

Article 83

Subject to the provisions of the preceding Article, any contracting State may make arrangements not inconsistent with the provisions of this Convention. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

Registration of
new arrange-
ments

CHAPTER XVIII

DISPUTES AND DEFAULT

Article 84

If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its Annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council. No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party. Any contracting State may, subject to Article 85, appeal from the decision of the Council to an *ad hoc* arbitral tribunal agreed upon with the other parties to the dispute or to the Permanent Court of International Justice. Any such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

Settlement of
disputes

Article 85

If any contracting State party to a dispute in which the decision of the Council is under appeal has not accepted the Statute of the Permanent Court of International Justice and the contracting States parties to the dispute cannot agree on the choice of the arbitral tribunal, each of the contracting States parties to the dispute shall name a single arbitrator who shall name an umpire. If either contracting State party to the dispute fails to name an arbitrator within a period of three months from the date of the appeal, an arbitrator shall be named on behalf of that State by the President of the Council from a list of qualified and available persons maintained by the Council. If, within thirty days, the arbitrators cannot agree on an umpire, the President of the Council shall designate an umpire from the list previously referred to. The arbitrators and the umpire shall then jointly constitute an arbitral tribunal. Any arbitral tribunal established under this or the preceding Article shall settle its own procedure and give its decisions by majority vote, provided that the Council may determine procedural questions in the event of any delay which in the opinion of the Council is excessive.

Arbitration pro-
cedure

*Article 86***Appeals**

Unless the Council decides otherwise, any decision by the Council on whether an international airline is operating in conformity with the provisions of this Convention shall remain in effect unless reversed on appeal. On any other matter, decisions of the Council shall, if appealed from, be suspended until the appeal is decided. The decisions of the Permanent Court of International Justice and of an arbitral tribunal shall be final and binding.

*Article 87***Penalty for nonconformity by airlines**

Each contracting State undertakes not to allow the operation of an airline of a contracting State through the airspace above its territory if the Council has decided that the airline concerned is not conforming to a final decision rendered in accordance with the previous Article.

*Article 88***Penalty for nonconformity by State**

The Assembly shall suspend the voting power in the Assembly and in the Council of any contracting State that is found in default under the provisions of this Chapter.

CHAPTER XIX**WAR***Article 89***War and emergency conditions**

In case of war, the provisions of this Convention shall not affect the freedom of action of any of the contracting States affected, whether as belligerents or as neutrals. The same principle shall apply in the case of any contracting State which declares a state of national emergency and notifies the fact to the Council.

CHAPTER XX**ANNEXES***Article 90***Adoption and amendment of Annexes**

(a) The adoption by the Council of the Annexes described in Article 54, subparagraph (1), shall require the vote of two-thirds of the Council at a meeting called for that purpose and shall then be submitted by the Council to each contracting State. Any such Annex or any amendment of an Annex shall become effective within three months after its submission to the contracting States or at the end of such longer period of time as the Council may prescribe, unless in the meantime a majority of the contracting States register their disapproval with the Council.

(b) The Council shall immediately notify all contracting States of the coming into force of any Annex or amendments thereto.

CHAPTER XXI

RATIFICATION, ADHERENCES, AMENDMENTS, AND DENUNCIATIONS

Article 91

(a) This Convention shall be subject to ratification by the signatory States. The instruments of ratification shall be deposited in the archives of the Government of the United States of America, which shall give notice of the date of the deposit to each of the signatory and adhering States. Ratification of
Convention

(b) As soon as this Convention has been ratified or adhered to by twenty-six States it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument. It shall come into force for each State ratifying thereafter on the thirtieth day after the deposit of its instrument of ratification.

(c) It shall be the duty of the Government of the United States of America to notify the government of each of the signatory and adhering States of the date on which this Convention comes into force.

Article 92

(a) This Convention shall be open for adherence by members of the United Nations and States associated with them, and States which remained neutral during the present world conflict. Adherence to
Convention

(b) Adherence shall be effected by a notification addressed to the Government of the United States of America and shall take effect as from the thirtieth day from the receipt of the notification by the Government of the United States of America, which shall notify all the contracting States.

Article 93

States other than those provided for in Articles 91 and 92 (a) may, subject to approval by any general international organization set up by the nations of the world to preserve peace, be admitted to participation in this Convention by means of a four-fifths vote of the Assembly and on such conditions as the Assembly may prescribe: provided that in each case the assent of any State invaded or attacked during the present war by the State seeking admission shall be necessary. Admission of
other States

*Article 94*Amendment of
Convention

(a) Any proposed amendment to this Convention must be approved by a two-thirds vote of the Assembly and shall then come into force in respect of States which have ratified such amendment when ratified by the number of contracting States specified by the Assembly. The number so specified shall not be less than two-thirds of the total number of contracting States.

(b) If in its opinion the amendment is of such a nature as to justify this course, the Assembly in its resolution recommending adoption may provide that any State which has not ratified within a specified period after the amendment has come into force shall thereupon cease to be a member of the Organization and a party to the Convention.

*Article 95*Denunciation
of Convention

(a) Any contracting State may give notice of denunciation of this Convention three years after its coming into effect by notification addressed to the Government of the United States of America, which shall at once inform each of the contracting States.

(b) Denunciation shall take effect one year from the date of the receipt of the notification and shall operate only as regards the State effecting the denunciation.

CHAPTER XXII

DEFINITIONS

Article 96

For the purpose of this Convention the expression :

(a) "Air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

(b) "International air service" means an air service which passes through the air space over the territory of more than one State.

(c) "Airline" means any air transport enterprise offering or operating an international air service.

(d) "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

SIGNATURE OF CONVENTION

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having been duly authorized, sign this Convention on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language. A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D. C. Both texts shall be deposited in

the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or adhere to this Convention.

For Afghanistan:

A. HOSAYN AZIZ

For the Government of the Commonwealth of Australia:

ARTHUR S. DRAKEFORD

For Belgium:

For Bolivia:

TCNL. AL. PACHECO

For Brazil:

For Canada:

H. J. SYMINGTON

For Chile:

R. SAÉNZ

G. BISQUERT

R. MAGALLANES B.

For China:

CHANG KIA NGAU

For Colombia:

For Costa Rica:

For Cuba:

For Czechoslovakia:

For the Dominican Republic:

C. A. McLAUGHLIN

For Ecuador:

J. A. CORREA

FRANCISCO GOMEZ JURADO

For Egypt:

M. HASSAN

M. ROUSHDY

M. A. KHALIFA

For El Salvador:

For Ethiopia:

For France:

M. HYMANS

C. LEBEL

BOURGES

P. LOCUSSOL

For Greece:

D T NOTI BOTZARIS

A. J. ARGYROPOULOS

For Guatemala:

For Haiti:

G EDOUARD ROY

For Honduras:

E. P. LEFEBVRE

For Iceland:

THOR THORS

For India:

G V BEWOOR

For Iran:

M. SHAYESTEH

For Iraq:

ALI JAWDAT

For Ireland:

ROBT. BRENNAN

JOHN LEYDON

JOHN J. HEARNE

T. J. O'DRISCOLL

For Lebanon:

C. CHAMOUN

F. EL-HOSS

For Liberia:

WALTER F. WALKER

*For Luxembourg:**For Mexico:*

PEDRO A. CHAPA

For the Netherlands:

COPEs.

F. C. ARONSTEIN

For the Government of New Zealand:

DANIEL GILES SULLIVAN

For Nicaragua:

R. E. FRIZELL

*For Norway:**For Panama:*

The Delegation of the Republic of Panama signs this Convention *ad referendum*, and subject to the following reservations:

1. Because of its strategic position and responsibility in the protection of the means of communication in its territory, which are of the utmost importance to world trade, and vital to the defense of the Western Hemisphere, the Republic of Panama reserves the right to take, with respect to all flights through the air space above its territory, all measures which in its judgment may be proper for its own security or the protection of said means of communication.

2. The Republic of Panama understands that the technical annexes to which reference is made in the Convention constitute recommendations only, and not binding obligations.

*For Paraguay:**For Peru:*

A REVOREDO

J. S. KOECHLIN

LUIS ALVARADO

F ELGUERA

GILMO VAN OORDT LÉON

For the Philippine Commonwealth:

J. HERNANDEZ

URBANO A. ZAFRA

J. H. FOLEY

For Poland:

ZBYSŁAW CIOLKOSZ

DR. H. J. GORECKI

STEFAN J. KONORSKI

WITOLD A. URBANOWICZ

LUDWIK H. GOTTLIEB

For Portugal:

MÁRIO DE FIGUEIREDO
 ALFREDO DELESQUE DOS SANTOS CINTRA
 DUARTE CALHEIROS
 VASCO VIEIRA GARIN

For Spain:

E. TERRADAS
 GERMÁN BARAIBAR
 DUARTE CALHEIROS

For Sweden:

R. KUMLIN

*For Switzerland:**For Syria:*

N KAHALE

For Turkey:

S. KOCAK
 F. SAHINBAS
 ORHAN H. EROL

*For the Union of South Africa:**For the Government of the United Kingdom of Great Britain and Northern Ireland:*

SWINTON

For the United States of America:

ADOLF A. BERLE JR.
 ALFRED L. BULWINKLE
 CHAS. A. WOLVERTON
 F. LA GUARDIA
 EDWARD WARNER
 L. WELCH POGUE
 WILLIAM A. M. BURDEN

For Uruguay:

CARL CARBAJAL
 COL. MEDARDO R. FARIAS

*For Venezuela:**For Yugoslavia:**For Denmark:*

HENRIK KAUFFMANN

For Thailand:

M. R. SENI PRAMOJ

I CERTIFY THAT the foregoing is a true copy of the Convention on International Civil Aviation dated December 7, 1944, concluded at the International Civil Aviation Conference at Chicago, Illinois, in the English language, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, E. R. Stettinius, Jr., Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this twenty-second day of January, 1945.

[SEAL]

E. R. STETTINIUS JR.

Secretary of State

By M L KENESTRICK

Assistant Chief, Division of Central Services

NOTE

The foregoing convention was opened for signature at Chicago on December 7, 1944, and has been ratified or adhered to by the following countries on the dates indicated:

Afghanistan.....	April 4, 1947
Argentina.....	June 4, 1946
Australia.....	March 1, 1947
Austria.....	August 27, 1948 ¹
Belgium.....	May 5, 1947
Bolivia.....	April 4, 1947
Brazil.....	July 8, 1946
Burma.....	July 8, 1948
Cambodia.....	January 16, 1956
Canada.....	February 13, 1946
Ceylon.....	June 1, 1948
Chile.....	March 11, 1947
China.....	February 20, 1946 and December 2, 1953 ²
Colombia.....	October 31, 1947
Costa Rica.....	May 1, 1958
Cuba.....	May 11, 1949
Czechoslovakia.....	March 1, 1947 ³
Denmark.....	February 28, 1947
Dominican Republic.....	January 25, 1946
Ecuador.....	August 20, 1954
El Salvador.....	June 11, 1947
Ethiopia.....	March 1, 1947
Finland.....	March 30, 1949 ⁴
France.....	March 25, 1947
Ghana.....	May 9, 1957
Germany, Federal Republic of.....	May 9, 1956 ⁵
Greece.....	March 13, 1947
Guatemala.....	April 28, 1947 ⁶
Guinea, Rep. of.....	March 27, 1959
Haiti.....	March 25, 1948
Honduras.....	May 7, 1953
Iceland.....	March 21, 1947
India.....	March 1, 1947
Indonesia.....	April 27, 1950
Iran.....	April 19, 1950
Iraq.....	June 2, 1947
Ireland.....	October 31, 1946

¹ The participation of Austria effected in accordance with the provisions of Article 93 of the convention and resolution of June 9, 1948, by Assembly of ICAO. Effective September 26, 1948.

² Reservation accompanying acceptance of China: "The acceptances are given with the understanding that the provisions of Article IV Section 3 of the International Air Transport Agreement shall become operative insofar as the Government of China is concerned at such time as the Convention on International Civil Aviation shall be ratified by the Government of China." (Chinese instrument of ratification of the Convention on International Civil Aviation deposited February 20, 1946. China denounced the International Air Transport Agreement December 11, 1946; effective December 11, 1947. Notification of denunciation by China of Convention on International Civil Aviation received May 31, 1950; effective May 31, 1951. China deposited another instrument of ratification of the convention December 2, 1953.

³ The Ambassador of Czechoslovakia made the following statement in the note transmitting the Czechoslovak instrument of ratification: "The Czechoslovak Ambassador wishes to bring to the attention of His Excellency that the Convention on International Civil Aviation was ratified by the President of the Czechoslovak Republic on the assumption that the International Civil Aviation Organization will carry out fully the resolution passed by the United Nations Organization on December 12, 1946, concerning the exclusion of the Franco Spain from cooperation with the United Nations."

⁴ The participation of Finland effected in accordance with the provisions of Article 93 of the convention and resolution of June 9, 1948, by assembly of ICAO. Effective April 29, 1949.

