such a permit in any case where it is not satisfied that substantial ownership and effective control of such airline are vested in nationals of one of the Contracting Parties, or in case of failure of such airline to comply with the laws and regulations referred to in article 8 hereunder or with the conditions on which the said permit is granted.

Article 8

(1) The laws and regulations of one Contracting Party relating to the admission to, stay in and departure from its territory of aircraft engaged in international air navigation or to flights by such aircraft over the said territory shall apply to the aircraft of the designated airlines of the other Contracting Party.

(2) The laws and regulations of one Contracting Party relating to the admission to, stay in and departure from its territory of passengers, crews, mail and cargo, such as those relating to entry, immigration and clearance formalities, passports, customs and quarantine, shall apply to passengers, crews, mail and cargo carried by aircraft of the designated airlines of the other Contracting Party while within the said territory.

Article 9

The Contracting Parties agree that :

(1) The tariffs for the agreed services shall be fixed at reasonable levels, due regard being paid to all relevant factors including economy of operation, reasonable profit, differences in the characteristics of the service (such as speed and comfort) and the tariffs of other scheduled airlines serving all or part of the specified route.

(2) The tariffs to be applied by each of the airlines designated under this Agreement in respect of traffic on any of the specified air routes between the territories

of the two Contracting Parties or between the territories of third countries and the territory of one of the Contracting Parties shall be fixed either :

- (a) In accordance with such tariff resolutions as may have been adopted by an airlines association of which the designated airlines are members, and accepted for that purpose by the two Contracting Parties ; or
- (b) By agreement between the designated airlines where these are not members of the same airlines association, or in the absence of resolutions as referred to in paragraph (2) (a) above ; provided that if either Contracting Party has not designated an airline for any of the specified routes, and tariffs for that route have not been fixed in accordance with paragraph (2) (a) above, the airlines designated by the other Contracting Party to operate air services on that route may fix the tariffs therefor.

(3) The tariffs thus fixed shall be submitted to the competent aeronautical authorities of the two Contracting Parties for approval and shall become effective forty-five days after the date on which notification of them has been received by the said aeronautical authorities, unless either Contracting Party has signified its disapproval.

(4) In the event that tariffs are not fixed in accordance with the provisions of paragraph (2) above, or if the aeronautical authorities of either Contracting Party disapprove of the tariffs so fixed, the two Contracting Parties shall themselves endeavour to reach agreement and shall take all necessary steps to give effect to such agreement. In the event that the Contracting Parties cannot agree, the dispute shall be settled in accordance with the procedure provided for in article 14. Pending settlement of the dispute by agreement or through the application of article 14, the tariff previously in effect or, if no tariffs have yet been fixed, reasonable tariffs shall be applied by the airlines concerned.

Article 10

Transfers of funds received by the airlines designated by the Contracting Parties shall be made in accordance with the currency regulations in force in the two countries. The Contracting Parties shall do everything in their power to facilitate the transfer of such funds.

Article 11

In order to prevent discrimination and ensure equality of treatment, it is agreed that :

(1) Each Contracting Party may impose or permit to be imposed fair and reasonable charges for the use of airports and other facilities ; it shall ensure that such