

No. 49679

**Republic of Korea
and
Luxembourg**

Agreement between the Government of the Republic of Korea and the Government of the Grand Duchy of Luxembourg on air services (with annex). Luxembourg, 27 September 2000

Entry into force: *provisionally on 27 September 2000 by signature and definitively on 21 May 2003 by notification, in accordance with article 20*

Authentic texts: *English, French and Korean*

Registration with the Secretariat of the United Nations: *Republic of Korea, 6 July 2012*

**République de Corée
et
Luxembourg**

Accord entre le Gouvernement de la République de Corée et le Gouvernement du Grand-Duché de Luxembourg relatif au transport aérien (avec annexe). Luxembourg, 27 septembre 2000

Entrée en vigueur : *provisoirement le 27 septembre 2000 par signature et définitivement le 21 mai 2003 par notification, conformément à l'article 20*

Textes authentiques : *anglais, français et coréen*

Enregistrement auprès du Secrétariat des Nations Unies : *République de Corée, 6 juillet 2012*

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF KOREA

AND

THE GOVERNMENT OF THE GRAND DUCHY OF

LUXEMBOURG

ON AIR SERVICES

The Government of the Republic of Korea and the Government of the Grand Duchy of Luxembourg (hereinafter referred to as "the Contracting Parties"),

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944;

Desiring to conclude an agreement for the purpose of establishing and operating air services between and beyond their respective territories; and

Desiring to ensure the highest degree of safety and security in international air transport;

Have agreed as follows:

ARTICLE 1
Definitions

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

- (a) "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 insofar as these annexes and amendments have become effective for both Contracting Parties;
- (b) "aeronautical authorities" means, in the case of the Republic of Korea, the Minister of Construction and Transportation, and in the case of the Grand Duchy of Luxembourg, the Minister responsible for the subject of Civil Aviation, or in both cases any other person or body authorized to perform the functions exercised at present by the said authorities;
- (c) "designated airline" means an airline which has been designated and authorized in accordance with Article 3 of this Agreement;

- (d) "tariffs" means the prices to be paid for the carriage of passengers and cargo and the conditions under which those prices apply, including prices and conditions for agency and other auxiliary services but excluding remuneration and conditions for the carriage of mail;
- (e) "territory" in relation to a State has the meaning assigned to it in Article 2 of the Convention;
- (f) "air service", "international air service", "airline" and "stop for non-traffic purposes" have the meanings respectively assigned to them in Article 96 of the Convention;
- (g) "capacity" in relation to an aircraft means the payload of that aircraft available on a route or section of a route;
- (h) "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 a route; and
- (i) "Annex" means the Annex to this Agreement or as amended in accordance with the provisions of Article 16 of this Agreement. The Annex forms an integral part of this Agreement, and all references to the Agreement shall include references to the Annex except where otherwise explicitly provided.

ARTICLE 2
Grant of Rights

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement to enable its designated airlines to establish and operate scheduled international air services on the routes specified in the Annex. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively.

2. Subject to the provisions of this Agreement, the designated airlines of each Contracting Party shall enjoy, while operating the agreed services on the specified routes, the following rights:
 - (a) to fly without landing across the territory of the other Contracting Party;
 - (b) to make stops in the territory of the other Contracting Party for non-traffic purposes; and
 - (c) to take up and put down passengers, cargo and mail at any point on the specified routes subject to the provisions contained in the Annex.
3. Nothing in paragraph 2 of this Article shall be deemed to confer on the designated airlines of one Contracting Party the rights of taking up, in the territory of the other Contracting Party, passengers, cargo or mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party.

ARTICLE 3
Designation of Airlines

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or more airlines for the purpose of operating the agreed services on the specified routes.
2. On receipt of such designation, the aeronautical authorities of the other Contracting Party shall, subject to the provisions of paragraphs 3 and 4 of this Article, grant without delay to the designated airlines the appropriate operating authorization.
3. The aeronautical authorities of one Contracting Party may require the designated airlines of the other Contracting Party to satisfy them that they are qualified to fulfill the conditions prescribed under the laws and regulations normally and reasonably applied to the operation of international air services by such authorities in conformity with the provisions of the Convention.