⁵ The participation of the Federal Republic of Germany, effected in accordance with the provisions of Article 93 of the Convention and resolution of June 9, 1955, by Assembly of ICAO. Effective June 8, 1956.

⁶ Notification of denunciation by Guatemala of Convention on International Civil Aviation received June 13, 1952; effective June 13, 1953. Guatemala canceled its notification of denunciation of convention on December 8, 1952, and requested that denunciation be considered as withdrawn.

Israel.....	May 24, 1949
Italy.....	October 31, 1947 ⁷
Japan.....	September 8, 1953 ⁸
Jordan.....	March 18, 1947
Korea.....	November 11, 1952
Laos.....	June 13, 1955
Lebanon.....	September 19, 1949
Liberia.....	February 11, 1947
Libya.....	January 29, 1953
Luxembourg.....	April 28, 1948
Malaya, Federation of.....	April 7, 1958
Mexico.....	June 25, 1946
Morocco.....	November 13, 1956
Netherlands.....	March 26, 1947
New Zealand.....	March 7, 1947
Nicaragua.....	December 28, 1945
Norway.....	May 5, 1947
Pakistan.....	November 6, 1947
Paraguay.....	January 21, 1946
Peru.....	April 8, 1946
Philippines.....	March 1, 1947
Poland.....	April 6, 1945
Portugal.....	February 27, 1947
Spain.....	March 5, 1947
Sudan.....	June 29, 1956
Sweden.....	November 7, 1946
Switzerland.....	February 6, 1947 ⁹
Thailand.....	April 4, 1947
Tunisia.....	November 18, 1957
Turkey.....	December 20, 1945
Union of South Africa.....	March 1, 1947
United Arab Republic.....	(¹⁰)
United Kingdom.....	March 1, 1947
United States.....	August 9, 1946
Uruguay.....	January 14, 1954
Venezuela.....	April 1, 1947
Viet Nam.....	October 19, 1954
Yugoslavia.....	(¹¹)

⁷ The participation of Italy effected in accordance with the provisions of Article 93 of the convention and resolution of May 16, 1947, by Assembly of ICAO. Effective November 30, 1947.

⁸ The participation of Japan effected in accordance with the provisions of Article 93 of the convention and resolution of July 1, 1953, by Assembly of ICAO. Effective October 8, 1953.

⁹ The Minister of Switzerland made the following statement in the note transmitting the Swiss instrument of ratification: "My government has instructed me to notify you that the authorities in Switzerland have agreed with the authorities in the Principality of Liechtenstein that this Convention will be applicable to the territory of the Principality as well as to that of the Swiss Confederation, as long as the Treaty of March 29, 1923, integrating the whole territory of Liechtenstein with the Swiss customs territory will remain in force."

¹⁰ Egypt deposited an instrument of ratification on March 13, 1947; Syria deposited an instrument of ratification on December 21, 1949; the UAR itself has not ratified or adhered to convention, but see ICAO Council Resolution of March 29, 1958.

¹¹ The convention was signed only by Yugoslav Ambassador under date of January 6, 1954.

INTERNATIONAL CIVIL AVIATION

[*Protocol amending the convention of December 7, 1944*]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a protocol, dated at Montreal June 14, 1954, relating to certain amendments to the Convention on International Civil Aviation was adopted by the Eighth Session of the Assembly of the International Civil Aviation Organization;

WHEREAS the text of the said protocol, in the English, French, and Spanish languages, as certified by the Secretary General of the International Civil Aviation Organization, is word for word as follows:

PROTOCOL

Relating To Certain Amendments to the Convention on International Civil Aviation

THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION,

HAVING MET in its Eighth Session, at Montreal, on the first day of June, 1954, and

HAVING CONSIDERED it desirable to amend the Convention on International Civil Aviation done at Chicago on the seventh day of December, 1944,

APPROVED, on the fourteenth day of June of the year one thousand nine hundred and fifty-four, in accordance with the provisions of Article 94 (a) of the Convention aforesaid, the following proposed amendments to the said Convention:

In Article 48 (a), substitute for the word "annually" the expression "not less than once in three years";

In Article 49 (e), substitute for the expression "an annual budget" the expression "annual budgets"; and

In Article 61, substitute for the expressions "an annual budget" and "vote the budget" the expressions "annual budgets" and "vote the budgets",

SPECIFIED, pursuant to the provisions of the said Article 94 (a) of the said Convention, forty-two as the number of contracting States upon whose ratification the proposed amendments aforesaid shall come into force, and

RESOLVED that the Secretary General of the International Civil Aviation Organization draw up a Protocol, in the English, French, and Spanish languages, each of which shall be of equal authenticity, embodying the proposed amendments above mentioned and the matters hereinafter appearing.

CONSEQUENTLY, pursuant to the aforesaid action of the Assembly,

This Protocol shall be signed by the President of the Assembly and its Secretary General;

This Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation;

The instruments of ratification shall be deposited with the International Civil Aviation Organization;

This Protocol shall come into force among the States which have ratified it on the date on which the forty-second instrument of ratification is so deposited;

The Secretary General shall immediately notify all contracting States of the deposit of each ratification of this Protocol;

The Secretary General shall immediately notify all States parties or signatories to the said Convention of the date on which this Protocol comes into force;

With respect to any contracting State ratifying this Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

IN FAITH WHEREOF, the President and the Secretary General of the Eighth Session of the Assembly of the International Civil Aviation Organization, being authorized thereto by the Assembly, sign this Protocol.

DONE at Montreal on the fourteenth day of June of the year one thousand nine hundred and fifty-four in a single document in the English, French and Spanish languages, each of which shall be of equal authenticity. This Protocol shall remain deposited in the archives of the International Civil Aviation Organization; and certified copies thereof shall be transmitted by the Secretary General of the Organization to all States parties or signatories to the Convention on International Civil Aviation done at Chicago on the seventh day of December, 1944.

[French and Spanish texts omitted.]

WALTER BINAGHI
President of the Assembly
Président de l'Assemblée
Presidente de la Asamblea

CARL LJUNGBERG
Secretary General of the Assembly
Secrétaire général de l'Assemblée
Secretario general de la Asamblea

Certified to be a true and complete textual copy of the Act deposited in the Archives of the Organization

Copie certifiée conforme et complète de l'Acte déposé aux Archives de l'Organisation

Copia certificada, auténtica y completa del Acta depositada en los Archivos de la Organización

P. A. ROY

[SEAL]

for Secretary General, Secrétaire Général,
Secretario General

WHEREAS the Senate of the United States of America by their resolution of April 19, 1956, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said protocol;

WHEREAS the said protocol was duly ratified by the President of the United States of America on May 4, 1956, in pursuance of the aforesaid advice and consent of the Senate;

WHEREAS it is provided in the said protocol that the protocol shall come into force among the States which have ratified it on the date on which the forty-second instrument of ratification is deposited with the International Civil Aviation Organization;

WHEREAS instruments of ratification of the said protocol were deposited with the International Civil Aviation Organization by Ethiopia on October 25, 1954; Canada on November 4, 1954; the Dominican Republic on December 28, 1954; Finland on December 30, 1954; Ireland on January 4, 1955; Ceylon on January 6, 1955; India on January 19, 1955; Belgium on January 28, 1955; the United Kingdom of Great Britain and Northern Ireland on February 17, 1955; Egypt on March 15, 1955; Luxembourg on March 17, 1955; Iraq on March 25, 1955; Australia on April 22, 1955; Mexico on May 13, 1955; the Netherlands on May 31, 1955; Honduras on June 1, 1955; Denmark on June 4, 1955; Spain on June 6, 1955; Iceland on July 5, 1955; Sweden on July 8, 1955; the Republic of the Philippines on July 27, 1955; Portugal on September 20, 1955; Indonesia on October 18, 1955; Pakistan on October 21, 1955; Turkey on December 23, 1955; the Republic of China on February 16, 1956; Syria on March 8, 1956; Afghanistan on March 15, 1956; Austria on April 13, 1956; Switzerland on April 17, 1956; Norway on April 18, 1956; the United States of America on May 22, 1956; Bolivia on May 23, 1956; the Union of South Africa on May 24, 1956; Laos on June 4, 1956; New Zealand on June 8, 1956; Japan on June 21, 1956; Venezuela on July 6, 1956; Thailand on July 18, 1956; Argentina on September 21, 1956; Libya on December 6, 1956; and Greece on December 12, 1956.

AND WHEREAS, pursuant to the aforesaid provisions of the said protocol, the protocol came into force on December 12, 1956;

NOW, THEREFORE, be it known that I, Dwight D. Eisenhower, President of the United States of America, do hereby proclaim and make public the said protocol relating to certain amendments to the Convention on International Civil Aviation to the end that the same and each and every article and clause thereof shall be observed and fulfilled with good faith, on and after December 12, 1956, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of February in the year of our Lord one thousand nine hundred fifty-seven
[SEAL] and of the Independence of the United States of America the one hundred eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES
Secretary of State

INTERNATIONAL CIVIL AVIATION

NOTE:

The foregoing protocol has been ratified by the following additional countries on the dates indicated:

Czechoslovakia	February 21, 1957
Israel	May 13, 1957
Korea	May 21, 1957
Morocco	June 21, 1957
Burma	August 16, 1957
Viet Nam	December 30, 1957
United Arab Republic	(¹)
Italy	March 24, 1958

¹ Assuming the rights and obligations of Egypt and Syria. See ICAO Council Resolution of March 29, 1958 (not included in this publication).

INTERNATIONAL AIR SERVICES TRANSIT AGREEMENT

[59 Stat. 1693]

The States which sign and accept this International Air Services Transit Agreement, being members of the International Civil Aviation Organization, declare as follows:

ARTICLE I

Section 1

Each contracting State grants to the other contracting States the following freedoms of the air in respect of scheduled international air services:

- (1) The privilege to fly across its territory without landing;
- (2) The privilege to land for non-traffic purposes.

The privileges of this section shall not be applicable with respect to airports utilized for military purposes to the exclusion of any scheduled international air services. In areas of active hostilities or of military occupation, and in time of war along the supply routes leading to such areas, the exercise of such privileges shall be subject to the approval of the competent military authorities.

Section 2

The exercise of the foregoing privileges shall be in accordance with the provisions of the Interim Agreement on International Civil Aviation and, when it comes into force, with the provisions of the Convention on International Civil Aviation, both drawn up at Chicago on December 7, 1944.

Section 3

A contracting State granting to the airlines of another contracting State the privilege to stop for non-traffic purposes may require such airlines to offer reasonable commercial service at the points at which such stops are made.

Such requirement shall not involve any discrimination between airlines operating on the same route, shall take into account the capacity of the aircraft, and shall be exercised in such a manner as not to prejudice the normal operations of the international air services concerned or the rights and obligations of a contracting State.

Section 4

Each contracting State may, subject to the provisions of this Agreement,

(1) Designate the route to be followed within its territory by any international air service and the airports which any such services may use;

(2) Impose or permit to be imposed on any such service just and reasonable charges for the use of such airports and other facilities; these charges 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: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council of the International Civil Aviation Organization established under the above-mentioned Convention, which shall report and make recommendations thereon for the consideration of the State or States concerned.

Section 5

Each contracting State reserves the right to withhold or revoke a certificate or permit to an air transport enterprise of another State in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of a contracting State, or in case of failure of such air transport enterprise to comply with the laws of the State over which it operates, or to perform its obligations under this Agreement.

ARTICLE II

Section 1

A contracting State which deems that action by another contracting State under this Agreement is causing injustice or hardship to it, may request the Council to examine the situation. The Council shall thereupon inquire into the matter, and shall call the States concerned into consultation. Should such consultation fail to resolve the difficulty, the Council may make appropriate findings and recommendations to the contracting States concerned. If thereafter a contracting State concerned shall in the opinion of the Council unreasonably fail to take suitable corrective action, the Council may recommend to the Assembly of the above-mentioned Organization that such contracting State be suspended from its rights and privileges under this Agreement until such action has been taken. The Assembly by a two-thirds vote may so suspend such contracting State for such period of time as it may deem proper or until the Council shall find that corrective action has been taken by such State.

Section 2

If any disagreement between two or more contracting States relating to the interpretation or application of this Agreement cannot be settled by negotiation, the provisions of Chapter XVIII of the above-mentioned Convention shall be applicable in the same manner as provided therein with reference to any disagreement relating to the interpretation or application of the above-mentioned Convention.

ARTICLE III

This Agreement shall remain in force as long as the above-mentioned Convention; provided, however, that any contracting State, a party to the present Agreement, may denounce it on one year's notice given by it to the Government of the United States of America, which shall at once inform all other contracting States of such notice and withdrawal.

ARTICLE IV

Pending the coming into force of the above-mentioned Convention, all references to it herein, other than those contained in Article II, Section 2, and Article V, shall be deemed to be references to the Interim Agreement on International Civil Aviation drawn up at Chicago on December 7, 1944; and references to the International Civil Aviation Organization, the Assembly, and the Council shall be deemed to be references to the Provisional International Civil Aviation Organization, the Interim Assembly, and Interim Council, respectively.

