

No. 5447

**BELGIUM
and
TURKEY**

**Air Transport Agreement (with annex). Signed at Ankara,
on 25 October 1956**

Official text: French.

Registered by Belgium on 10 November 1960.

**BELGIQUE
et
TURQUIE**

**Accord (avec annexe) relatif aux transports aériens. Signé à
Ankara, le 25 octobre 1956**

Texte officiel français.

Enregistré par la Belgique le 10 novembre 1960.

[TRANSLATION — TRADUCTION]

No. 5447. AIR TRANSPORT AGREEMENT¹ BETWEEN
BELGIUM AND TURKEY. SIGNED AT ANKARA ON
25 OCTOBER 1956

The Belgian Government and the Government of the Turkish Republic,
Having decided to conclude an Agreement on air transport between Belgium and
Turkey,

Have for that purpose appointed duly authorized representatives who have
agreed upon the following provisions :

Article 1

Each Contracting Party grants to the other Contracting Party the rights specified
in the annex² attached hereto for the purpose of establishing the international air
routes and services mentioned therein ; the said services may be operated imme-
diately or at a later date at the option of the Contracting Party to which the rights
are granted.

Article 2

(a) Each air service, the right to establish which has been granted by one Con-
tracting Party to the other Contracting Party, may be put into operation as soon as
the latter Party has designated an airline or airlines to operate the service in question ;
subject to the provisions of article 6 below, the Contracting Party granting the right
shall without delay grant the necessary operating permit to the airline or airlines so
designated.

(b) Before authorizing the airline or airlines to inaugurate the services to which
this Agreement refers, the Contracting Party granting the above-mentioned rights
may require the airline or airlines thus designated to furnish proof of qualification
in accordance with the laws and regulations in force in its territory.

(c) In certain areas which may be designated by the Governments concerned,
the establishment of an international air service shall be subject to the approval of
the competent military authorities.

Article 3

In order to avoid any discriminatory practices and to ensure equality of
treatment :

¹ Came into force on 24 October 1960, the date of the exchange of the instruments of rati-
fication at Brussels, in accordance with article 12.

² See p. 11 of this volume.

(a) Each Contracting Party agrees that the charges imposed or authorized for the use of its airports and other facilities by the airlines of the other Contracting Party shall not be higher than those which would be paid for the use of those airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by or on behalf of an airline designated by the other Contracting Party and intended solely for the use of the aircraft of that airline shall be accorded the treatment granted to national airlines or to airlines of the most-favoured nation with respect to customs duties, inspection fees and other national duties and charges.

(c) Fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of airlines of one Contracting Party authorized to operate the routes and services described in the annex shall, on arrival in or departure from the territory of the other Contracting Party, be exempt from customs duty, inspection fees or similar charges, even if such supplies are used or consumed by the aircraft during flights over that territory.

Article 4

Certificates of airworthiness, certificates of competency and licences issued or rendered valid by one of the Contracting Parties and still in force shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services specified in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licences granted to its own nationals by another State.

Article 5

(a) The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of aircraft engaged in international navigation or to the operation and navigation of such aircraft while within its territory shall apply to aircraft of the airline or airlines of the other Contracting Party.

(b) Passengers, crews and consignors of cargo by aircraft shall be required to comply, either personally or through a third party acting in their name and on their behalf, with the laws and regulations in force in the territory of each Contracting Party relating to the entry, stay and departure of passengers, crews or cargo, such as those applicable to entry, clearance formalities, immigration, passports, customs and quarantine.

Article 6

Each Contracting Party reserves the right to revoke the operating permit granted to an airline designated by the other Contracting Party or to withhold such permit if it is not satisfied that substantial ownership and effective control of that airline are vested in nationals of that Contracting Party or in case of failure by the airline to comply with the laws and regulations of the State over the territory of which it operates, referred to in article 5 above, or to fulfil the obligations imposed on it by this Agreement.

Article 7

This Agreement and all contracts arising therefrom shall be deposited with the International Civil Aviation Organization.

Article 8

If either of the Contracting Parties desires to modify any provision of the annex to this Agreement, it may request that the competent authorities of the two Contracting Parties should enter into consultation for that purpose ; such consultation must begin within a period of sixty days reckoned from the date of the request. Any such modification made by agreement between the said authorities shall enter into force after it has been confirmed by an exchange of diplomatic notes.

If a general multilateral aeronautical convention enters into force for the two Contracting Parties, they shall consult together with a view to bringing the clauses of this Agreement and its annex into conformity with the provisions of the said convention.

Article 9

(a) The Contracting Parties agree to submit to arbitration any dispute regarding the interpretation and application of this Agreement or its annex which cannot be settled by means of direct negotiation.

(b) Such disputes shall be referred to the Council of the International Civil Aviation Organization set up by the Convention on International Civil Aviation signed at Chicago on 7 December 1944.¹

(c) The Contracting Parties may nevertheless by mutual consent settle the dispute by referring it to an arbitral tribunal or to any other person or body designated by them.

(d) The Contracting Parties undertake to comply with the decision given.

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. 420 ; Vol. 199, p. 362 ; Vol. 252, p. 410 ; Vol. 324, p. 340, and Vol. 355, p. 418.

Article 10

Either Contracting Party may notify the other Party of its desire to denounce this Agreement. Such denunciation shall take effect twelve months after the date of the receipt of the notification by the other Contracting Party, unless the notification is withdrawn by agreement before the expiry of this period.

Article 11

For the purposes of this Agreement and its annex, the term "territory" shall have the meaning assigned to it in article 2 of the Convention on International Civil Aviation.

Article 12

(a) This Agreement shall be ratified and the exchange of the instruments of ratification shall take place at Brussels as soon as possible.

(b) This Agreement shall enter into force on the date of the exchange of the instruments of ratification.

DONE at Ankara on the twenty-fifth of October nineteen hundred and fifty-six, in duplicate in the French language.

For the Belgian Government :

(Signed) [illegible]

For the Government
of the Turkish Republic :

(Signed) [illegible]

A N N E X

A) The rights to fly across in transit and to land for non-traffic purposes on Turkish territory and the right to embark and disembark passengers, mail and cargo in international traffic at Ankara and Istanbul are granted to the Belgian airlines to be designated in accordance with this Agreement¹ on the following routes :

From Belgian territory to Turkey and to countries beyond, via intermediate points or otherwise, in both directions.

B) The rights to fly across in transit and to land for non-traffic purposes on Belgian territory and the right to embark and disembark passengers, mail and cargo in inter-

¹ See p. 5 of this volume.

national traffic, at Brussels and Ostende are granted to the Turkish airlines to be designated in accordance with this Agreement on the following routes :

From Turkish territory to Belgium and to countries beyond, via intermediate points or otherwise, in both directions.

C) It is agreed that each Contracting Party, before putting an air service into operation, shall notify the other Contracting Party of the route it proposes for entry into and departure from the territory of the latter ; that Party shall then indicate the exact points of entry and departure and the route to be followed over its territory.

(Signed) [illegible]

(Signed) [illegible]