

No. 8708

**MALI
and
TUNISIA**

**Agreement relating to air services (with annexes). Signed at
Tunis, on 24 July 1963**

Official text: French.

Registered by the International Civil Aviation Organization on 31 July 1967.

**MALI
et
TUNISIE**

**Accord relatif aux transports aériens (avec annexes). Signé à
Tunis, le 24 juillet 1963**

Texte officiel français.

Enregistré par l'Organisation de l'aviation civile internationale le 31 juillet 1967.

[TRANSLATION¹ — TRADUCTION²]

No. 8708. AGREEMENT³ BETWEEN THE MALI REPUBLIC
AND THE TUNISIAN REPUBLIC RELATING TO AIR
SERVICES. SIGNED AT TUNIS, ON 24 JULY 1963

The Government of the Republic of Mali and the Government of the
Tunisian Republic,

desiring to stimulate the development of air transport services between Mali
and Tunisia and to promote international co-operation as much as possible in
this field,

and desiring to apply to these services the principles and provisions of the
Convention on International Civil Aviation signed at Chicago on 7 December
1944,⁴ have agreed as follows :

PART I

GENERAL PROVISIONS

Article 1

For the purpose of this Agreement and its Annexes :

(1) the expression "the Convention" designates the Convention on Inter-
national Civil Aviation opened to signature at Chicago on 7 December 1944 and
any amendment adopted in conformity with the provisions of that Convention.

(2) the term "territory" shall have the meaning assigned to it in Article 2
of the Convention.

(3) the expression "aeronautical authorities" means, in the case of Tunisia,
the State Secretariat of Civil Aviation, and, in the case of Mali, the Ministry of
Civil Aviation or, in both cases, any person or body authorized to perform the
functions presently exercised by them.

(4) the expression "agreed services" designates the air services specified
in the route schedule appearing in Annex I of this Agreement.

¹ Translation provided by the Secretariat of ICAO.

² Traduction fournie par le Secrétariat de l'OACI.

³ Applied provisionally from 24 July 1963, the date of signature, in accordance with
article 21.

⁴ United Nations, *Treaty Series*, Vol. 15, p. 295; for the texts of the Protocols amending this
Convention, see Vol. 320, pp. 209 and 217; Vol. 418, p. 161, and Vol. 514, p. 209.

(5) the expression “ designated airline ” means any airline which one of the Contracting Parties shall have designated to operate the agreed air services enumerated in Annex I and which shall have been notified to the aeronautical authority of the other Contracting Party in accordance with the provisions of Article 8 of this Agreement.

(6) the expression “ stop for non-traffic purposes ” means a technical stop.

Article 2

In order to prevent discrimination and to ensure complete equality of treatment, the Contracting Parties are agreed that the taxes or other dues and charges imposed by each of the Contracting Parties for the use of aerodromes and other aeronautical facilities on its territory by the aircraft of the other Party shall not be higher than those paid by its national aircraft of the same type engaged in similar services.

Article 3

(1) The Contracting Parties are agreed that the aircraft of the designated airlines engaged in international traffic, together with the fuel lubricating oils, spare parts, tools, normal equipment and stores aboard the aircraft shall, on arrival in the territory of each of the Contracting Parties, be wholly exempt from customs duties and other taxes and charges.

(2) All fuel, lubricating oils and aircraft stores taken on board in the territory of one of the Contracting Parties for use by aircraft of airline designated by the other Party and engaged in international traffic shall be wholly exempt from customs duties and other taxes and charges.

(3) Similar exemption from customs duties and other taxes and charges excepting fees for services rendered, shall be accorded in respect of spare parts, tools and normal equipment imported into the territory of one of the Contracting Parties and used for the maintenance or repair of the aircraft of the airline(s) designated by the other Contracting Party engaged in international traffic.

(4) Goods that have been granted favoured treatment under paras 1, 2 and 3 above may not be disposed of without authorization from the competent authorities. In cases where they have not been used or installed in an aircraft they may be re-exported free of customs duties and other taxes and charges.

(5) Every article exempted from customs duties and other taxes and charges under paras 1, 2 and 3 above shall remain at the disposal of the owner subject to appropriate customs control.

Article 4

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by each of the Contracting Parties and still in force shall be recognized as valid by the other Contracting Party. Each Contracting Party, however, reserves the right to refuse to recognize as valid, for the purpose of flight above its own territory, the certificates of competency and licences issued to its own nationals by the other Contracting Party where these certificates and licences do not conform to the standards of the International Civil Aviation Organization created by the Convention.

Article 5

(1) The laws and regulations of each Contracting Party concerning the entry into or departure from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft while within its territory, shall apply to the aircraft of the designated airline(s) of the other Contracting Party.

(2) Passengers, air crews and shippers of air cargo shall be bound, either in person or through their agents, to comply with the laws and regulations in force in the territory of each Contracting Party relating to the entrance into, stay in, or departure from its territory of passengers, crew or cargo, such as those relating to entry, exit, immigration, passports, customs and quarantine formalities.

Article 6

(1) Each Contracting Party grants to every airline of the other Contracting Party :

- (a) the right to fly over its territory without landing,
- (b) the right to land in its territory for non-traffic purposes.

(2) In order to give effect to paragraph 1 above, either Contracting Party may specify the routes over its territory which the airline of the other Contracting Party will be authorized to follow, as well as the airports it may use.

PART II

AGREED SERVICES

Article 7

The Government of the Tunisian Republic grants the Government of the Republic of Mali the right to have the agreed services specified in the route

schedule in Annex I of the Agreement operated by one or more airlines designated by it.

The Government of the Republic of Mali grants the Government of the Tunisian Republic the right to have the agreed service specified in the route schedule in Annex I of the Agreement operated by one or more airlines designated by it.

Article 8

(1) The agreed services may be put into operation immediately or subsequently at the option of the Contracting Party to which these rights have been granted, provided that :

- (a) The Contracting Party to which the rights have been granted have designated the airline(s) that will operate the route(s) specified in Annex I of this Agreement.
- (b) The Contracting Party which grants the rights shall, in compliance with paragraph 2 below, have granted the airline(s) concerned, the requisite authorization to operate. The latter shall be issued with the least possible delay and subject to the terms of Article 9 of this Agreement.

(2) The designated airlines may be called upon to furnish to the aeronautical authorities of the Contracting Party which grants the rights evidence that they are able to comply with the conditions prescribed by the laws and regulations normally applied by these authorities to the operation of airlines in respect of the activities mentioned in Article 5 para. I.

Article 9

Each Contracting Party reserves the right to withhold in respect of an airline designated by the other Contracting Party the exercise of the rights provided in Article 8 of this Agreement or to revoke such authorization whenever it has reasonable grounds for doubting that substantial ownership and effective control of the airline are vested in the other Contracting Party or in its nationals, or whenever the airline fails to comply with the laws and rules stipulated in Article 5 or fulfil the obligations prescribed by the Agreement and its Annexes.

Article 10

The airline(s) designated by the Tunisian Government shall, in accordance with this Agreement, have the right in Malian territory to pick up and set down passengers, mail and cargo carried as international traffic at the stops and on the Tunisian routes listed in Annex I of this Agreement.