ARTICLE V

For the purposes of this Agreement, "territory" shall be defined as in Article 2 of the above-mentioned Convention.

ARTICLE VI

Signatures and Acceptances of Agreement

The undersigned delegates to the International Civil Aviation Conference, convened in Chicago on November 1, 1944, have affixed their signatures to this Agreement with the understanding that the Government of the United States of America shall be informed at the earliest possible date by each of the governments on whose behalf the Agreement has been signed whether signature on its behalf shall constitute an acceptance of the Agreement by that government and an obligation binding upon it.

Any State a member of the International Civil Aviation Organization may accept the present Agreement as an obligation binding upon it by notification of its acceptance to the Government of the United States, and such acceptance shall become effective upon the date of the receipt of such notification by that Government.

This Agreement shall come into force as between contracting States upon its acceptance by each of them. Thereafter it shall become binding as to each other State indicating its acceptance to the Government of the United States on the date of the receipt of the acceptance by that Government. The Government of the United States shall inform all signatory and accepting States of the date of all acceptances of the Agreement, and of the date on which it comes into force for each accepting State.

IN WITNESS WHEREOF, the undersigned, having been duly authorized, sign this Agreement on behalf of their respective governments on the dates appearing opposite their respective signatures.

DONE at Chicago the seventh day of December, 1944, in the English language. A text drawn up in the English, French, and Spanish lan-

guages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D. C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or accept this Agreement.

For Afghanistan:

A. HOSAYN AZIZ

For the Government of the Commonwealth of Australia:

For Belgium:

For Bolivia:

TCNL. A. PACHECO.

For Brazil:

For Canada:

For Chile:

R SAENZ

G. BISQUERT.

R MAGALLANES B.

For China:

For Colombia:

For Costa Rica:

For Cuba:

For Czechoslovakia:

For The Dominican Republic:

For Ecuador:

J. A. CORREA

FRANCISCO GOMEZ JURADO

For Egypt:

M HASSAN

M ROUSHDY

M. A. KHALIFA

For El Salvador:

For Ethiopia:

For France:

M. HYMANS

C. LEBEL

BOURGES

P. LOCUSSOL

For Greece:

D NOTI BOTZARIZ

A. J. ARGYROPOULOS

For Guatemala:

For Haiti:

EDOUARD ROY

For Honduras:

E. P LEFEBVRE

For Iceland:

For India:

G BEWOOR

For Iran:

M. SHAYESTEH

For Iraq:

ALI JAWDAT

For Ireland:

For Lebanon:

C CHAMOUN

F EL-HOSS

For Liberia:

WALTER F WALKER

For Luxembourg:

For Mexico:

PEDRO A CHAPA

For The Netherlands:

M. STEENBERGHE

COPEs

F. E ARONSTEIN.

For The Government of New Zealand:

DANIEL GILES SULLIVAN

For Nicaragua:

R. E. FRIZELL

For Norway:

For Panama:

For Paraguay:

For Peru:

A REVOREDO

J. S. KOECHLIN

LUIS ALVARADO

F ELGUERA

GUILLERMO VAN OORDT.

For The Philippine Commonwealth:

J HERNANDEZ

URBANO A. ZAFRA

J H FOLEY

For Poland:

ZBYSLAW CIOLKOSZ

DR. H. J. GORECKI

STEFAN J. KONORSKI

WITOLD A. URBANOWICZ

LUDWIK H. GOTTLIEB

For Portugal:

For Spain:

E. TERRADAS

GERMÁN BARAIBAR

For Sweden:

R. KUMLIN

For Switzerland:

For Syria:

For Turkey:

S. KOCAN

F. SAHINBAS

ORHAN H. EROL

For The Union of South Africa:

For The Government of The United Kingdom of Great Britain and Northern Ireland:

I declare that, failing later notification of inclusion, my signature to this Agreement does not cover Newfoundland.

SWINTON

For The United States of America:

ADOLF A. BERLE JR
 ALFRED L. BULWINKLE
 CHAS. A. WOLVERTON
 F. LA GUARDIA
 EDWARD WARNER
 L. WELCH POGUE
 WILLIAM A. M. BURDEN

For Uruguay:

CARL CARBAJAL
 COL. MEDARDO R. FARIAS

For Venezuela:

La Delegación de Venezuela firma *ad referendum* y deja constancia de que la aprobación de este documento por su Gobierno está sujeta a las disposiciones constitucionales de los Estados Unidos de Venezuela.

F J SUCRE
 J BLANCO USTÁRIZ

*For Yugoslavia:**For Denmark:*

HENRIK KAUFFMANN

For Thailand:

M. R. SENI PRAMOJ

 EDITOR'S NOTE

The foregoing agreement has been accepted by the following countries on the dates indicated:

Afghanistan	May 17, 1945
Argentina	June 4, 1946
Australia	August 28, 1945
Austria	December 10, 1958
Belgium	July 19, 1945
Bolivia	April 4, 1947
Canada	February 10, 1945
Ceylon	May 31, 1945 ¹
Costa Rica	May 1, 1958
Cuba	June 20, 1947
Czechoslovakia	April 18, 1945
Denmark	December 1, 1948
Egypt	March 13, 1947
El Salvador	June 1, 1945
Ethiopia	March 22, 1945
Finland	April 9, 1957
France	June 24, 1948
Germany, Federal Republic of	June 8, 1956
Greece	September 21, 1945
Guatemala	April 28, 1947 ²
Honduras	November 13, 1945
Iceland	March 21, 1947

¹ Ceylonese note of April 1, 1957, states: "that Government of Ceylon considers itself a party to the International Air Services Transit Agreement since 31st May, 1945, the date on which the United Kingdom Government accepted the agreement."

² Notification of denunciation by Guatemala of the International Air Services Transit Agreement received June 13, 1952; effective June 13, 1953. Guatemala canceled its notification of denunciation of the transit agreement on December 8, 1952, and requested that denunciation be considered as withdrawn.

India	May 2, 1945 ³
Iran	April 19, 1950
Iraq	June 15, 1945
Ireland	November 15, 1957
Israel	June 16, 1954
Japan	October 20, 1953
Jordan	March 18, 1947
Liberia	March 19, 1945
Luxembourg	April 28, 1948
Mexico	June 25, 1946
Morocco	August 26, 1957
Netherlands	January 12, 1945
New Zealand	April 19, 1945 ⁴
Nicaragua	December 28, 1945
Norway	January 30, 1945
Pakistan	August 15, 1947 ⁵
Paraguay	July 27, 1945
Philippines	March 22, 1946 ⁶
Poland	April 6, 1945
Spain	July 30, 1945
Sweden	November 19, 1945
Switzerland	July 6, 1945
Thailand	March 6, 1947
Turkey	June 6, 1945
Union of South Africa	November 30, 1945
United Kingdom	May 31, 1945 ⁷
United States	February 8, 1945 ⁸
Venezuela	March 28, 1946

³ Reservation accompanying acceptance of India: "In signifying their acceptance of these agreements [interim and transit], the Government of India . . . do not regard Denmark or Thailand as being parties thereto . . ." (Reservation respecting Denmark on interim agreement withdrawn by India July 18, 1946. Reservation respecting Thailand on transit agreement withdrawn by India June 6, 1947. Reservation respecting Denmark on transit agreement withdrawn by India February 14, 1950.)

⁴ Reservation accompanying acceptance of New Zealand: ". . . the New Zealand Government does not regard Denmark or Thailand as being parties to the Agreements mentioned [interim and transit] . . ." (Reservation respecting Denmark on interim agreement withdrawn by New Zealand April 29, 1946. Reservations respecting Thailand on the interim and transit agreements are regarded as having been withdrawn by New Zealand January 31, 1947. Reservation respecting Denmark on transit agreement withdrawn by New Zealand December 13, 1949.)

⁵ The Ambassador of Pakistan informed the Secretary of State by note No. F. 96/48/1 of March 24, 1948 " . . . that by virtue of the provisions in Clause 4 of the Schedule of the Indian Independence (International Arrangements) Order, 1947, the International Air Services Transit Agreement signed by United India continues to be binding after the partition on the Dominion of Pakistan." The acceptance by India on May 2, 1945, of the transit agreement applied also to the territory, then a part of India, which later, on August 15, 1947, became Pakistan. The Ambassador of Pakistan informed the Secretary of State by note No. F. 96/50/3 of November 28, 1950, of the withdrawal of the reservation made by India, as it applied to Pakistan after partition from India, with respect to Denmark in connection with the transit agreement, the withdrawal being effective August 15, 1947.

⁶ Reservation accompanying acceptance of the Philippines: "The above acceptance is based on the understanding . . . that the provisions of Article II, Section 2 of the International Air Services Transit Agreement shall become operative as to the Commonwealth of the Philippines at such time as the Convention on International Civil Aviation shall be ratified in accordance with the Constitution and laws of the Philippines." (Philippine instrument of ratification of the Convention on International Civil Aviation deposited March 1, 1947.)

⁷ Reservation accompanying acceptance of the United Kingdom: "In signifying their acceptance of the said Agreement [interim and transit], the Government of the United Kingdom . . . neither regard the Governments of Denmark and Siam [Thailand] as being parties thereto . . ." (Reservation respecting Denmark on interim agreement withdrawn by United Kingdom March 30, 1946. Reservation respecting Denmark on transit agreement withdrawn by United Kingdom March 10, 1950. Reservations respecting Thailand on interim and transit agreements withdrawn by United Kingdom March 10, 1950.)

⁸ Reservation accompanying acceptance of the United States: "These acceptances by the Government of the United States of America are given with the understanding that the provisions of Article II, Section 2, of the International Air Services Transit Agreement and the provisions of Article IV, Section 3, of the International Air Transport Agreement shall become operative as to the United States of America at such time as the Convention on International Civil Aviation . . . shall be ratified by the United States of America". (The United States of America denounced the International Air Transport Agreement July 25, 1946; effective July 25, 1947. United States instrument of ratification of the Convention on International Civil Aviation deposited August 9, 1946.)

CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT

"Mortgage Convention"

[4 U. S. T. 1830]

WHEREAS the International Civil Aviation Conference, held at Chicago in November-December 1944, recommended the early adoption of a Convention dealing with the transfer of title to aircraft,

WHEREAS it is highly desirable in the interest of the future expansion of international civil aviation that rights in aircraft be recognised internationally,

THE UNDERSIGNED, duly authorized, HAVE AGREED, on behalf of their respective Governments, AS FOLLOWS:

ARTICLE I

(1) The Contracting States undertake to recognise:

- (a) rights of property in aircraft;
- (b) rights to acquire aircraft by purchase coupled with possession of the aircraft;
- (c) rights to possession of aircraft under leases of six months or more;
- (d) mortgages, hypothèques and similar rights in aircraft which are contractually created as security for payment of an indebtedness;

provided that such rights

(i) have been constituted in accordance with the law of the Contracting State in which the aircraft was registered as to nationality at the time of their constitution, and

(ii) are regularly recorded in a public record of the Contracting State in which the aircraft is registered as to nationality.

The regularity of successive recordings in different Contracting States shall be determined in accordance with the law of the State where the aircraft was registered as to nationality at the time of each recording.

(2) Nothing in this Convention shall prevent the recognition of any rights in aircraft under the law of any Contracting State; but Contracting States shall not admit or recognise any right as taking priority over the rights mentioned in paragraph (1) of this Article.

ARTICLE II

(1) All recordings relating to a given aircraft must appear in the same record.

(2) Except as otherwise provided in this Convention, the effects of the recording of any right mentioned in Article I, paragraph (1), with regard to third parties shall be determined according to the law of the Contracting State where it is recorded.

(3) A Contracting State may prohibit the recording of any right which cannot validly be constituted according to its national law.

ARTICLE III

(1) The address of the authority responsible for maintaining the record must be shown on every aircraft's certificate of registration as to nationality.

(2) Any person shall be entitled to receive from the authority duly certified copies or extracts of the particulars recorded. Such copies or extracts shall constitute *prima facie* evidence of the contents of the record.

(3) If the law of a Contracting State provides that the filing of a document for recording shall have the same effect as the recording, it shall have the same effect for the purposes of this Convention. In that case, adequate provision shall be made to ensure that such document is open to the public.

(4) Reasonable charges may be made for services performed by the authority maintaining the record.

ARTICLE IV

(1) In the event that any claims in respect of:

(a) compensation due for salvage of the aircraft, or

(b) extraordinary expenses indispensable for the preservation of the aircraft

give rise, under the law of the Contracting State where the operations of salvage or preservation were terminated, to a right conferring a charge against the aircraft, such right shall be recognised by Contracting States and shall take priority over all other rights in the aircraft.

(2) The rights enumerated in paragraph (1) shall be satisfied in the inverse order of the dates of the incidents in connexion with which they have arisen.

(3) Any of the said rights may, within three months from the date of the termination of the salvage or preservation operations, be noted on the record.

