

No. 3614

**FRANCE
and
JAPAN**

**Air Transport Agreement (with annex). Signed at Paris,
on 17 January 1956**

Official texts: French and Japanese.

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

**FRANCE
et
JAPON**

**Accord relatif aux transports aériens (avec annexe). Signé
à Paris, le 17 janvier 1956**

Textes officiels français et japonais.

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

[TRANSLATION — TRADUCTION]

No. 3614. AIR TRANSPORT AGREEMENT¹ BETWEEN
FRANCE AND JAPAN. SIGNED AT PARIS, ON
17 JANUARY 1956

The Government of the French Republic and the Government of Japan,
Being parties to the Convention on International Civil Aviation signed at
Chicago on 7 December 1944,² and

Desiring to conclude an Agreement for the purpose of establishing air services
between and beyond their respective territories,

Have accordingly appointed their respective representatives for this purpose,
who have agreed as follows :

Article I

1. For the purpose of this Agreement, unless the text otherwise provides :

(a) The term "the Convention" means the Convention on International Civil Aviation signed at Chicago on 7 December 1944 and any amendment adopted in accordance with the terms of that Convention ;

(b) The term "aeronautical authorities" means, in the case of France, the Secretariat-General of Civil and Commercial Aviation, and any person or body authorized to perform the functions at present exercised by the said Secretariat-General or similar functions, and in the case of Japan, the Ministry of Transportation and any person or body authorized to perform the functions at present exercised by the said Ministry or similar functions ;

(c) The term "designated airline" means an airline which one Contracting Party shall have designated by written notification to the other Contracting Party for the operation of air services on the routes specified in such notification, and which has the appropriate operating permission from that other Contracting Party, in accordance with article III of this Agreement ;

(d) The term "annex" means the annex³ to this Agreement or as amended in accordance with article XIII of this Agreement.

¹ Came into force on 24 May 1956, the date of the exchange of the instruments of ratification at Tokyo, in accordance with article XVII.

² See footnote 1, p. 13 of this volume.

³ See p. 315 of this volume.

2. The annex forms an integral part of this Agreement, and all reference to the "Agreement" shall include reference to the annex except where otherwise provided.

Article II

Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement to enable its designated airlines to establish international air services on the routes specified in the annex (hereinafter called "agreed services" and "specified routes" respectively).

Article III

1. On any specified route the agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to which the rights are granted under article II of this Agreement, but not before :

(a) The Contracting Party to which the rights have been granted has designated an airline or airlines for that route, and

(b) The Contracting Party granting the rights has given the operating permission to the airline or airlines concerned ; which it shall, subject to the provisions of paragraph 2 of this article and of paragraph 1 of article VI, be bound to grant without delay.

2. Each of the designated airlines of one Contracting Party may be required to satisfy the aeronautical authorities of the other Contracting Party that it is qualified to fulfil the conditions prescribed by the laws and regulations normally and reasonably applied by those authorities to the operation of international air services.

Article IV

1. Subject to the provisions of this Agreement, the designated airlines of each Contracting Party shall enjoy, for the purpose of operating an agreed service on a specified route, the following privileges :

(a) To fly without landing across the territory of the other Contracting Party ;

(b) To make stops in the said territory for non-traffic purposes ; and

(c) To make stops therein at the points specified for that route for the purposes of putting down and of taking on international traffic in passengers, cargo and mail.

2. Nothing in paragraph 1 of this article shall be deemed to confer on the 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 and destined for another point in the territory of that other Contracting Party.

Article V

In order to prevent discriminatory practices and to respect the principle of equality of treatment :

1. The taxes or other fiscal charges that either of the Contracting Parties may impose or permit to be imposed upon the aircraft of the designated airlines of the other Contracting Party for the use of 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, spare parts, regular equipment and aircraft stores intended solely for use by aircraft of the designated airlines of one Contracting Party and introduced into or taken on board aircraft in the territory of the other Contracting Party for use in that territory shall be accorded by the latter Contracting Party, with respect to the imposition of customs duties, inspection fees or other charges or duties, treatment as favourable as that granted to its national aircraft engaged in similar international services or to the aircraft of the most-favoured nation ;

3. Aircraft of a designated airline of one Contracting Party, and fuel, lubricating oils, spare parts, regular equipment and aircraft stores, retained on board the said aircraft shall be exempt, in the territory of the other Contracting Party, from customs duties, inspection fees or other charges or duties, even though such supplies be consumed or used on flights over that territory ;

4. The supplies listed in paragraph 3 of this article and enjoying the exemption defined therein may not be unloaded in the territory of the other Contracting Party save with the approval of the customs authorities of that other Contracting Party ; where such supplies are to be re-exported, they shall be kept, until re-exportation, under the customs supervision of the other Contracting Party but shall remain at the disposal of the designated airline.

Article VI

1. Each Contracting Party reserves the right to withhold or revoke the privileges specified in article IV, paragraph 1, of the present Agreement which may be enjoyed by a designated airline of the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of those privileges, in any case where it is not satisfied that substantial ownership and effective control of such airline are vested in the Contracting Party designating the airline or in nationals of such Contracting Party.