

No. 2697

NETHERLANDS
and
REPUBLIC OF KOREA

Exchange of notes (with annexed Regulations) constituting a provisional air transport agreement. Seoul, 25 September and 28 October 1953, and Pusan, 26 October 1953

Official text: English.

Registered by the International Civil Aviation Organization on 18 October 1954.

PAYS-BAS
et
RÉPUBLIQUE DE CORÉE

Échange de notes (avec Règlement en annexe) constituant un accord provisoire relatif aux transports aériens. Séoul, 25 septembre et 28 octobre 1953, et Pusan, 26 octobre 1953

Texte officiel anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 18 octobre 1954.

No. 2697. EXCHANGE OF NOTES CONSTITUTING A PROVISIONAL AIR TRANSPORT AGREEMENT¹ BETWEEN THE NETHERLANDS AND THE REPUBLIC OF KOREA. SEOUL, 25 SEPTEMBER AND 28 OCTOBER 1953, AND PUSAN, 26 OCTOBER 1953

I

The Acting Minister of Foreign Affairs of the Republic of Korea to the Representative of the Netherlands to the United Nations Commission for the Unification and Rehabilitation of Korea

September 25, 1953

Sir,

I have the pleasure of referring to your letter of September 5, 1953 and the letter of Dr. A. Plesman, President of KLM Royal Dutch Airlines dated August 4, 1953 both addressed to His Excellency, President of the Republic of Korea which have been referred to this Ministry for reply.

I consider it great honour to inform you that at the direction of President and after consultation with Minister of Transportation of the Republic of Korea, the Government of the Republic of Korea is prepared to grant permission for KLM Royal Dutch Airlines to extend its services to Korea. The permission which consists of Landing Permit and Aviation Business License will be granted to KLM Royal Dutch Airlines on the following terms :

- a) Any airlines of Korean nationality, such as Korean National Airlines, be accorded by the Government of Netherlands, on reciprocal basis, the same treatment, permission, privileges, etc. as will be accorded to KLM Royal Dutch Airlines by Korean Government, should such airlines mentioned above desire to extend its services to Netherlands in the future.
- b) Airlines of either Korea or Netherlands desiring to extend their services to Netherlands or Korea shall be so designated and approved by their respective Government. Such designation and approval shall then be notified to the other Government by the Government to which the airlines so designated and approved belong.

¹ Came into force on 1 November 1953, in accordance with the terms of the said notes.

- c) KLM Royal Dutch Airlines shall arrange its flights courses in such a manner that one of the two flights which the Airlines is presently operating to Far East should land at Pusan (or Seoul), Korea first before Tokyo, Japan. It will, in principle, make landing in Korea either at Pusan or Seoul as may be mutually agreed upon.
- d) KLM Royal Dutch Airlines shall take every precautionary action and render its effective cooperation to the authorities of Korean Government in order to prevent any smuggling acts into and out of Korea through the use of its Airlines services.
- e) KLM Royal Dutch Airlines will be required to carry out normal airlines functions, such as loading and unloading passengers, mails, freights, etc. Its operations will be governed by the provisions of Convention on International Civil Aviation signed at Chicago, U.S.A. on December 7, 1944.¹ Any other particulars including schedule of flights, change and extension of courses, etc. relating to the operations of KLM Royal Dutch Airlines will be consulted and agreed upon, whenever necessary, between the Government of the Republic of Korea and the Government of Netherlands.

The letter of Dr. A. Plesman, President of KLM Royal Dutch Airlines dated August 4, 1953 is hereby considered as Application for Landing Permit and this note be considered as granting the said Landing Permit effective November 1, 1953, provided that the Airlines submit Application for Aviation Business License to the Ministry of Transportation through this Ministry not later than November 1, 1953. The Application should contain such information as required under Article 116, Chapter 8, of the Regulations for enforcing Aviation Law of Korea whose translation is herewith enclosed² for the Airlines' reference.

If you or other diplomatic representative from your Government will confirm, on behalf of the Government of Netherlands, the acceptance of the aforementioned terms of this note, then this note and your confirming note will constitute the Provisional Air Transport Agreement between the Government of the Republic of Korea and the Government of Netherlands which will remain effective until October 31, 1954, i.e. for one full year, and by virtue of which the Landing Permit and Aviation Business License are being granted to KLM Royal Dutch Airlines.

The Agreement may be renewed before its expiration date by further exchange of diplomatic notes between the Government of the Republic of Korea and the Government of Netherlands upon being so proposed by either of the two Governments.

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. 418, and Vol. 199, p. 362.

² See p. 108 of this volume.