

No. 54391*

**United Kingdom of Great Britain and Northern Ireland
and
Uzbekistan**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Uzbekistan on the air transit of cargo and personnel through the territory of the Republic of Uzbekistan in connection with the participation of the United Kingdom of Great Britain and Northern Ireland in efforts to ensure the security, stabilisation and reconstruction of the Islamic Republic of Afghanistan (with annex). Tashkent, 5 September 2012

Entry into force: *18 May 2013 by notification, in accordance with article 23*

Authentic texts: *English and Russian*

Registration with the Secretariat of the United Nations: *United Kingdom of Great Britain and Northern Ireland, 28 March 2017*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
et
Ouzbékistan**

Accord entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la République d'Ouzbékistan sur le transport aérien de la cargaison et de personnel à travers le territoire de la République d'Ouzbékistan en relation avec la participation du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord dans les efforts pour assurer la sécurité, la stabilisation et la reconstruction de la République islamique d'Afghanistan (avec annexe). Tachkent, 5 septembre 2012

Entrée en vigueur : *18 mai 2013 par notification, conformément à l'article 23*

Textes authentiques : *anglais et russe*

Enregistrement auprès du Secrétariat des Nations Unies : *Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, 28 mars 2017*

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AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF UZBEKISTAN ON THE AIR TRANSIT OF CARGO AND PERSONNEL THROUGH THE TERRITORY OF THE REPUBLIC OF UZBEKISTAN IN CONNECTION WITH THE PARTICIPATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN EFFORTS TO ENSURE THE SECURITY, STABILISATION AND RECONSTRUCTION OF THE ISLAMIC REPUBLIC OF AFGHANISTAN

The Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the Republic of Uzbekistan (hereinafter referred to as the “Parties”),

Mindful of Resolution 1386 (2001) of the United Nations Security Council adopted on 20 December 2001 on the basis of Chapter VII of the United Nations Charter as well as all relevant resolutions of the United Nations Security Council that call upon neighbouring states of the Islamic Republic of Afghanistan and other member states of the United Nations to provide to the International Security Assistance Force (ISAF), including the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the UK), any such necessary assistance as may be required,

Noting that the Parties are parties to the Agreement between the member states of the North Atlantic Treaty and other states participating in “Partnership for Peace” on the status of their Armed Forces, concluded in Brussels on 19 June 1995 ;

Have agreed the following:

ARTICLE 1

This Agreement, which defines the procedure for the transit by the UK through the airspace of the Republic of Uzbekistan of cargo and personnel for the purposes of supporting the efforts to provide for the security, stabilisation and reconstruction of the Islamic Republic of Afghanistan (hereinafter “Afghanistan”), constitutes a substantial contribution on the part of the Republic of Uzbekistan to these international efforts.

ARTICLE 2

The following definitions are used for the purposes of this Agreement:

“aircraft” – UK military transport aircraft or a civil aircraft chartered by the UK;

“cargo”:

- resources of a humanitarian nature, including food products, medicine, equipment and materials intended for free distribution amongst the population of Afghanistan;
- vital supplies intended for UK personnel and UK contractor personnel;
- arms, military equipment and military property intended for UK personnel in accordance with the list of categories of cargo attached to this Agreement, with the exception of nuclear, chemical, biological (bacteriological) weapons and their components in accordance with their definitions in international conventions to which the Parties are subscribed;

“UK personnel” – military and civilian personnel of the UK Government, including personnel of other States serving with or employed by the UK Armed Forces;

“UK contractor personnel” – personnel hired by a legal entity which has entered into an agreement with the UK Government, or is acting in its name;

“territory of the Republic of Uzbekistan” – land areas and territorial bodies of water adjacent thereto, and also the airspace above such areas and under the sovereignty of the Republic of Uzbekistan;

“technical experts” – UK personnel specialising in aircraft maintenance;

“identification card of UK personnel” – identity card with a photograph issued by the UK, with the surname, initials, date of birth, rank, staff number and arm of service stated (if such things are present);

