

No. 3609

**SWITZERLAND
and
SYRIA**

Agreement (with annex) concerning regular civil air services. Signed at Damascus, on 26 May 1954

Official texts: French and Arabic.

Registered by the International Civil Aviation Organization on 1 December 1956.

**SUISSE
et
SYRIE**

Accord (avec annexe) relatif aux services aériens civils réguliers. Signé à Damas, le 26 mai 1954

Textes officiels français et arabe.

Enregistré par l'Organisation de l'aviation civile internationale le 1^{er} décembre 1956.

[TRANSLATION — TRADUCTION]

No. 3609. AGREEMENT¹ BETWEEN SWITZERLAND AND SYRIA CONCERNING REGULAR CIVIL AIR SERVICES. SIGNED AT DAMASCUS, ON 26 MAY 1954

The Swiss Federal Council and the Government of the Republic of Syria,

Considering that it is desirable to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the lowest rates consistent with sound economic principles,

Considering that it is advisable to stimulate international air communications as a means of promoting friendly understanding and goodwill among peoples and of securing at the same time the many indirect benefits of this form of transportation to the common welfare of Switzerland and Syria,

And desiring to conclude an agreement for the purpose of establishing regular civil air services between and beyond the two countries,

Have appointed their plenipotentiaries, duly authorized for this purpose, who have agreed as follows :

Article 1

Each Contracting Party grants to the other Contracting Party the rights specified in the annex² to this Agreement for the purpose of establishing the regular international civil air services defined therein, (hereinafter referred to as the "agreed services"). These agreed services may be inaugurated immediately or at a later date, at the option of the Contracting Party to whom the rights are granted.

Article 2

1. The agreed services may be put into operation as soon as :

- (a) The Contracting Party to whom the rights are granted has designated one or more airlines (hereinafter referred to as the "designated airlines") to operate the air routes specified in the annex ;
- (b) The Contracting Party granting the rights has, subject to the provisions of paragraph 2 of this article and of article 10 below, granted the appropriate operating permit to the designated airlines, which it shall do at the earliest possible date.

¹ Came into force on 11 May 1955, in accordance with article 17.

² See p. 165 of this volume.

2. Nevertheless, before being authorized to inaugurate the agreed services, the designated airlines may be called upon to satisfy the aeronautical authority of the Contracting Party granting the rights that they are qualified to fulfil the conditions prescribed under the laws and regulations normally applied by that authority to the commercial operation of international air transport services.

3. In areas of military occupation or in areas affected thereby, the inauguration of the agreed services shall be subject, if necessary, to the approval of the competent military authorities.

Article 3

The provisions of this Agreement and its annex shall not be considered or interpreted as conferring exclusive rights on the other Contracting Party or its designated airlines or as excluding or discriminating against airlines of any third countries.

Article 4

The provisions of this Agreement and its annex shall not be considered or interpreted as conferring on the airlines designated by one Contracting Party the right to pick up in the territory of the other Contracting Party, for remuneration or for a consideration of any kind, passengers, cargo or mail destined for another point in the same territory.

Article 5

1. The capacity provided by the designated airlines shall be adapted to traffic demands.

2. The designated airlines shall, in the operation of common routes, take into account their mutual interests so as not to affect unduly their respective services.

3. The agreed services shall have as their primary objective the provision of capacity adequate to meet the traffic demand between the country to which the designated airlines belong and the countries of destination.

4. The right to pick up and set down in the territory of a Contracting Party, at the points specified in the annex, international traffic destined for or coming from third countries shall be exercised in accordance with the general principles of orderly development to which the Swiss and Syrian Governments subscribe and in such a manner that capacity shall be related to :

- (a) Traffic requirements between the country of origin and the countries of destination ;
- (b) The requirements of through airline operation ; and

(c) The traffic requirements of the areas through which the airlines pass, after taking account of local and regional services.

5. The right to pick up and set down international traffic at points situated on the specified air routes between the territories of the Contracting Parties shall be exercised in accordance with the principle stated in paragraph 2 above.

6. There shall be fair and equal opportunity in the territory of the Contracting Parties for the designated airlines to operate the agreed services.

Article 6

1. Rates shall be fixed at reasonable levels, regard being paid to economy of operation, reasonable profit and the characteristics of each service, such as speed and accommodation. The recommendations of the International Air Transport Association (IATA) shall also be taken into consideration, if the designated airlines belong to this Association. In the absence of such recommendations the designated airlines shall consult with the airlines of third countries operating on the same routes. Their arrangements shall be subject to the approval of the aeronautical authorities of the Contracting Parties.

2. If the designated airlines are unable to reach agreement, these authorities shall endeavour to find a solution. In the last resort the procedure prescribed in article 14 below shall be applied.

Article 7

1. The charges which each Contracting Party may impose or permit to be imposed on the designated airlines of the other Contracting Party for the use of public airports and other facilities shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

2. Fuel, lubricating oils and spare parts introduced into or taken on board in the territory of one Contracting Party by or on behalf of the other Contracting Party or its designated airlines and intended solely for use by aircraft of those airlines shall be accorded, subject to reciprocity, treatment as favourable as that granted to national airlines operating international air services or to airlines of the most-favoured nation, with respect to customs duties, inspection fees and other duties and charges imposed by the first Contracting Party.

3. Aircraft operated on the agreed services, and fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of the designated airlines of one Contracting Party shall, on arrival in or departure from the territory of the other Contracting Party, be exempt from customs duties,