

No. 7179

**SYRIAN ARAB REPUBLIC
and
POLAND**

Agreement concerning scheduled civil air services (with annex and exchange of letters). Signed at Damascus, on 10 November 1962

Official text: French.

Registered by the Syrian Arab Republic on 24 March 1964.

**RÉPUBLIQUE ARABE SYRIENNE
et
POLOGNE**

Accord relatif aux transports aériens civils réguliers (avec annexe et échange de lettres). Signé à Damas, le 10 novembre 1962

Texte officiel français.

Enregistré par la République arabe syrienne le 24 mars 1964.

[TRANSLATION — TRADUCTION]

No. 7179. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE SYRIAN ARAB REPUBLIC CONCERNING SCHEDULED CIVIL AIR SERVICES. SIGNED AT DAMASCUS, ON 10 NOVEMBER 1962

The Government of the Polish People's Republic and the Government of the Syrian Arab Republic, hereinafter referred to as "the Contracting Parties", desiring to promote scheduled civil air transport between the two countries, have agreed on the following provisions :

Article 1

For the purposes of this Agreement :

- (a) The expression "aeronautical authorities" shall mean, in the case of the Polish People's Republic, the Ministry of Communications, and, in the case of the Syrian Arab Republic, the Ministry of Defence, Directorate General of Civil Aviation or, in both cases, any individual or agency authorized to perform the functions for which those authorities are responsible;
- (b) The expression "designated airline" shall mean any airline designated to operate the agreed air services on the routes specified in the annex² to this Agreement, which has obtained the operating permit in accordance with article 3 of the said Agreement.

Article 2

Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of establishing scheduled international air services on the routes specified in the annex to this Agreement. These services and routes are hereinafter referred to, respectively, as "agreed services" and "specified routes". The airline designated by each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following rights :

- (a) To fly without landing across the territory of the other Contracting Party;
- (b) To make stops in the said territory for non-traffic purposes;

¹ Came into force on 10 June 1963 by an exchange of diplomatic notes signifying the approval of the Agreement by both Contracting Parties pursuant to their legislation, in accordance with article 19.

² See p. 241 of this volume.

- (c) To set down and pick up, at the points defined on the specified routes, international traffic in passengers, mail and cargo, in accordance with the provisions of this Agreement.

Article 3

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

Article 4

1. Each Contracting Party shall have the right to designate an airline to operate the agreed services on the specified routes. Such designation shall be notified in writing to the aeronautical authorities of one Contracting Party by the aeronautical authorities of the other Contracting Party.

2. The Contracting Party which has received the notification of designation shall, subject to the provisions of paragraphs 3 and 4 of this article, without delay, grant the appropriate operating permit to the airline designated by the other Contracting Party.

3. The aeronautical authorities of either Contracting Party may require the airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil the conditions prescribed under the laws and regulations normally applied by the said authorities for the operation of international air services, in accordance with the provisions of the Convention on International Civil Aviation opened for signature at Chicago on 7 December 1944.¹

4. Each Contracting Party shall have the right to refuse to grant the operating permit referred to in paragraph 2 of this article or to impose such conditions as it may deem necessary on the exercise, by the designated airline, of the rights specified in article 2 of this Agreement, whenever the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party which designated the airline or in individuals or bodies corporate having the nationality of that Party.

5. Upon receipt of the operating permit referred to in paragraph 2 of this article, the designated airline may at any time commence operation of any agreed service, provided that a tariff established in accordance with the provisions of article 11 of this Agreement is in force in respect of that service.

¹ United Nations, *Treaty Series*, Vol. 15, p. 295; Vol. 26, p. 420; Vol. 32, p. 402; Vol. 33, p. 352; Vol. 44, p. 346; Vol. 51, p. 336; Vol. 139, p. 469; Vol. 178, p. 420; Vol. 199, p. 362; Vol. 252, p. 410; Vol. 324, p. 340; Vol. 355, p. 418; Vol. 409, p. 370, and Vol. 472.

Article 5

1. Each Contracting Party shall have the right to revoke an operating permit or to suspend the exercise by the airline designated by the other Contracting Party of the rights specified in article 2 of this Agreement, or to impose such conditions as it may deem necessary on the exercise of those rights whenever :

- (a) It is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party which designated the airline or in individuals or bodies corporate having the nationality of that Party, or
- (b) That airline has failed to comply with the laws and regulations of the Contracting Party which granted those rights, or
- (c) That airline fails to operate the agreed services in accordance with the conditions prescribed under this Agreement.

2. Unless the revocation, suspension or imposition of conditions referred to in paragraph 1 of this article are required immediately in order to prevent further infringement of the laws or regulations, this right shall be exercised only after consultation with the other Contracting Party.

Article 6

The capacity provided by each of the airlines designated to operate the agreed services shall be related to the traffic demand; it shall be determined by direct agreement between the designated airlines in the case of common routes and shall be subject to approval by the aeronautical authorities of the two Contracting Parties.

Article 7

1. Each Contracting Party may impose or permit to be imposed fair and reasonable charges for the use of airports and other facilities. These charges shall not exceed those which would be paid by its national aircraft or by the aircraft of the most favoured nation engaged in similar international services.

2. Fuel, lubricating oils, spare parts, aircraft stores and regular equipment for the maintenance and repair of aircraft, introduced or taken on board in the territory of one Contracting Party by or on behalf of the other Contracting Party or its designated airline and intended solely for use by the aircraft of that airline shall, with respect to customs duties, inspection fees and other duties and charges imposed by the first Contracting Party, be accorded treatment as favourable as that applied to airlines of the most favoured nation.