

No. 7297

**PAKISTAN
and
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement (with annex) relating to air services. Signed at
Karachi, on 7 October 1963**

Official texts: English and Russian.

Registered by the International Civil Aviation Organization on 8 June 1964.

**PAKISTAN
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

**Accord (avec annexe) relatif aux services aériens. Signé à
Karachi, le 7 octobre 1963**

Textes officiels anglais et russe.

Enregistré par l'Organisation de l'aviation civile internationale le 8 juin 1964.

No. 7297. AGREEMENT¹ BETWEEN THE GOVERNMENT OF PAKISTAN AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS RELATING TO AIR SERVICES. SIGNED AT KARACHI, ON 7 OCTOBER 1963

The Government of Pakistan and the Government of the Union of Soviet Socialist Republics, hereinafter described as the Contracting Parties, desiring to conclude an agreement for the purpose of establishing air services between their respective territories and beyond;

Have agreed as follows :

Article 1

For the purpose of this Agreement, unless the context otherwise requires :

1. " Aeronautical Authorities " means, in the case of Pakistan, the Director-General of Civil Aviation and any person or body authorized to perform any functions presently exercised by the said Director-General, and, in the case of the Government of the Union of Soviet Socialist Republics, the Chief of the General Department of the Civil Air Fleet under the Council of Ministers of the U.S.S.R. and any person or body authorized to perform any functions presently exercised by the said Chief of the General Department of the Civil Air Fleet under the Council of Ministers of the U.S.S.R.

2. " Territory " shall have the meaning as defined in the 3rd Edition of I.C.A.O. document DOC 7300/3 of 1963 named Convention on International Civil Aviation and shall remain so unless any change effected therein at a later date is accepted by Pakistan.

3. " Air Service " means any scheduled air service performed by the aircraft for the public transport of passengers, mail or cargo.

4. " International Air Service " means an air service which passes through the air space over the territory of more than one State.

¹ Came into force on 7 October 1963, upon signature, in accordance with article 22 (2).

5. "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

6. "Designated Airline" means, in the case of Pakistan, "Pakistan International Airlines Corporation" (P.I.A.) and, in the case of U.S.S.R., the "General Department of the Civil Air Fleet under the Council of Ministers of the U.S.S.R." (Aeroflot).

7. "Capacity" in relation to an aircraft means the payload of that aircraft available on a route or section of a route; and "Capacity" in relation to "an agreed service" means the capacity of the aircraft used on such service, multiplied by the frequency operated by such aircraft over a given period and route or section of the route.

Article 2

Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of establishing the air services to be operated by virtue of the said Agreement on the routes specified in the appropriate section of the Annex thereto (hereinafter called "the agreed services" and the "specified routes" respectively).

Article 3

The airline designated by each Contracting Party shall enjoy, while operating the agreed services, the rights :

1. to make stops in the said territory for non-traffic purposes as specified under Article 18, para. (1),
2. subject to the provisions of Article 6, to make stops in the said territory at the points specified in the Annex to this Agreement for the purposes of setting down and picking up international traffic in passengers, cargo and mail.

Article 4

(1) The Government of Pakistan designate Pakistan International Airlines Corporation (hereinafter referred to as PIA), and the Government of the Union of Soviet Socialist Republics designate the General Department of the Civil Air Fleet under the Council of Ministers of the U.S.S.R. (hereinafter referred to as Aeroflot) to operate the agreed services.

(2) Operation of the agreed services will commence not before 30 days from the day notice of such intention is given by the Aeronautical Authorities of one Contracting Party to the Aeronautical Authorities of the other Contracting Party.

Article 5

Each Contracting Party reserves the right to suspend or revoke the rights specified in Article 3 of this Agreement where it is not satisfied that substantial ownership and effective control of the Airline designated by the other Contracting Party is vested in the nationals of that Contracting Party, or in the case where the designated airline of the other Contracting Party fails to comply with the laws and regulations of the Contracting Party granting rights or otherwise fails to operate in accordance with the conditions prescribed in this Agreement provided that, unless immediate suspension is considered necessary in the interest of safety, this authority shall be exercised only after consultation with the other Contracting Party.

Article 6

(1) There shall be fair and equal opportunity for the designated airline of each Contracting Party to operate the agreed services.

(2) The air services to be operated initially and their capacity shall be agreed between the Aeronautical Authorities of the two Contracting Parties in the first instance, and any changes thereafter shall be effected by mutual agreement of these Authorities.

(3) The primary objective in the operation of the agreed services shall be to provide capacity for the demands of direct traffic between the two Contracting Parties. The designated airline of one Contracting Party shall have the right to pick up and set down international traffic in passengers, mail and freight destined for third countries or coming from third countries at points in the territory of the other Contracting Party mentioned in the Annex, and this right shall be exercised in accordance with the general principles of orderly development of the air services and in such a manner that the carrying capacity shall be related to :

- (i) the requirements of traffic between the country of origin and the country of destination,
- (ii) the requirements of economic operation of the agreed services, and
- (iii) the requirements of traffic in the countries across which the agreed services will fly.

Article 7

The Aeronautical Authorities of one Contracting Party shall cause its designated airline to provide to the Aeronautical Authorities of the other Contracting Party copies of tariffs, schedules, including any modification thereof, and all other relevant information concerning the operation of the agreed services, including information about the capacity provided on each of the specified routes and any further information as may be required to satisfy the Aeronautical Authorities of the other Contracting Party that the requirements of this Agreement are being duly observed.

Article 8

(1) The tariffs to be charged by the designated airline of each Contracting Party for carriage to or from the territory of the other Contracting Party shall be established at reasonable level due regard being paid to all relevant factors including cost of operation, reasonable profit, and the tariffs of other airlines.

(2) The tariffs referred to in paragraph 1 of this Article shall be agreed upon by the designated airlines of both Contracting Parties, keeping in view the rates of tariffs of the other airlines operating over the whole or part of the route.

(3) The tariffs so agreed shall be submitted for the approval of the Aeronautical Authorities of the Contracting Parties at least thirty (30) days before the proposed date of their introduction; in special cases, this time limit may be reduced, subject to the agreement of the said Authorities.

(4) If the designated airlines cannot agree on any of these tariffs, or if for some reason a tariff cannot be fixed in accordance with the provisions of paragraph 2 of this Article, or if during the first 15 days of the 30 days' period referred to in paragraph 3 of this Article one designated airline gives the other designated airline notice of its dissatisfaction with any tariff agreed in accordance with the provisions of paragraph 2 of this Article, the Aeronautical Authorities of the Contracting Parties shall try to determine the tariff by agreement between themselves.

(5) If the Aeronautical Authorities cannot agree on the approval of any tariff submitted to them under paragraph 3 of this Article or on the determination of any tariff under paragraph 4, the dispute shall be referred to the Contracting Parties.