(4) The said rights shall not be recognised in other Contracting States after expiration of the three months mentioned in paragraph (3) unless, within this period,

(a) the right has been noted on the record in conformity with paragraph (3), and

(b) the amount has been agreed upon or judicial action on the right has been commenced. As far as judicial action is concerned, the law of the forum shall determine the contingencies upon which the three months period may be interrupted or suspended.

(5) This Article shall apply notwithstanding the provisions of Article I, paragraph (2).

ARTICLE V

The priority of a right mentioned in Article I, paragraph (1) (d), extends to all sums thereby secured. However, the amount of interest included shall not exceed that accrued during the three years prior to the execution proceedings together with that accrued during the execution proceedings.

ARTICLE VI

In case of attachment or sale of an aircraft in execution, or of any right therein, the Contracting States shall not be obliged to recognise, as against the attaching or executing creditor or against the purchaser, any right mentioned in Article I, paragraph (1), or the transfer of any such right, if constituted or effected with knowledge of the sale or execution proceedings by the person against whom the proceedings are directed.

ARTICLE VII

(1) The proceedings of a sale of an aircraft in execution shall be determined by the law of the Contracting State where the sale takes place.

(2) The following provisions shall however be observed:

(a) The date and place of the sale shall be fixed at least six weeks in advance.

(b) The executing creditor shall supply to the Court or other competent authority a certified extract of the recordings concerning the aircraft. He shall give public notice of the sale at the place where the aircraft is registered as to nationality, in accordance with the law there applicable, at least one month before the day fixed, and shall concurrently notify by registered letter, if possible by air mail, the recorded owner and the holders of recorded rights in the aircraft and of rights noted on the record under Article IV, paragraph (3), according to their addresses as shown on the record.

(3) The consequences of failure to observe the requirements of paragraph (2) shall be as provided by the law of the Contracting State where the sale takes place. However, any sale taking place in contravention of the requirements of that paragraph may be annulled upon demand made within six months from the date of the sale by any person suffering damage as the result of such contravention.

(4) No sale in execution can be effected unless all rights having priority over the claim of the executing creditor in accordance with this Convention which are established before the competent authority, are covered by the proceeds of sale or assumed by the purchaser.

(5) When injury or damage is caused to persons or property on the surface of the Contracting State where the execution sale takes place, by any aircraft subject to any right referred to in Article I held as security for an indebtedness, unless adequate and effective insurance by a State or an insurance undertaking in any State has been provided by or on behalf of the operator to cover such injury or damage, the national law of such Contracting State may provide in case of the seizure of such aircraft or any other aircraft owned by the same person and encumbered with any similar right held by the same creditor:

(a) that the provisions of paragraph (4) above shall have no effect with regard to the person suffering such injury or damage or his representative if he is an executing creditor;

(b) that any right referred to in Article I held as security for an indebtedness encumbering the aircraft may not be set up against any person suffering such injury or damage or his representative in excess of an amount equal to 80% of the sale price.

In the absence of other limit established by the law of the Contracting State where the execution sale takes place, the insurance shall be considered adequate within the meaning of the present paragraph if the amount of the insurance corresponds to the value when new of the aircraft seized in execution.

(6) Costs legally chargeable under the law of the Contracting State where the sale takes place, which are incurred in the common interest of creditors in the course of execution proceedings leading to sale, shall be paid out of the proceeds of sale before any claims, including those given preference by Article IV.

ARTICLE VIII

Sale of an aircraft in execution in conformity with the provisions of Article VII shall effect the transfer of the property in such aircraft free from all rights which are not assumed by the purchaser.

ARTICLE IX

Except in the case of a sale in execution in conformity with the provisions of Article VII, no transfer of an aircraft from the nationality register or the record of a Contracting State to that of another Contracting State shall be made, unless all holders of recorded rights have been satisfied or consent to the transfer.

ARTICLE X

(1) If a recorded right in an aircraft of the nature specified in Article 1, and held as security for the payment of an indebtedness, extends, in conformity with the law of the Contracting State where the aircraft is registered, to spare parts stored in a specified place or places, such right shall be recognised by all Contracting States, as long as the spare parts remain in the place or places specified, provided that an appropriate public notice, specifying the description of the right, the name and address of the holder of this right and the record in which such right is recorded, is exhibited at the place where the spare parts are located, so as to give due notification to third parties that such spare parts are encumbered.

(2) A statement indicating the character and the approximate number of such spare parts shall be annexed to or included in the recorded document. Such parts may be replaced by similar parts without affecting the right of the creditor.

(3) The provisions of Article VII, paragraphs (1) and (4), and of Article VIII shall apply to a sale of spare parts in execution. However, where the executing creditor is an unsecured creditor, paragraph 4 of Article VII in its application to such a sale shall be construed so as to permit the sale to take place if a bid is received in an amount not less than two-thirds of the value of the spare parts as determined by experts appointed by the authority responsible for the sale. Further, in the distribution of the proceeds of sale, the competent authority may, in order to provide for the claim of the executing creditor, limit the amount payable to holders of prior rights to two-thirds of such proceeds of sale after payment of the costs referred to in Article VII, paragraph (6).

(4) For the purpose of this Article the term "spare parts" means parts of aircraft, engines, propellers, radio apparatus, instruments, appliances, furnishings, parts of any of the foregoing, and generally any other articles of whatever description maintained for installation in aircraft in substitution for parts or articles removed.

ARTICLE XI

(1) The provisions of this Convention shall in each Contracting State apply to all aircraft registered as to nationality in another Contracting State.

(2) Each Contracting State shall also apply to aircraft there registered as to nationality:

(a) The provisions of Articles II, III, IX, and

(b) The provisions of Article IV, unless the salvage or preservation operations have been terminated within its own territory.

ARTICLE XII

Nothing in this Convention shall prejudice the right of any Contracting State to enforce against an aircraft its national laws relating to immigration, customs or air navigation.

ARTICLE XIII

This Convention shall not apply to aircraft used in military, customs or police services.

ARTICLE XIV

For the purpose of this Convention, the competent judicial and administrative authorities of the Contracting States may, subject to any contrary provision in their national law, correspond directly with each other.

ARTICLE XV

The Contracting States shall take such measures as are necessary for the fulfilment of the provisions of this Convention and shall forthwith inform the Secretary General of the International Civil Aviation Organization of these measures.

ARTICLE XVI

For the purposes of this Convention the term "aircraft" shall include the airframe, engines, propellers, radio apparatus, and all other articles intended for use in the aircraft whether installed therein or temporarily separated therefrom.

ARTICLE XVII

If a separate register of aircraft for purposes of nationality is maintained in any territory for whose foreign relations a Contracting State is responsible, references in this Convention to the law of the Contracting State shall be construed as references to the law of that territory.

ARTICLE XVIII

This Convention shall remain open for signature until it comes into force in accordance with the provisions of Article XX.

ARTICLE XIX

(1) This Convention shall be subject to ratification by the signatory States.

(2) The instruments of ratification shall be deposited in the archives of the International Civil Aviation Organization, which shall give notice of the date of deposit to each of the signatory and adhering States.

ARTICLE XX

(1) As soon as two of the signatory States have deposited their instruments of ratification of this Convention, it shall come into force between them on the ninetieth day after the date of the deposit of the second instrument of ratification. It shall come into force, for each State which deposits its instrument of ratification after that date, on the ninetieth day after the deposit of its instrument of ratification.

(2) The International Civil Aviation Organization shall give notice to each signatory State of the date on which this Convention comes into force.

(3) As soon as this Convention comes into force, it shall be registered with the United Nations by the Secretary General of the International Civil Aviation Organization.

ARTICLE XXI

(1) This Convention shall, after it has come into force, be open for adherence by non-signatory States.

(2) Adherence shall be effected by the deposit of an instrument of adherence in the archives of the International Civil Aviation Organization, which shall give notice of the date of the deposit to each signatory and adhering State.

(3) Adherence shall take effect as from the ninetieth day after the date of the deposit of the instrument of adherence in the archives of the International Civil Aviation Organization.

ARTICLE XXII

(1) Any Contracting State may denounce this Convention by notification of denunciation to the International Civil Aviation Organization, which shall give notice of the date of receipt of such notification to each signatory and adhering State.

(2) Denunciation shall take effect six months after the date of receipt by the International Civil Aviation Organization of the notification of denunciation.

ARTICLE XXIII

(1) Any State may at the time of deposit of its instrument of ratification or adherence, declare that its acceptance of this Conven-

tion does not apply to any one or more of the territories for the foreign relations of which such State is responsible.

(2) The International Civil Aviation Organization shall give notice of any such declaration to each signatory and adhering State.

(3) With the exception of territories in respect of which a declaration has been made in accordance with paragraph (1) of this Article, this Convention shall apply to all territories for the foreign relations of which a Contracting State is responsible.

(4) Any State may adhere to this Convention separately on behalf of all or any of the territories regarding which it has made a declaration in accordance with paragraph (1) of this Article and the provisions of paragraphs (2) and (3) of Article XXI shall apply to such adherence.

(5) Any Contracting State may denounce this Convention, in accordance with the provisions of Article XXII, separately for all or any of the territories for the foreign relations of which such State is responsible.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having been duly authorized, have signed this Convention.

DONE at Geneva, on the nineteenth day of the month of June of the year one thousand nine hundred and forty-eight in the English, French and Spanish languages, each text being of equal authenticity.

This Convention shall be deposited in the archives of the International Civil Aviation Organization where, in accordance with Article XVIII, it shall remain open for signature.

Argentina El Gobierno Argentina hace reserva de otorgar a sus creditos fiscales la preferencia acordada en su legislacion nacional.

JUAN F. FABRI

GUILLERMO SUAYA

ARMANDO A. IRON

LUIS A. AEREAN

J. DH. OL. (J. DAMIANOVICH-OLIVEIRA)

Belgium

E. ALLARD

P. A. T. DE SMET

Brazil

H. C. MACHADO

TRAJANO FURTADO REIS

A. PAULO MOURA

E. P. BARBOSA DA SILVA

A. S. MARTINS—MAJORAS

China

WU NANJU

Colombia

MAURICIO T. OBREGON

France

HYMANS

H. BOUCHÉ

ANDRÉ GARNAUT

Iceland

AGNAR KOFOED-HANSEN

Italy

PAPALDO

Mexico

ENRIQUE M. LOAEZA REF.

Netherlands

H. J. SPANJAARD

Pour le Royaume en Europe

Peru

J. SAN MARTIN

A. WAGNER

Portugal

HUMBERTO DELGADO

MANUEL FERNANDES

United Kingdom

F. TYMMS

R. O. WILBERFORCE

United States

RUSSELL B. ADAMS

Venezuela

J. LOPEZ H.

Dominican Republic

HANOT D'HARTOY

ad ref.

Switzerland

ED. AMSTUTZ

Greece

P. A. METAXAS

ad referendum

Chile

El Gobierno de Chile se reserva el derecho, con relacion a art. 10, inc. (2) del Convenio, de reconocer como derechos preferentes, de acuerdo con el orden establecido en su ley nacional, el credito del fisco por impuestos, tasas o derechos adenados por el propietario o tenedor de la aeronave y devengados en el servicio de esta, y el credito del trabajo por los sueldos y salarios de la tripulacion, por el período que limite la ley nacional.

G. EDWARD D. HAMILTON

RAMON RODRIGUEZ

Ireland

TIMOTHY J. O'DRISCOLL

I hereby certify that the present document is a full, true and correct copy of the Convention deposited in the Archives of the International Civil Aviation Organization.

ALBERT ROPER

EDITOR'S NOTE

The foregoing convention was ratified by the United States on September 7, 1949. On April 5, 1950, the Government of Mexico deposited an instrument of ratification which contained a reservation. The United States Government informed the Secretary General of ICAO in a letter dated July 1, 1950, that it considered the reservation

attached by Mexico to its ratification to be in the nature of an amendment which would, to a considerable degree, vitiate the protection offered by the Convention to persons having property rights in aircraft, and that consequently the Government of the United States was unable to accept the reservation made by the Government of Mexico and would not regard the Convention, as ratified by Mexico, as having entered into force between the United States and Mexico.

The Convention was ratified by Pakistan on June 19, 1953, by Brazil on July 3, 1953, by Norway on March 5, 1954, by Sweden on November 16, 1955, and by Chile on December 19, 1955. Under the terms of Article XX the Convention came into force with respect to the United States and Pakistan on September 17, 1953, with respect to Brazil on October 1, 1953, with respect to Norway on June 3, 1954, with respect to Sweden on February 14, 1956, and with respect to Chile on March 18, 1956.

Argentina deposited an instrument of ratification on January 31, 1958. Instruments of adherence were deposited by: Laos, on June 4, 1956; Ecuador, on July 14, 1958; and by El Salvador, on August 14, 1958.

2. BILATERAL AGREEMENTS

Air Services Agreement

Between the
UNITED STATES of AMERICA
and the UNITED KINGDOM of
GREAT BRITAIN and NORTHERN
IRELAND

◇Signed at Bermuda February 11, 1946

◇Effective February 11, 1946

*and Final Act of the Civil
Aviation Conference*

Held at Bermuda
January 15 to February 11, 1946¹

¹ Treaties and Other International Acts Series 1507.

AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED
STATES OF AMERICA AND THE GOVERNMENT
OF THE UNITED KINGDOM RELATING TO
AIR SERVICES BETWEEN THEIR RESPECTIVE
TERRITORIES.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Desiring to conclude an Agreement for the purpose of promoting direct air communications as soon as possible between their respective territories,

Have accordingly appointed authorised representatives for this purpose, who have agreed as follows:—

ARTICLE 1

Each Contracting Party grants to the other Contracting Party rights to the extent described in the Annex to this Agreement for the purpose of the establishment of air services described therein or as amended in accordance with Section IV of the Annex (hereinafter referred to as "the agreed services").

ARTICLE 2

(1) The agreed services may be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted, but not before (a) the Contracting Party to whom the rights have been granted has designated an air carrier or carriers for the specified route or routes, and (b) the Contracting Party granting the rights has given the appropriate operating permission to the air carrier or carriers concerned (which, subject to the provisions of paragraph (2) of this Article and of Article 6, it shall do without undue delay).

(2) The designated air carrier or carriers may be required to satisfy the aeronautical authorities of the Contracting Party granting the rights that it or they is or are qualified to fulfil the conditions prescribed by or under the laws and regulations normally applied by those authorities to the operations of commercial air carriers.

(3) In areas of military occupation, or in areas affected thereby, such inauguration will continue to be subject, where necessary, to the approval of the competent military authorities.

ARTICLE 3

(1) The charges which either of the Contracting Parties may impose, or permit to be imposed, on the designated air carrier or carriers 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 air services.

(2) Fuel, lubricating oils and spare parts introduced into, or taken on board aircraft in, the territory of one Contracting Party by, or on behalf of, a designated air carrier of the other Contracting Party and intended solely for use by the aircraft of such carrier shall be accorded, with respect to customs duties, inspection fees or other charges imposed by the former Contracting Party, treatment not less favourable than that granted to national air carriers engaged in international air services or such carriers of the most favoured nation.

(3) Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board aircraft of a designated air carrier of one Contracting Party shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees or similar duties or charges, even though such supplies be used by such aircraft on flights within that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party and still in force shall be recognised as valid by the other Contracting Party for the purpose of operation of the agreed services. Each Contracting Party reserves the right, however, to refuse to recognise for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

ARTICLE 5

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

(2) The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of passengers, crew, or cargo of aircraft (such as regulations relating to entry, clearance, immigration, passports, customs and quarantine) shall be applicable to the passengers, crew or cargo of the aircraft of the designated air carrier or carriers of the other Contracting Party while in the territory of the first Contracting Party.

ARTICLE 6

Each Contracting Party reserves the right to withhold or revoke the exercise of the rights specified in the Annex to this Agreement by a carrier designated by the other Contracting Party in the event that

it is not satisfied that substantial ownership and effective control of such carrier are vested in nationals of either Contracting Party, or in case of failure by that carrier to comply with the laws and regulations referred to in Article 5 hereof, or otherwise to fulfil the conditions under which the rights are granted in accordance with this Agreement and its Annex.

ARTICLE 7

This Agreement shall be registered with the Provisional International Civil Aviation Organisation set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944.^[1]

ARTICLE 8

Except as otherwise provided in this Agreement or its Annex, if either of the Contracting Parties considers it desirable to modify the terms of the Annex to this Agreement, it may request consultation between the aeronautical authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities agree on modifications to the Annex, these modifications will come into effect when they have been confirmed by an Exchange of Notes through the diplomatic channel.

ARTICLE 9

Except as otherwise provided in this Agreement or in its Annex, any dispute between the Contracting Parties relating to the interpretation or application of this Agreement or its Annex which cannot be settled through consultation shall be referred for an advisory report to the Interim Council of the Provisional International Civil Aviation Organisation (in accordance with the provisions of Article III Section 6 (8) of the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944) or its successor.

ARTICLE 10

The terms and conditions of operating rights which may have been granted previously by either Contracting Party to the other Contracting Party or to an air carrier of such other Contracting Party shall not be abrogated by the present Agreement. Except as may be modified by the present Agreement, the general principles of the air navigation arrangement between the two Contracting Parties, which was effected by an Exchange of Notes dated March 28 and April 5, 1935, shall continue in force in so far as they are applicable to scheduled international air services, until otherwise agreed by the Contracting Parties.

¹ [Executive Agreement Series 469.]

ARTICLE 11

If a general multilateral air Convention enters into force in relation to both Contracting Parties, the present Agreement shall be amended so as to conform with the provisions of such Convention.

ARTICLE 12

For the purposes of this Agreement and its Annex, unless the context otherwise requires:

(a) The term "aeronautical authorities" shall mean, in the case of the United States, the Civil Aeronautics Board and any person or body authorised to perform the functions presently exercised by the Board or similar functions, and, in the case of the United Kingdom, the Minister of Civil Aviation for the time being, and any person or body authorised to perform any functions presently exercised by the said Minister or similar functions.

(b) The term "designated air carriers" shall mean the air transport enterprises which the aeronautical authorities of one of the Contracting Parties have notified in writing to the aeronautical authorities of the other Contracting Party as the air carriers designated by it in accordance with Article 2 of this Agreement for the routes specified in such notification.

(c) The term "territory" shall have the meaning assigned to it by Article 2 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944. [¹]

(d) The definitions contained in paragraphs (a), (b) and (d) of Article 96 of the Convention on International Civil Aviation signed at Chicago on December 7, 1944 shall apply.

ARTICLE 13

Either Contracting Party may at any time request consultation with the other with a view to initiating any amendments of this Agreement or its Annex which may be desirable in the light of experience. Pending the outcome of such consultation, it shall be open to either Party at any time to give notice to the other of its desire to terminate this Agreement. Such notice shall be simultaneously communicated to the Provisional International Civil Aviation Organisation or its successor. If such notice is given, this Agreement shall terminate twelve calendar months after the date of receipt of the notice by the other Contracting Party, unless the notice to terminate is withdrawn by agreement before the expiry of this period. In the absence of acknowledgment of receipt by the other Contracting Party notice shall be deemed to have been received fourteen days

¹[*International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents*, pp. 59-86.]

after the receipt of the notice by the Provisional International Civil Aviation Organisation or its successor.

ARTICLE 14

This Agreement, including the provisions of the Annex hereto, will come into force on the day it is signed.

IN WITNESS whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate this eleventh day of February Nineteen-hundred-and-forty-six at Bermuda.

For the Government of the United States of America

GEORGE P. BAKER
HARLEE BRANCH
STOKELEY W. MORGAN
GARRISON NORTON
L. WELCH POGUE
OSWALD RYAN.

For the Government of the United Kingdom of Great Britain and Northern Ireland

A. H. SELF
W. P. HILDRED
W J BIGG.
L. J. DUNNETT
PETER G. MASEFIELD

ANNEX

I

For the purposes of operating air services on the routes specified below in Section III of this Annex or as amended in accordance with Section IV hereof, the designated air carriers of one of the Contracting Parties shall be accorded in the territory of the other Contracting Party the use on the said routes at each of the places specified therein of all the airports (being airports designated for international air services), together with ancillary facilities and rights of transit, of stops for non-traffic purposes and of commercial entry and departure for international traffic in passengers, cargo and mail in full accord and compliance with the principles recited and agreed in the Final Act of the Conference on Civil Aviation held between the Governments of the United States and of the United Kingdom at Bermuda from January 15 to February 11, 1946, and subject to the provisions of Sections II and V of this Annex.

II

(a) Rates to be charged by the air carriers of either Contracting Party between points in the territory of the United States and points in the territory of the United Kingdom referred to in this Annex shall be subject to the approval of the Contracting Parties within their respective constitutional powers and obligations. In the event of disagreement the matter in dispute shall be handled as provided below.

(b) The Civil Aeronautics Board of the United States having announced its intention to approve the rate conference machinery of the International Air Transport Association (hereinafter called "IATA"), as submitted, for a period of one year beginning in February, 1946, any rate agreements concluded through this machinery during this period and involving United States air carriers will be subject to approval by the Board.

(c) Any new rate proposed by the air carrier or carriers of either Contracting Party shall be filed with the aeronautical authorities of both Contracting Parties at least thirty days before the proposed date of introduction; provided that this period of thirty days may be reduced in particular cases if so agreed by the aeronautical authorities of both Contracting Parties.

(d) The Contracting Parties hereby agree that where:

(1) during the period of the Board's approval of the IATA rate conference machinery, either any specific rate agreement is not

approved within a reasonable time by either Contracting Party or a conference of IATA is unable to agree on a rate, or
(2) at any time no IATA machinery is applicable, or
(3) either Contracting Party at any time withdraws or fails to renew its approval of that part of the IATA rate conference machinery relevant to this provision,

the procedure described in paragraphs (e), (f) and (g) hereof shall apply.

(e) In the event that power is conferred by law upon the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States, each of the Contracting Parties shall thereafter exercise its authority in such manner as to prevent any rate or rates proposed by one of its carriers for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party from becoming effective, if, in the judgment of the aeronautical authorities of the Contracting Party whose air carrier or carriers is or are proposing such rate, that rate is unfair or uneconomic. If one of the Contracting Parties on receipt of the notification referred to in paragraph (c) above is dissatisfied with the new rate proposed by the air carrier or carriers of the other Contracting Party, it shall so notify the other Contracting Party prior to the expiry of the first fifteen of the thirty days referred to, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each Contracting Party will exercise its statutory powers to give effect to such agreement. If agreement has not been reached at the end of the thirty day period referred to in paragraph (c) above, the proposed rate may, unless the aeronautical authorities of the country of the air carrier concerned see fit to suspend its operation, go into effect provisionally pending the settlement of any dispute in accordance with the procedure outlined in paragraph (g) below.

(f) Prior to the time when such power may be conferred by law upon the aeronautical authorities of the United States, if one of the Contracting Parties is dissatisfied with any new rate proposed by the air carrier or carriers of either Contracting Party for services from the territory of one Contracting Party to a point or points in the territory of the other Contracting Party, it shall so notify the other prior to the expiry of the first fifteen of the thirty day period referred

to in paragraph (c) above, and the Contracting Parties shall endeavour to reach agreement on the appropriate rate. In the event that such agreement is reached each Contracting Party will use its best efforts to cause such agreed rate to be put into effect by its air carrier or carriers. It is recognised that if no such agreement can be reached prior to the expiry of such thirty days, the Contracting Party raising the objection to the rate may take such steps as it may consider necessary to prevent the inauguration or continuation of the service in question at the rate complained of.

(g) When in any case under paragraphs (e) and (f) above the aeronautical authorities of the two Contracting Parties cannot agree within a reasonable time upon the appropriate rate after consultation initiated by the complaint of one Contracting Party concerning the proposed rate or an existing rate of the air carrier or carriers of the other Contracting Party, upon the request of either, both Contracting Parties shall submit the question to the Provisional International Civil Aviation Organisation or to its successor for an advisory report, and each Party will use its best efforts under the powers available to it to put into effect the opinion expressed in such report.

(h) The rates to be agreed in accordance with the above paragraphs shall be fixed at reasonable levels, due regard being paid to all relevant factors, such as cost of operation, reasonable profit and the rates charged by any other air carriers.

(j) The Executive Branch of the Government of the United States agrees to use its best efforts to secure legislation empowering the aeronautical authorities of the United States to fix fair and economic rates for the transport of persons and property by air on international services and to suspend proposed rates in a manner comparable to that in which the Civil Aeronautics Board at present is empowered to act with respect to such rates for the transport of persons and property by air within the United States.

III

(a) ROUTES TO BE SERVED BY AIR CARRIERS OF THE UNITED KINGDOM
(In both directions; stops for non-traffic purposes omitted)

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. S. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
1. London		New York	San Francisco and the points on Route 7.
2. London Prestwick	Shannon Iceland Azores Bermuda Gander Montreal	New York Chicago Detroit Philadelphia Washington Baltimore Boston	
3.*London Prestwick	Shannon Iceland Azores Bermuda Gander Montreal	New York	(a) New Orleans Mexico City (b) Cuba Jamaica Panama A point in Colombia A point in Ecuador Lima Santiago
4. Bermuda		Baltimore Washington New York	Montreal
5.*Trinidad British Guiana Jamaica British Honduras	Tobago Barbados Grenada St. Vincent St. Lucia Antigua St. Kitts St. Thomas San Juan Ciudad Trujillo Port au Prince Jamaica Cuba Nassau Bermuda	Miami	
6. Nassau Cat Cay		Miami Palm Beach	
7. Singapore Hong Kong	Manila Guam Wake Midway Honolulu	San Francisco	

*Notice will be given by the aeronautical authorities of the United Kingdom to the aeronautical authorities of the United States of the route service patterns according to which services will be inaugurated on these routes,

(b) ROUTES TO BE SERVED BY AIR CARRIERS OF THE UNITED STATES

(In both directions; stops for non-traffic purposes omitted)

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
1.*Chicago Detroit Washington Philadelphia New York Boston Baltimore	Gander Greenland Iceland Shannon	London Prestwick	Amsterdam Helsinki Copenhagen Stavanger Oslo Stockholm Warsaw Berlin Frankfurt Moscow Leningrad Points in the Baltic countries
2.*New York Chicago Philadelphia Baltimore Washington Boston Detroit	Gander Greenland Iceland Shannon	London Prestwick	Brussels Munich Prague Vienna Budapest Belgrade Bucharest Istanbul Ankara A point in Iran Beirut A point in Syria A point in Iraq A point in Afghanistan Karachi Delhi Calcutta
3.*Chicago Detroit Washington New York Boston Baltimore Philadelphia	Gander Shannon Greenland Iceland Paris A point in Switzerland Rome Athens Cairo	Lydda	A point in Iraq Dhahran Bombay Calcutta A point in Burma A point in Siam A point or points in Indo-China A point or points in China
4. Chicago Detroit Washington New York Boston Baltimore Philadelphia	Gander Azores Lisbon (a) (b) Algiers Tunis Tripoli Benghazi Cairo	Lydda	From Lydda to points beyond as described in Route 3.

