

No. 33841

**LATVIA
and
SWITZERLAND**

**Agreement relating to scheduled air services (with annex).
Signed at Riga on 21 May 1993**

Authentic texts: Latvian, German and English.

Registered by Latvia on 13 June 1997.

**LETTONIE
et
SUISSE**

**Accord relatif aux services aériens réguliers (avec annexe).
Signé à Riga le 21 mai 1993**

Textes authentiques : lettonien, allemand et anglais.

Enregistré par la Lettonie le 13 juin 1997.

AGREEMENT¹ BETWEEN THE REPUBLIC OF LATVIA AND THE SWISS CONFEDERATION RELATING TO SCHEDULED AIR SERVICES

Considering that Latvia and Switzerland

are Parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944,²

desiring to develop international co-operation in the field of air transport, and

desiring to establish the necessary basis for the operation of scheduled air services,

the Government of the Republic of Latvia and the Swiss Federal Council

have appointed plenipotentiaries who, duly authorized to that effect, have agreed as follows:

Article 1 Definitions

1. For the purpose of the present Agreement and its Annex:

a. The term "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and includes any annex adopted under article 90 of that Convention and any amendment of the annexes or Convention under articles 90 and 94 thereof so far as those annexes and amendments are applicable for both Contracting Parties;

¹ Came into force provisionally on 21 May 1993 by signature, and definitively on 16 April 1997 by notification, in accordance with article 21.

² 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; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

b. The term "aeronautical authorities" means, in the case of the Republic of Latvia, the Ministry of Transportation and in the case of Switzerland, the Federal Office for Civil Aviation or in both cases any person or body, authorized to exercise the functions presently assigned to the said authorities;

c. The term "designated airline" means an airline which one Contracting Party has designated, in accordance with Article 6 of the present Agreement, for the operation of the agreed air services;

d. The term "tariff" means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which these prices apply, including commission charges and other additional remuneration for agency or sale of transportation documents but excluding remuneration and conditions for the carriage of mail.

2. The Annex forms an integral part of the present Agreement. All references to the Agreement shall include the Annex unless explicitly agreed otherwise.

Article 2 Grant of Rights

1. Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of operating air services on the routes specified in the schedules of the Annex. Such services and routes are hereafter called "agreed services" and "specified routes" respectively.

2. Subject to the provisions of the present Agreement the airline designated by each Contracting Party shall enjoy, while operating international air services:

a. the right to fly without landing across the territory of the other Contracting Party;

- b. the right to make stops in the said territory for non-traffic purposes;
- c. the right to embark and disembark in the said territory at the points specified in the Annex of the present Agreement passengers, baggage, cargo and mail destined for or coming from points in the territory of the other Contracting Party;
- d. the right to embark and disembark in the territory of third countries at the points specified in the Annex of the present Agreement passengers, baggage, cargo and mail destined for or coming from points in the territory of the other Contracting Party, specified in the Annex of the present Agreement.

3. Nothing in this Article shall be deemed to confer on the designated airline of one Contracting Party the privilege of embarking, in the territory of the other Contracting Party, passengers, baggage, cargo and mail carried for remuneration or hire and destined for another point in the territory of that Contracting Party.

4. If because of armed conflict, political disturbances or developments, or special and unusual circumstances, the designated airline of one Contracting Party is unable to operate a service on its normal routing, the other Contracting Party shall use its best efforts to facilitate the continued operation of such service through appropriate rearrangements of such routes, including the grant of rights for such time as may be necessary to facilitate viable operations.

Article 3 Exercise of Rights

1. The designated airlines shall enjoy fair and equal opportunities to operate the agreed services between the territories of the Contracting Parties.

2. The designated airline of each Contracting Party shall take into consideration the interests of the designated airline of the other Contracting Party so as not to affect unduly the agreed services of the latter airline.

3. The main objective of the agreed services shall be to provide capacity corresponding to traffic demand between the territory of the Contracting Party which has designated the airline and the points served on the specified routes.

4. The right of each of the designated airlines to carry international traffic between the territory of the other Contracting Party and the territories of third countries, shall be exercised in conformity with the general principles of normal development to which both Contracting Parties subscribe and subject to the condition that the capacity shall be adapted:

a. to traffic demand to and from the territory of the Contracting Party which has designated the airline;

b. to traffic demand of the areas through which the service passes, local and regional services being taken into account;

c. to the requirements of an economical operation of the agreed services.

5. Neither Contracting Party shall unilaterally restrict the operations of the designated airline of the other except according to the terms of the present Agreement or by such uniform conditions as may be contemplated by the Convention.

Article 4 Application of Laws and Regulations

1. The laws and regulations of one Contracting Party governing entry into and departure from its territory of aircraft engaged in international air navigation or flights of such aircraft over