“transit” – the movement by aircraft through the airspace of the Republic of Uzbekistan of UK cargo, personnel and UK contractor personnel, commencing and concluding outside the territory of the Republic of Uzbekistan;

“authorisation for transit” – authorisation granted by the competent authority of the Uzbek Party, within the framework of this Agreement and in accordance with the procedure established by the legislation of the Republic of Uzbekistan, for a series of flights (or an individual flight in exceptional circumstances) through the airspace of the Republic of Uzbekistan by aircraft with cargo and personnel over the period of 30 (thirty) days, but no more than 10 (ten) overflights per day.

“Force majeure” – circumstances arising as a result of uncontrollable or unforeseeable external events, beyond the control of the Parties, which prevent the obligations assumed under this Agreement from being fulfilled.’

ARTICLE 3

The transit shall be made along the air corridors of the Republic of Uzbekistan indicated in paragraph 2 of Article 8 of this Agreement, without intermediate landing on the territory of the Republic of Uzbekistan, with the exception of cases stipulated by paragraph 1 of Article 4 and paragraph 1 of Article 10 of this Agreement.

ARTICLE 4

1. Intermediate landing of an aircraft on the territory of the Republic of Uzbekistan can be effected in the event of an emergency situation onboard and/or in the event of force majeure hindering the transit.
2. All aircraft that have made an unscheduled landing at any airport made available by the Uzbek Party, as stipulated by this Article, shall vacate the airport once the reasons for the unscheduled landing have been eliminated.
3. The Uzbek Party shall assist personnel of the British Embassy in the Republic of Uzbekistan in getting access to an aircraft that has effected a landing in accordance with the procedure, as established in the legislation of the Republic of Uzbekistan, for assisting UK personnel and UK contractor personnel onboard an aircraft in cooperation with representatives of the airport and the relevant state bodies of the Republic of Uzbekistan. In such cases the surnames and first names of the personnel of the Office of the Defence Attaché of the British Embassy in the Republic of Uzbekistan shall be officially communicated to the Ministry of Foreign Affairs of the Republic of Uzbekistan in the shortest possible timeframe.

4. In cases stipulated in paragraph 1 of this Article, the Uzbek Party shall allow UK technical experts and equipment access to the aircraft in order to carry out maintenance works. Such technical experts shall come to the territory of the Republic of Uzbekistan on a visa-free basis if they are in possession of a passport or, in relevant cases, a UK personnel identity card (on a visa-free basis and without a passport) and are to leave the Republic of Uzbekistan in the shortest possible timeframe once the maintenance works have been performed.

ARTICLE 5

The airspace of the Republic of Uzbekistan shall be used by aircraft on the basis of transit authorisation granted by the Uzbek Party in accordance with the request of the UK via diplomatic channels.

ARTICLE 6

1. In the request of the UK for authorisation for transit the following information shall be indicated:

- a) types of aircraft used by the UK (main and reserves);
- b) the number of personnel, information about the country of origin of the cargo to be transported, information about the nature of the cargo in accordance with the Foreign Economic Activity Commodity Nomenclature code (TN VED) of the Republic of Uzbekistan, the classification of the UN, the item's classification code, the aggregate state, hazardous properties. In extremis, if the Uzbek Party makes an enquiry, the UK shall provide additional detailed information about the personnel and cargo which is due to be transited;
- c) the itinerary of the flights, points of entry into and exit from the airspace of the Republic of Uzbekistan;
- d) the total number of planned flights;
- e) the origin, owner and place of registration of the aircraft and full name and legal address of the operator of the aircraft;
- f) the method of payment for the air navigation service in the airspace of the Republic of Uzbekistan, with the payer's address, telephone and fax specified.

2. In the event that there are no obstacles to carrying out the transit, the Uzbek Party is to grant and send the authorisation for transit to the UK no later than 20 (twenty) days after the date on which the request for such authorisation is received.