*Notice will be given by the aeronautical authorities of the United States to the aeronautical authorities of the United Kingdom of the route service patterns according to which services will be inaugurated on these routes.

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
5. New York Chicago Detroit Washington Philadelphia Boston Baltimore	Gander Bermuda Azores	London	(From the Azores) Lisbon Barcelona Marseilles
6.*San Francisco Los Angeles	Honolulu Midway Wake Guam Manila	Hong Kong	Macao A point or points in China A point or points in Indo-China A point or points in Siam A point or points in Burma Calcutta
7.*San Francisco Los Angeles	Honolulu Midway Wake Guam Manila A point or points in Indo-China	Singapore.	Batavia
8. New York Washington Baltimore		Bermuda	
9. Miami Palm Beach		Cat Cay Nassau	
10. Miami	Points in Cuba	Jamaica	(a) Baranquilla via South American points to Balboa (b) Baranquilla via South American points to Trinidad
11. New Orleans Houston	Points in Cuba	Jamaica	Aruba South American points
12. New York Miami	Camaguey Port au Prince Cuidad Trujillo San Juan Saint Thomas Point a Pitre Fort de France	Antigua St. Lucia Trinidad British Guiana	Via South American points to Buenos Aires

*Notice will be given by the aeronautical authorities of the United States to the aeronautical authorities of the United Kingdom of the route service patterns according to which services will be inaugurated on these routes.

POINT OF DEPARTURE (Any one or more of the following)	INTERMEDIATE POINTS (Any one or more of the following, if desired)	DESTINATION IN U. K. TERRITORY (Any one or more of the following, if desired)	POINTS BEYOND (Any one or more of the following, if desired)
13. New York	(a) Azores Dakar Monrovia (b) San Juan Trinidad British Guiana Belem Natal Monrovia Ascension Island	Accra or Lagos	Leopoldville Johannesburg

IV

(a) Amendments made by either Contracting Party to the routes described in Section III of this Annex which change the points served in the territory of the other Contracting Party will be made only after consultation in accordance with the provisions of Article 8 of this Agreement.

(b) Other route changes desired by either Contracting Party may be made and put into effect at any time, prompt notice to that effect being given by the aeronautical authorities of the Contracting Party concerned to the aeronautical authorities of the other Contracting Party. If such other Contracting Party finds that, having regard to the principles set forth in paragraph (6) of the Final Act of the Conference referred to in Section I of this Annex, the interests of its air carrier or carriers are prejudiced by the carriage by the air carrier or carriers of the first Contracting Party of traffic between the territory of the second Contracting Party and the new point in the territory of a third country it shall so inform the first Contracting Party. If agreement cannot be reached by consultation between the Contracting Parties, it shall be open to the Contracting Party whose air carrier or carriers is or are affected to invoke the provisions of Article 9 of this Agreement.

(c) The Contracting Parties will, as soon as possible after the execution of this Agreement and from time to time thereafter, exchange information concerning the authorisations extended to their respective designated air carriers to render service to, through and from the territory of the other Contracting Party. This will include copies of current certificates and authorisations for service on the routes which are the subject of this Agreement, and for the future such new certificates and authorisations as may be issued, together with amendments, exemption orders and authorised service patterns.

V

(a) Where the onward carriage of traffic by an aircraft of different size from that employed on the earlier stage of the same route (hereinafter referred to as "change of gauge") is justified by reason of economy of operation, such change of gauge at a point in the territory of the United Kingdom or the territory of the United States shall not be made in violation of the principles set forth in the Final Act of the Conference on Civil Aviation held at Bermuda from January 15 to February 11, 1946 and, in particular, shall be subject to there being an adequate volume of through traffic.

(b) Where a change of gauge is made at a point in the territory of the United Kingdom or in the territory of the United States, the smaller aircraft will operate only in connection with the larger aircraft arriving at the point of change, so as to provide a connecting service which will thus normally wait on the arrival of the larger aircraft, for the primary purpose of carrying onward those passengers who have travelled to United Kingdom or United States territory in the larger aircraft to their ultimate destination in the smaller aircraft. Where there are vacancies in the smaller aircraft such vacancies may be filled with passengers from United Kingdom or United States territory respectively. It is understood however that the capacity of the smaller aircraft shall be determined with primary reference to the traffic travelling in the larger aircraft normally requiring to be carried onward.

(c) It is agreed that the arrangements under any part of the preceding paragraphs (a) and (b) shall be governed by and in no way restrictive of the standards set forth in paragraph (6) of the Final Act.

A. H. S.
W. J. B.
W. P. H.
L. J. D.
P. G. M

G. P. B.
H. B. O R
S M.
G. N.
L W P

FINAL ACT OF THE CIVIL AVIATION CONFERENCE, HELD AT BERMUDA
15TH JANUARY TO 11TH FEBRUARY, 1946.

Bermuda, 11th February, 1946.

THE Governments of the United States of America and of the United Kingdom of Great Britain and Northern Ireland,

Having decided to hold between themselves a Conference on Civil Aviation,

Appointed their respective delegates who are listed below:—

United States of America.

George P. Baker (Chairman of Delegation), Director, Office of Transport and Communications Policy, Department of State.
Harlee Branch, Member, Civil Aeronautics Board.

John D. Hickerson, Deputy Director, Office of European Affairs, Department of State.

Josh B. Lee, Member, Civil Aeronautics Board.

Stokeley W. Morgan, Chief, Aviation Division, Department of State.

George C. Neal, General Counsel, Civil Aeronautics Board.

Garrison Norton, Deputy Director, Office of Transport and Communications Policy, Department of State.

L. Welch Pogue, Chairman, Civil Aeronautics Board.

Oswald Ryan, Member, Civil Aeronautics Board.

John Sherman, Liaison Consultant, Civil Aeronautics Board.

United Kingdom.

Sir Henry Self, K.C.M.G., K.B.E., C.B., (Chairman of Delegation), Director-General designate of Civil Aviation, Ministry of Civil Aviation.

Sir William P. Hildred, Kt., C.B., O.B.E., Director-General of Civil Aviation, Ministry of Civil Aviation.

W. J. Bigg, Colonial Office.

N. J. A. Cheetham, Foreign Office.

L. J. Dunnett, Ministry of Civil Aviation.

Peter G. Masefield, Civil Air Attaché, British Embassy, Washington.

Who met in Bermuda on the 15th January, 1946.

At the first plenary session, Sir Henry Self was elected Chairman of the Conference and the Conference was divided into two Committees. The members of the Committees and of the Sub-Committees, appointed by the respective Chairmen of the Delegations, are listed below:—

COMMITTEE I.

RATES AND TRAFFIC.

Chairman : Sir Henry Self (United Kingdom).

*Members:**United States.**Delegates.*

George P. Baker.
Harlee Branch.
Josh B. Lee.
Stokeley W. Morgan.
George C. Neal.
L. Welch Pogue.
Oswald Ryan.

Advisers.

Colonel S. E. Gates.
W. John Kenney.
Major-General L. S. Kuter.
Livingston Satterthwaite.

Consultants.

Harold Bixby.
Terrell Drinkwater.
Julius C. Holmes.
John Leslie.
John E. Slater.
James H. Smith, Jun.

*United Kingdom.**Delegates.*

Sir William Hildred.
N. J. A. Cheetham.
L. J. Dunnett.
P. G. Masefield.

Advisers.

M. E. Bathurst.
Major J. R. McCrindle.
Vernon Crudge.

SUB-COMMITTEE 1.—POLICY.

Chairman : Sir Henry Self (United Kingdom).

*Members:**Delegates.*

George P. Baker.
Stokeley W. Morgan.
L. Welch Pogue.

Delegate.

Sir William Hildred.

SUB-COMMITTEE 2.—DRAFTING.

Chairman : Stokeley W. Morgan (United States).*Members:**Delegate.*

George C. Neal.

*Delegates.**

L. J. Dunnett.

P. G. Masefield.

Adviser.

Colonel S. E. Gates.

Adviser.

M. E. Bathurst.

SUB-COMMITTEE 3.—ROUTES.

Chairman : L. Welch Pogue (United States).*Members:**Delegates.*

Harlee Branch.

Josh B. Lee.

Stokeley W. Morgan.

George C. Neal.

Oswald Ryan.

John Sherman.

Delegates.

W. J. Bigg.

N. J. A. Cheetham.

L. J. Dunnett.

P. G. Masefield.

Advisers.

William Fleming.

Colonel S. E. Gates.

Major-General L. S. Kuter.

Commander S. Jurika.

Livingston Satterthwaite.

Advisers.

M. E. Bathurst.

Major J. R. McCrindle.

Vernon Crudge.

Consultants.

Harold Bixby.

Terrell Drinkwater.

Julius C. Holmes.

John Leslie.

John E. Slater.

James H. Smith, Jun.

COMMITTEE II.

AD HOC.

Chairman : L. J. Dunnett (United Kingdom).*Delegates.*

John D. Hickerson.

Stokeley W. Morgan.

Delegate.

N. J. A. Cheetham.

The Final Plenary Session was held on the 11th February, 1946.

As a result of the deliberations of the Conference there was formulated an Agreement between the Government of the United Kingdom and the Government of the United States relating to air services between their respective territories, and Annex thereto. (Attached hereto as Appendix I.)¹

The following resolution was adopted:—

Whereas representatives of the two Governments have met together in Bermuda to discuss Civil Aviation matters outstanding between them and have reached agreement thereon,

Whereas the two Governments have to-day concluded an Agreement relating to air services between their respective territories (hereinafter called "the Agreement"),

And whereas the two Governments have reached agreement on the procedure to be followed in the settlement of other matters in the field of Civil Aviation,

Now therefore the representatives of the two Governments in Conference resolve and agree as follows:—

(1) That the two Governments desire to foster and encourage the widest possible distribution of the benefits of air travel for the general good of mankind at the cheapest rates consistent with sound economic principles; and to stimulate international air travel as a means of promoting friendly understanding and good will among peoples and ensuring as well the many indirect benefits of this new form of transportation to the common welfare of both countries.

(2) That the two Governments reaffirm their adherence to the principles and purposes set out in the preamble to the Convention on International Civil Aviation signed at Chicago on the 7th December, 1944.

(3) That the air transport facilities available to the travelling public should bear a close relationship to the requirements of the public for such transport.

(4) That there shall be a fair and equal opportunity for the carriers of the two nations to operate on any route between their respective territories (as defined in the Agreement) covered by the Agreement and its Annex.

(5) That, in the operation by the air carriers of either Government of the trunk services described in the Annex to the Agreement, the interest of the air carriers of the other Government shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

(6) That it is the understanding of both Governments that services

¹[*Ante* p. 1.]

provided by a designated air carrier under the Agreement and its Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such air carrier is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in the Annex to the Agreement shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

- (a) to traffic requirements between the country of origin and the countries of destination;
- (b) to the requirements of through airline operation; and
- (c) to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

(7) That, in so far as the air carrier or carriers of one Government may be temporarily prevented through difficulties arising from the War from taking immediate advantage of the opportunity referred to in paragraph (4) above, the situation shall be reviewed between the Governments with the object of facilitating the necessary development, as soon as the air carrier or carriers of the first Government is or are in a position increasingly to make their proper contribution to the service.

(8) That duly authorised United States civil air carriers will enjoy non-discriminatory "Two Freedom" privileges and the exercise (in accordance with the Agreement or any continuing or subsequent agreement) of commercial traffic rights at airports located in territory of the United Kingdom which have been constructed in whole or in part with United States funds and are designated for use by international civil air carriers.

(9) That it is the intention of both Governments that there should be regular and frequent consultation between their respective aeronautical authorities (as defined in the Agreement) and that there should thereby be close collaboration in the observance of the principles and the implementation of the provisions outlined herein and in the Agreement and its Annex.

In witness whereof the following Delegates sign the present Final Act.

Done at Bermuda the eleventh day of February, 1946.

