

Provisional agreement between the United States of America and Yugoslavia respecting air transport services. Effected by exchange of notes dated at Belgrade December 24, 1949; entered into force December 24, 1949.

December 24, 1949
[T. I. A. S. 2055]

The American Embassy to the Yugoslav Ministry of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 1533

The American Embassy, Belgrade, has the honor to refer to the conversations concerning civil air transport rights which took place from November 5 to December 23, 1949, at Belgrade between representatives of the Government of the United States of America and of the Government of the Federal People's Republic of Yugoslavia, and to the understanding reached during the course of these conversations as set forth in the following provisions:

1) The Government of the United States of America accords to an airline to be designated by the Federal People's Republic of Yugoslavia the right to operate scheduled services, with rights of transit and non-traffic stop at airports open to civil aircraft in the United States areas of control in Austria and Germany, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail, at two airports in the United States occupation zone Germany and one airport in the United States occupation zone Austria open to civil aircraft, on a route or routes via intermediate points in both directions from Yugoslavia via the United States occupation zones in Austria and Germany and beyond, such routes to be determined at a later date.

Yugoslav rights of operation, etc., in U. S.

2) The Government of the Federal People's Republic of Yugoslavia accords to an airline to be designated by the Government of the United States of America the right to operate scheduled services, with rights of transit and non-traffic stop at airports open to civil aircraft in Yugoslav territory as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Belgrade on the following route via intermediate points in both directions: United States via the North Atlantic and Europe to Belgrade and beyond.

U. S. rights of operation, etc., in Yugoslavia.

3) On each of the above routes the authorized airlines may operate non-stop flights between any of the points on such route, thus omitting stops at one or more of the other points on such route.

4) The international air services described in paragraphs 1) and 2) may be inaugurated immediately or at a later date, but only after consultation by the designated airline with the competent aeronautical authorities of the Government whose territory or area of control is to be served as to the nature of operations to be con-

Inauguration of services.

ducted within such territory or area of control and after the issuance of an operating permit, if required, to the designated airline by such aeronautical authorities.

Equality of treatment.

5) In order to prevent discriminatory practices and to assure equality of treatment, it is agreed that:

a) Each Government may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control; and that such charges shall not however be higher than those paid for the use of such airports and facilities by its national aircraft engaged in similar international services;

b) Fuel, lubricating oils and spare parts introduced into the territory or area of control of one Government by the other Government or its nationals, and intended solely for use by aircraft operated pursuant to the rights accorded under this interim agreement shall, with respect to custom duties, inspection fees or other national duties or charges imposed by the Government whose territory or area of control is entered, receive the same treatment as that applicable to its own national airlines;

c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft authorized to operate the services described in paragraphs 1) and 2) above shall, upon arriving in or leaving the area of control of the other Government be exempt from customs duties, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that area.

6) The two Governments agree that:

a) Their respective laws and regulations relating to the admission to or departure from their territories or areas of control of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within their respective territories or areas of control, shall be applied to and shall be complied with by their respective aircraft upon entering, departing from or while within their respective territories or areas of control;

b) Their respective laws and regulations relating to the admission to or departure from their territories or areas of control, of passengers, crew, or cargo of aircraft, as well as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into, departure from or while within their respective territories or areas of control.

Certificates of airworthiness, etc.

7) Certificates of airworthiness, certificates of competency and licenses for aircraft and personnel to be used in operating the services described in this agreement issued or rendered valid by one party to this agreement and still in force shall be recognized as valid by the other party. Each Government reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory or area of control, certificates of competency and licenses granted to its own nationals by another state.

8) The two Governments agree, in respect of the operation of the air services described in paragraphs 1) and 2) above, to cooperate in an effort to simplify procedures and formalities relating to the operation and navigation of aircraft and relating to the entry, transit and departure of aircraft, crews, passengers and cargo.

9) In the event that either Government should consider it desirable to modify the routes or conditions herein described, it may request consultation between the competent authorities of the two Governments, such consultation to be commenced within thirty days from the date the request is received; and an agreement between these authorities on new or revised routes or conditions shall become effective upon confirmation by exchange of notes between the two Governments.

Modification of routes or conditions.

10) It is understood that the Government of the Federal People's Republic of Yugoslavia intends to invoke paragraph 9) when its plans for the operation of a transatlantic route have progressed to a point where negotiations for traffic rights in the United States appear desirable.

11) This agreement shall remain effective until notice of termination is given by either Government or until superseded by a more comprehensive agreement.

Duration.

12) If one of the Governments is so obligated, this agreement shall be registered with the International Civil Aviation Organization.

Registration.

The Embassy is authorized to inform the Ministry of Foreign Affairs of the Federal People's Republic of Yugoslavia that the Government of the United States of America agrees that the present note and the identic note of the Ministry constitute a provisional agreement between the two Governments concerning the exchange of civil air transport rights and that this agreement is effective from the date on which these notes are exchanged.

