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**Republic of Korea
and
Kyrgyzstan**

Agreement between the Government of the Republic of Korea and the Government of the Kyrgyz Republic relating to air services (with annex). Seoul, 11 July 2006

Entry into force: *26 June 2007 by notification, in accordance with article 20*

Authentic texts: *English, Korean, Kyrgyz and Russian*

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**République de Corée
et
Kirghizistan**

Accord entre le Gouvernement de la République de Corée et le Gouvernement de la République kirghize relatif aux services aériens (avec annexe). Séoul, 11 juillet 2006

Entrée en vigueur : *26 juin 2007 par notification, conformément à l'article 20*

Textes authentiques : *anglais, coréen, kirghiz et russe*

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**AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND THE GOVERNMENT OF THE KYRGYZ REPUBLIC
RELATING TO AIR SERVICES**

The Government of the Republic of Korea and the Government of the Kyrgyz Republic(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 air services between and beyond their respective territories,

Have agreed as follows:

ARTICLE 1

DEFINITIONS

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

- (a) the term "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 that Annex or Convention adopted under Articles 90 and 94 thereof, insofar as those annexes and amendments have become effective for both Contracting Parties;
- (b) the term "aeronautical authorities" means in the case of the Republic of Korea the Ministry of Construction and Transportation and in the case of the Kyrgyz Republic the Ministry of Transport and Communications, or in both cases, any person or body authorized to perform the functions currently exercised by the said authorities;
- (c) the term "territory" in relation to a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of that State;
- (d) the terms "air services", "international air services", "airline" and "stop for non-traffic purposes" have the meanings respectively assigned to them in Article 96 of the Convention;

- (e) the term "designated airline" means an airline which one Contracting Party shall have designated, by written notification to the other Contracting Party and authorized in accordance with Article 3 of this Agreement;
- (f) the term "capacity"
 - (i) in relation to an aircraft means the payload of that aircraft available on a route or section of a route;
 - (ii) in relation to 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;
- (g) the term "carriage of traffic" means carriage of passengers, cargo, mail;
- (h) the term "tariff" means the prices to be paid for the carriage of passengers and cargo and the conditions under which those prices apply, including prices and condition for agency and other auxiliary services but excluding remuneration and conditions for the carriage of mail; and
- (i) the term "Annex" means the Annex to this Agreement or as amended in accordance with the provisions of Article 17 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 TRAFFIC RIGHTS

1. Each Contracting Party grants to other Contracting Party the rights specified in this Agreement for the purpose of establishing and operating scheduled international air services on the route specified in the Annex to this Agreement. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively. The airlines designated by each Contracting Party shall enjoy, while operating an agreed service on a specific route, 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 of the points set out in the Annex; and

(c) to take up and to put down passengers, cargo and mail at any point on the specified routes subject to the provisions contained in the Annex to this Agreement.

2. Nothing in paragraph 1 of this Article shall be deemed to confer on the designated airlines of one Contracting Party the privilege 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 one or more airlines for the purpose of operating the agreed services on the specified routes. The designation shall be notified, in writing, by one Contracting Party to the other Contracting Party.

2. On receipt of such notification, 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 authorizations.

3. The aeronautical authorities of one Contracting Party may require the airline designated by the other Contracting Party to satisfy them that it is qualified to fulfill the conditions prescribed by or 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.

4. Each Contracting Party shall have the right to refuse to accept the designation of an airline or airlines, or to refuse to grant the operating authorization referred to in paragraph 2 of this Article, or to impose such conditions as it may deem necessary on the exercise by the designated airlines of the rights specified in