This Final Act shall be deposited in the Archives of the Government of the United Kingdom and a certified copy shall be transmitted

by that Government to the Government of the United States of America.

United States of America.

GEORGE P. BAKER.
HARLEE BRANCH.
STOKELEY W. MORGAN.
GEORGE C. NEAL.
GARRISON NORTON.
L. WELCH POGUE.
OSWALD RYAN.
JOHN SHERMAN.

United Kingdom.

A. H. SELF.
WM. P. HILDRED.
W. J. BIGG.
L. J. DUNNETT.
PETER G. MASEFIELD.

ROUTE GRANTS IN U. S. AIR TRANSPORT AGREEMENTS
(As of September 1, 1960)

Notes:

Date shown for amendments is date of effectiveness.

Underscoring indicates U.S. points on routes granted to foreign countries.

(n) Indicates country is not a party to the International Air Services Transit Agreement.

(p) Indicates agreement is provisionally operative pending ratification.

(x) Indicates agreement not operative pending ratification.

(z) Indicates phrase "via intermediate points" appears in introductory paragraph of route grants, or in the case of Denmark, elsewhere in the agreement, in place of or in addition to inclusion in the route description.

Country	Date of Agreement and of Amendments		Type of Agreement		Nonstop Clause		Routes
Australia	12/3/46; 8/12/57	amended	Bermuda		Yes		(z) 1. Australia via New Caledonie, the Fiji Islands, American Samoa, Canton Island, Honolulu to San Francisco and beyond to (a) Vancouver and (b) New York and beyond to points in the British Isles and beyond to Europe and beyond. (Note. The nonstop provision does not apply to New York.)

United States

- (z) 1. The United States via Honolulu, Canton Island, American Samoa, the Fiji Islands, New Caledonia, and New Zealand to Sydney; and beyond to (a) Darwin and points in Southeast Asia, including the Republic of the Philippines and beyond; (b) Melbourne and Perth, Cocos (Keeling) Islands, and beyond to points in south Asia and Africa and beyond; and (c) Melbourne and New Zealand and beyond to Antarctica and beyond.
2. The United States, including Alaska, via points in Canada, Alaska, the Kurile Islands, Japan and Southeast Asia, including the Republic of the Philippines to Sydney and Melbourne.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Austria (n)	10/8/47	Bermuda	Yes	1. Not defined.
United States				1. Traffic rights granted at Vienna on the following route: The United States via intermediate points to Austria and beyond.
Belgium	4/5/46	Bermuda ☒	Yes	1. Belgium to New York by a direct route via the British Isles and other intermediate points.
United States				1. The United States to Brussels by a direct route via the British Isles and other intermediate points, and thence via intermediate points to India and beyond. 2. The United States via the Azores and Dakar (and via South America) and intermediate points to Leopoldville and beyond via intermediate points to the Union of South Africa. (NOTE: The legal status of this route has not been determined as of this date, pending reply to a United States Government request to Congolese Government requesting them to confirm for interim period rights of U.S. air carriers under the Belgium Agreement.)
Bolivia (x)	9/29/48 (x)	Bermuda	Yes	1. Not defined.
United States				(z) 1. The United States of America and/or an airport serving the Canal Zone (provided that if such airport be located not in the Canal Zone, but in Panamanian territory outside the Canal Zone, the consent of the Republic of Panama be obtained), to La Paz, Oruro, Cochabamba, Sucre, Santa Cruz, Robore, and Puerto Suarez, and beyond Bolivia.

1/ Wherever this symbol appears throughout this list it indicates that the agreements so marked contain a provision similar to Section IV(b) of the Annex to the US-UK Agreement, permitting either contracting party to add points not in the territory of the other party to routes described in the agreement by simple notification to the other party.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Yes (z)	Routes
Brazil (n)	8/6/46; amended 12/30/50, and 12/1/58	Bermuda 1/			1. From the United States of Brazil, via intermediate points in South America and Middle America to <u>Los Angeles</u> and <u>Honolulu</u> and beyond to Japan and beyond. 2. From the United States of Brazil, via intermediate points in South America and the Caribbean, including <u>Puerto Rico</u>, to <u>Miami</u> and <u>Chicago</u> and beyond to Canada. 3. From the United States of Brazil, via intermediate points in South America and the Caribbean, including <u>Puerto Rico</u>, to <u>Washington</u> and <u>New York</u> and beyond to Canada.
United States				(z)	1. From the United States of America, via intermediate points in the Caribbean, Central America, and countries on the West Coast of South America to Sao Paulo and Rio de Janeiro. 2. From the United States of America, via intermediate points in the Caribbean and South America to Belém, Natal and beyond to Africa. 3. From the United States of America, via intermediate points in the Caribbean, Panama, and countries on the North and East Coasts of South America to Belém or Manaus, Brasilia, Rio de Janeiro, Sao Paulo, Porto Alegre and beyond Brazil to Uruguay and Argentina and beyond to Antarctica and beyond. 4. From the United States of America, via intermediate points in Middle America and countries on the North and East Coasts of South America to Belém or Manaus, Brasilia, Rio de Janeiro, Sao Paulo, Porto Alegre and beyond Brazil to Uruguay and Argentina.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Burma (n)	9/28/49	Bermuda 1/	Yes	1. Not defined.
United States				(z) 1. The United States through Europe, North Africa, the Near East, Pakistan and India to Rangoon and Mandalay and beyond.
Canada	6/4/49; amended 12/20/55; (see note) 4/9/59	Bermuda Note: Annex Section X provides that "Additional traffic stops may be made in the territory of the contracting party which designates an airline at the election of that party provided that such stops be between the specified terminals and in reasonable proximity to the direct route connecting them."	Yes	(z) 1. Victoria-Seattle 2. Whitehorse-Fairbanks 3. Western Canada-Sault Ste. Marie, Michigan-Eastern Canada 4. Toronto-Chicago 5. Toronto-Cleveland 6. Toronto-New York 7. Montreal-New York 8. Halifax-Boston 9. Canada-Honolulu-Australasia and beyond 10. Canada-Tampa/St. Petersburg-Bahamas and/or points in the Caribbean and beyond. 11. Prince Rupert-Ketchikan 12. Calgary-Spokane 13. Winnipeg and/or Kenora-International Falls 14. Port William/Port Arthur-International Falls 15. Toronto-Buffalo 16. Halifax-New York Also, any Canadian airline authorized to operate a domestic service to Windsor may stop in Detroit; Canadian airlines serving the Halifax-Boston and Halifax-New York routes may serve both United States points on the same flights.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Canada				
United States				
				(2)
				1. Seattle-Whitehorse
				2. Seattle-Vancouver
				3. Fairbanks-Whitehorse
				4. Great Falls-Edmonton
				5. Fargo-Winnipeg
				6. Washington-Montreal }*
				7. Washington-Ottawa }
				8. New York-Toronto }
				9. New York-Montreal }*
				10. New York-Ottawa }
				11. Either Boston or New York-Quebec
				12. Boston-Montreal
				13. Boston-Moncton
				14. United States-Edmonton-Alaska and beyond
				15. United States-Gander-Europe (including Azores) and beyond
				16. Ketchikan-Prince Rupert
				17. Spokane-Calgary
				18. Great Falls-Calgary
				19. Minot or Williston-Regina 2/
				20. Duluth/Superior-Fort William/Port Arthur
				21. Hancock/Houghton-Fort William/Port Arthur
				22. Buffalo-Toronto

Also, any U.S. airline authorized to operate a domestic service to Detroit may stop in Windsor. United States airlines serving the Great Falls-Edmonton and Great Falls-Calgary routes may serve both Canadian points on the same flights. Similar rights as to other Canadian points marked above with asterisk. In addition, Winnipeg may be served on flights operated from Minneapolis/St. Paul and terminating at Edmonton on route listed above as No. 14

2/ The United States point of origin is to be selected by the United States Government.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Chile (n)	5/10/47	Bermuda ¹ / ₂	Yes	(z) 1. From Chile to Miami and/or New York and beyond the United States of America. (z) 1. From the United States and/or the Canal Zone to Arica, Antofagasta, and to Santiago and beyond Chile (a) from Arica to points in Bolivia and beyond, (b) from Antofagasta to points in Argentina and beyond, and (c) from Santiago to points in Argentina and beyond.
China (n)	12/20/46; extended and amended 12/20/50; amended 4/15/55	Bermuda	Yes	(z) 1. China over a Pacific route via Tokyo, Kurile Islands, the Aleutian Islands and Alaska to San Francisco and beyond. 2. China over a Pacific route via the intermediate points of Manila, Guam, Wake, and Honolulu to San Francisco and beyond. 3. China over an Atlantic route via intermediate points in Indo-China, Burma, India, the Near East, Africa and Europe to New York and beyond. 4. China to Okinawa and beyond.
United States				(z) 1. The United States over a Pacific route to Tientsin and Shanghai and thence to the Philippine Islands and beyond, as well as beyond Shanghai via Route No. 3 described below. 2. The United States over a Pacific route to Shanghai and Canton and beyond. (Hong Kong may be substituted for Canton provided that no shuttle service may be operated between Hong Kong and any named Chinese point.)

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
China United States (continued)				(2) 3. The United States over an Atlantic route via intermediate points in Europe, Africa, the Near East, India, Burma, and Indo-China to Canton and Shanghai and beyond. (Hong Kong may be substituted for Canton provided that no shuttle service may be operated between Hong Kong and any named Chinese point.) 4. (Amendment) The exercise by U.S. airlines of traffic rights at Taipei, Taiven, shall continue indefinitely unless otherwise agreed to by the two Governments.
Colombia (n) (p)	10/24/56	Bermude	Yes	(2) 1. From Colombian territory to New York and beyond to points in the Western Hemisphere. 2. From Colombian territory to <u>Miami</u> and <u>New York</u>. 3. From Colombian territory to <u>San Juan</u>, <u>Puerto Rico</u>, and beyond to Europe. 4. From Colombian territory to <u>New Orleans</u>.
United States				(2) 1. From United States territory to Barranquilla, Bogota, Leticia and beyond to points in the Western Hemisphere. 2. From United States territory to Cali and beyond to points in the Western Hemisphere. 3. From United States territory to Medellin.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Cuba	5/26/53; amended 7/30/57	Bermuda <u>1</u> /	Yes	(z) 1. Havana-Miami; 2. Varadero-Miami; 3. Havana-New York; 4. Havana-Key West; 5. Havine-West Palm Beach/Ft. Lauderdale; 6. Havana-St. Petersburg.
United States				(z) 1. Miami-Camaguey and beyond; 2. Miami-Havana and beyond; 3. New York and/or Washington-Havana and beyond; 4. Tampa/St. Petersburg-Havana and beyond; 5. Houston and/or New Orleans-Havana and beyond; 6. West Palm Beach/Ft. Lauderdale-Havana.
Czechoslovakia	1/3/46	Chicago	No	1. Prague-Brussels-London-Foynes-Newfoundland-New York.
United States				1. (United States) - Newfoundland-Foynes-London-Brussels-Prague-Vienne-Budapest-Bucharest-Istanbul-Ankara-Beirut-Baghdad-Karachi-Celcutta.
Denmark	12/16/44; amended 3/21/46 8/6/54 and 7/8/58	Bermuda	Yes	1. Denmark via intermediate points to (a) New York and (b) Chicago. 2. Denmark (via Greenland) to Los Angeles. 3. Denmark to Anchorage.
United States				1. From the United States via intermediate points to Copenhagen and points beyond.
Dominican Republic (n)	7/19/49	Bermuda <u>1</u> /	Yes	(z) 1. The Dominican Republic to Miami. 2. The Dominican Republic to San Juan, Puerto Rico.
United States				(z) 1. Traffic rights granted at Ciudad Trujillo over various routes from the U.S. to the Dominican Republic and beyond to Caribbean and South American points.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Ecuador (n)	1/8/47; amended 1/10/51	Bermuda	Yes	(1) 1. Republic of Ecuador to Miami, Florida.
United States				(2) 1. The United States and/or the Canal Zone to Quito, Riobamba, Esmeraldas, Mante, Salinas, Quayquil, Cuenca and Loja, and beyond Ecuador: a. From Quito to Ipiiales, Colombia, b. To points in Peru and beyond. 2. The United States to Quito and Quayquil and thence to Peru and beyond.
Egypt	6/15/46; amended 7/31/57	Bermuda	No	1. Not defined.
United States				1. United States to Egypt (Cairo) and thence to Palestine (Lydda), Iraq (Basra), Saudi Arabia (Dhahran), and beyond via: a. Ireland, France, Switzerland, Italy and Greece. b. Portugal, Spain, Italy, Greece. c. Portugal, Spain, and North African points. d. Ireland, the United Kingdom, Germany, and intermediate points.
Finland	3/29/49	Bermuda ^{1/}	Yes	(2) 1. Finland over a North Atlantic route to New York.
United States				(2) 1. The U.S. over a North Atlantic route to Helsinki.