Effective date.

The Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurance of its high consideration.

R. B. R.

BELGRADE,

December 24, 1949.

[SEAL]

The Yugoslav Ministry of Foreign Affairs to the American Embassy

No. 421932

The Ministry of Foreign Affairs of the Federal People's Republic of Yugoslavia has the honour to refer to the conversations concerning civil air transport rights which took place from November 5 to December 23, 1949 at Beograd, between representatives of the Government of the Federal People's Republic of Yugoslavia and of the Government of the United States of America, and to the understand-

ing reached during the course of these conversations as set forth in the following provisions:

1) The Government of the United States of America accords to an airline to be designated by the Federal People's Republic of Yugoslavia the right to operate scheduled services, with rights of transit and non-traffic stop at airports open to civil aircraft in the United States areas of control in Austria and Germany, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail, at two airports in the United States occupation zone Germany and one airport in the United States occupation zone Austria open to civil aircraft, on a route or routes via intermediate points in both directions from Yugoslavia via the United States occupation zones in Austria and Germany and beyond, such routes to be determined at a later date.

2) The Government of the Federal People's Republic of Yugoslavia accords to an airline to be designated by the Government of the United States of America the right to operate scheduled services, with rights of transit and non-traffic stop at airports open to civil aircraft in Yugoslav territory as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at Belgrade on the following route via intermediate points in both directions: United States via the North Atlantic and Europe to Belgrade and beyond.

3) On each of the above routes the authorized airlines may operate non-stop flights between any of the points on such route, thus omitting stops at one or more of the other points on such route.

4) The international air services described in paragraphs 1) and 2) may be inaugurated immediately or at a later date, but only after consultation by the designated airline with the competent aeronautical authorities of the Government whose territory or area of control is to be served as to the nature of operations to be conducted within such territory or area of control and after the issuance of an operating permit, if required, to the designated airline by such aeronautical authorities.

5) In order to prevent discriminatory practices and to assure equality of treatment, it is agreed that:

a) Each Government may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control; and that such charges shall not however be higher than those paid for the use of such airports and facilities by its national aircraft engaged in similar international services;

b) Fuel, lubricating oils and spare parts introduced into the territory or area of control of one Government by the other Government or its nationals, and intended solely for use by aircraft operated pursuant to the rights accorded under this interim agreement shall, with respect to custom duties, inspection fees or other national duties or charges imposed by the Government whose ter-

ritory or area of control is entered, receive the same treatment as that applicable to its own national airlines;

c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft authorized to operate the services described in paragraphs 1) and 2) above shall, upon arriving in or leaving the area of control of the other Government be exempt from custom duties, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that area.

6) The two Governments agree that:

a) Their respective laws and regulations relating to the admission to or departure from their territories or areas of control of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within their respective territories or areas of control, shall be applied to and shall be complied with by their respective aircraft upon entering, departing from or while within their respective territories or areas of control;

b) Their respective laws and regulations relating to the admission to or departure from their territories or areas of control, of passengers, crew, or cargo of aircraft, as well as regulations relating to entry, clearance, immigration, passports, customs and quarantine, shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into, departure from or while within their respective territories or areas of control.

7) Certificates of airworthiness, certificates of competency and licenses for aircraft and personnel to be used in operating the services described in this agreement issued or rendered valid by one party to this agreement and still in force shall be recognized as valid by the other party. Each Government reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory or area of control, certificates of competency and licenses granted to its own nationals by another state.

8) The two Governments agree, in respect of the operation of the air services described in paragraphs 1) and 2) above, to cooperate in an effort to simplify procedures and formalities relating to the operation and navigation of aircraft and relating to the entry, transit and departure of aircraft, crews, passengers and cargo.

9) In the event that either Government should consider it desirable to modify the routes or conditions herein described, it may request consultation between the competent authorities of the two Governments, such consultation to be commenced within thirty days from the date the request is received; and an agreement between these authorities on new or revised routes or conditions shall become effective upon confirmation by exchange of notes between the two Governments.

10) It is understood that the Government of the Federal People's Republic of Yugoslavia intends to invoke paragraph 9) when its plans for the operation of a transatlantic route have progressed to

a point where negotiations for traffic rights in the United States appear desirable.

11) This agreement shall remain effective until notice of termination is given by either Government or until superseded by a more comprehensive agreement.

12) If one of the Governments is so obligated, this agreement shall be registered with the International Civil Aviation Organization.

The Ministry of Foreign Affairs is authorized to inform the Embassy of the United States of America that the Government of the Federal People's Republic of Yugoslavia agrees that the present Note and the identic Note of the Embassy constitute a provisional agreement between the two Governments concerning the exchange of civil air transport rights and that this agreement is effective from the date on which these notes are exchanged.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurance of its high consideration.

BEOGRAD, *December 24, 1949.*



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TO THE EMBASSY OF THE UNITED STATES OF AMERICA
Beograd