Country	Date of Agreement and of Amendments	Type of Agreement	Monstop Clause	Routes
France	3/27/46; amended 7/11/50 3/19/51 8/27/59	Bermuda <u>1</u> /	Yes	1. France via intermediate points over the North Atlantic to <u>Boston</u>, <u>New York</u>, <u>Baltimore</u> and <u>Washington</u>. 2. France via intermediate points over the North Atlantic and <u>Montreal</u> to <u>Chicago</u>. 3. France via intermediate points over the North Atlantic to <u>New York</u> and <u>Houston</u> and beyond to <u>Mexico</u>. 4. France to <u>Los Angeles</u> or <u>San Francisco</u>. (Selection of the terminal point in the United States to be determined by France at a later date.) 5. France via <u>Hamburg</u> to <u>Anchorage</u>. 6. <u>Martinique</u> and <u>Guadeloupe</u> via intermediate points to <u>Puerto Rico</u> and beyond via the <u>Dominican Republic</u> and <u>Haiti</u>, to <u>Miami</u>. 7. <u>Martinique</u> and <u>Guadeloupe</u> to <u>New York</u>. 8. <u>New Caledonia</u>, <u>Tahiti</u> and <u>Bora Bora</u> to <u>Honolulu</u> and the terminal point on the <u>West Coast</u> selected by France as the United States terminal of Route 4.
United States				1. United States via intermediate points over the North Atlantic to <u>Paris</u> and beyond via intermediate points in <u>Switzerland</u>, <u>Italy</u>, <u>Greece</u>, <u>Egypt</u>, the <u>Near East</u>, <u>Pakistan</u>, <u>India</u>, <u>Ceylon</u>, <u>Burma</u>, <u>Thailand</u>, <u>Hanoi</u> and beyond to <u>China</u> and beyond. 2. United States via intermediate points over the North Atlantic and <u>Spain</u> to <u>Marseilles</u> and <u>Nice</u> and beyond via <u>Rome</u>, <u>Budapest</u>, and points south of the parallel of <u>Budapest</u> to <u>Turkey</u> and beyond via intermediate points to <u>Pakistan</u>, <u>India</u>, <u>Ceylon</u>, <u>Burma</u>, <u>Thailand</u>, <u>Hanoi</u>, <u>Singapore</u>, <u>Diakarta</u>, <u>China</u>, <u>Macao</u>, <u>Hong Kong</u>, <u>Manila</u> and beyond.

Note. The Route Schedules contain the following statement: Note: For the purposes of the present Schedule, the term "North Atlantic" shall mean that part of the North Atlantic Ocean north of a line from Key West, Florida, to Bermuda, the Azores and Lisbon, including these points.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
France				
United States (continued)				
				3. United States via intermediate points over the North Atlantic, and Spain to Algiers, and beyond via intermediate points to Egypt, and beyond via Route 1.
				4. United States via intermediate points to Dakar, Pointe Noire, Brazzaville, and beyond via intermediate points to the Union of South Africa.
				5. United States via intermediate points to Gadeloupe, Martinique, and beyond via intermediate points to French-Guiana, and beyond in South America.
				6. United States via intermediate points to Tahiti, Bora Bora and New Caledonia and thence via intermediate points whether between Tahiti and New Caledonia or beyond New Caledonia on one or more routes to Australasia (including Australia and New Zealand).
Germany	7/7/55	Bermuda	Yes	(2) 1. From the Federal Republic of Germany via intermediate points to Boston, New York and Philadelphia and beyond to points in the Caribbean Sea and beyond to South America. 2. From the Federal Republic of Germany via intermediate points to Chicago. 3. From the Federal Republic of Germany via intermediate points to San Francisco or Los Angeles.* ** Selection of the terminal point in the United States of America to be determined by the Federal Republic of Germany at a later date.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Germany United States (continued)				(2)
				1. From the United States of America via intermediate points to Hamburg and beyond to points in Europe north and east of the Federal Republic of Germany.
				2. From the United States of America via intermediate points to Dusseldorf-Cologne/Bonn, Frankfurt, Stuttgart and Munich and beyond to points in Europe east and southeast of the Federal Republic of Germany and beyond.
				3. From the United States of America via intermediate points to Frankfurt and beyond to points in Europe south and southeast of the Federal Republic of Germany and beyond to North Africa, the Near East and beyond.
Greece	3/27/45	Bermuda	No	1. Not defined.
United States				1. The United States, via intermediate points, to Athens and points beyond.
Iceland	1/27/45	Chicago	No	1. Iceland to New York to Chicago, via intermediate points.
United States				1. Traffic rights granted at Keflavik or other suitable airport on the following route: The United States to Iceland and points beyond, via intermediate points.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
India	2/3/56	Bermuda 1/	Yes	(z) 1. From India via points in Asia, Africa, Europe, U.K., Ireland, Canada to New York; and beyond to points on Route 2 or to such points as may be mutually agreed upon at a later date. 2. From India via points in Asia, the Philippines, Japan, Canada to San Francisco or Los Angeles and beyond, to points on Route 1 or to such points as may be mutually agreed upon at a later date.
United States				(z) 1. From the United States via points in Canada, Ireland, U.K., Europe and Asia to Delhi/Calcutta and beyond to points in Burma, Thailand, and beyond to the United States over the various routes. 2. From the United States via points in Canada, Ireland, U.K., Europe, Africa and Asia to Bombay/Calcutta and beyond to points in Ceylon, Burma, Thailand and beyond to the United States over the various routes.
Iran	1/16/57	Bermuda 1/	Yes	(z) 1. Not defined.
United States				(z) 1. From the United States of America to Tehran and/or Abadan and points beyond, via intermediate points.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Ireland	2/3/45; amended 6/3/47; 3/4/58	Chicago	No	1. Ireland via intermediate points to New York (via Boston) and Chicago, provided that Chicago shall not be served on any flight serving New York and/or Boston.
United States				1. Traffic rights granted at Shannon airport (Foynes and Rineanna) on the following route: The United States to Ireland and countries beyond, via intermediate points.
Israel	6/13/50	Bermuda <u>1/</u>	Yes	(2) 1. Traffic rights granted at New York on the following route: Israel via Greece, Italy, Switzerland, France, (Turkey, Luxembourg, Belgium, The Netherlands) <u>3/</u> , the United Kingdom, and Eire to the United States.
United States				(2) 1. Traffic rights granted at Lydda on the following route: The United States of America via Eire, France, Switzerland, Italy, and Germany <u>3/</u> ; Spain, Portugal, Greece and/or North Africa to Israel and beyond.
Italy (n)	2/6/48; amended 3/21/50; 3/24/50; and 8/4/60.	Bermuda <u>1/</u>	Yes	1. Italy via intermediate points* to Boston and New York, and beyond. 2. Italy via intermediate points* to Chicago.
United States				1. The United States of America to Milan, Turin, Rome, Naples and beyond.
* "Intermediate points" shall be interpreted as points in third countries.				NOTE: Beyond rights shall be exercised by an Italian airline only on services through New York to points in other countries to be determined later.
3/ Added pursuant to Section IV of the U.S.-Israel Agreement.				

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Japan	8/11/52; amended 9/15/53; amended 1/14/59	Bermuda <u>1/</u>	Yes	(z) 1. From Japan, via intermediate points in the Central Pacific, to Honolulu and beyond: a) to Los Angeles and beyond to points in South America. b) to San Francisco and beyond to points other than in South America. 2. From Japan via intermediate points in the North Pacific and Canada to Seattle. 3. From Japan to <u>Okinawa</u> and beyond.
United States				(z) 1. From the United States, including Alaska, via intermediate points in Canada, Alaska, and the Kurile Islands, to Tokyo and beyond. 2. From the United States, including its territorial possessions, via intermediate points in the Central Pacific, to Tokyo and beyond. 3. From Okinawa to Tokyo.
Korea. (n)	4/24/57	Bermuda	Yes	(z) 1. From points in the Republic of Korea to Alaska and <u>Seattle</u> .
United States				(z) 1. From points in the United States of America to Seoul and beyond.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes	
Lebanon (n)	8/11/46	Bermuda	No	1. Not defined.	
United States					
				1. Traffic rights granted at Beirut on the following route: The United States of America through Europe and Turkey to Lebanon and beyond to India, via intermediate points.	
Mexico (p)	8/19/60 (effective 8/15/60)	Bermuda	Yes*	(2) A. Mexico City-Washington, New York and beyond New York to Europe. B. Mexico City-Dallas, Fort Worth, Chicago via intermediate points in Mexico. C. Mexico City-Los Angeles via intermediate points in Mexico. D. Mazatlan, Torreon, Monterrey-San Antonio via intermediate points in Mexico. E. Mexico City-Miami and beyond. F. La Paz, Baja California-Los Angeles via intermediate points in Mexico. G. Mexico City, Monterrey-San Antonio. H. Hermosillo-Tucson via intermediate points in Mexico. I. (Pending)	
United States					
				(2) A. New York, Washington-Mexico City. B. Chicago, Dallas, Fort Worth-Mexico City via intermediate points in the United States. C. Los Angeles-Mexico City via intermediate points in the United States. D. New Orleans-Mexico City. E. New Orleans-Merida and beyond to Guatemala and beyond. F. Miami-Merida and beyond to Guatemala and beyond. G. Houston-Mexico City and beyond to Guatemala and beyond via intermediate points in the United States. H. San Antonio-Mexico City. I. Miami, Tampa/St. Petersburg-Merida and Cozumel and beyond (cargo and mail only). J. Miami, Tampa-Merida, Mexico City.	

* Except on U.S. Route J on which an intermediate stop must be made at Merida.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Netherlands	4/3/57	Bermuda	Yes	(Z) 1. The Netherlands via intermediate points in the U.K., Ireland, Newfoundland and the Azores to New York. 2. The Netherlands via intermediate points in the U.K., Ireland, Iceland, Greenland, Newfoundland, Azores and Montreal to Houston. 3. The Netherlands Antilles via the intermediate points Ciudad Trujillo, Port au Prince, Kingston, Montego Bay, Camaguey, Havana, to <u>Miami</u>. 4. The Netherlands Antilles to <u>New York</u>.
United States				(Z) 1. From the United States via intermediate points to Amsterdam and beyond. 2. From the United States and/or an airport serving the Canal Zone via intermediate points to Aruba, Curacao, St. Maartens, and Paramaribo and beyond.
New Zealand	12/3/46	Bermuda	No	1. New Zealand via the Fiji Islands, Canton Island, <u>Honolulu</u>, to <u>San Francisco</u> and (optional) beyond to Vancouver.
United States				1. The United States via Honolulu, Canton Island, the Fiji Islands, New Caledonia (optional), to Auckland. (This service shall terminate at Auckland.)

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Norway	10/6/45; amended 8/8/54; amended 7/8/58	Bermuda	Yes	1. From Norway via intermediate points to (a) <u>New York</u> and (b) <u>Chicago</u>. 2. From Norway (via <u>Greenland</u>) to <u>Los Angeles</u>. 3. From Norway to <u>Anchorage</u>.
United States				1. From the <u>United States</u> via intermediate points to <u>Oslo</u> or <u>Stavanger</u> and points beyond.
Pakistan	8/15/49	Bermuda ☒	Yes	1. Not defined.
United States	Pakistan accepted U.S.-India Agreement (signed 11/14/46) upon partition from India effective 8/15/47.			1. The <u>United States</u> through <u>Central Europe</u> and the <u>Near East</u> to <u>Karachi</u>, thence to a point in <u>Burma</u>, a point in <u>Siam</u>, a point in <u>Indo-China</u> and beyond to the <u>United States</u> over various routes, via intermediate points.
Panama (n)	3/31/49; amended 6/3/52	Bermuda ☒	Yes	1. From the <u>Republic of Panama</u> to <u>Miami, Florida</u>, via intermediate points in the <u>Caribbean</u>.
United States				(z) 1. The <u>United States of America</u>, via points in the <u>United Mexican States</u>, and/or <u>Central America</u>, to <u>David</u> and to <u>Panama City</u> and to points beyond in other countries. 2. The <u>United States of America</u> via points in the <u>Caribbean</u> and/or <u>South America</u> to <u>Panama City</u> and to points beyond in other countries. 3. The <u>United States of America</u>, via points in the <u>Caribbean</u> to <u>Panama City</u> and to points beyond in other countries. 4. <u>Panama City</u> and the <u>Canal Zone</u> (each being served through <u>Tecun National Airport</u>) to points in the <u>Western Hemisphere</u>.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Paraguay	2/28/47	Bermuda	Yes	1. Not defined.
United States				(2) 1. The United States (via Peru and/or Bolivia) to Asuncion and beyond. 2. The United States (via Brazil) to Asuncion and beyond.
Peru (n)	12/27/46; amended 5/28/58	Bermuda	Yes	(2) 1. From Peru via Panama and Havana, Cuba, to Miami and Washington, D. C.; and beyond to Montreal, Canada.
United States				(2) 1. The United States and/or the Canal Zone to Talara, Chiclayo, Lima and Arequipa, and beyond Peru to points in Chile and Bolivia or beyond.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Portugal (n)	12/6/45; amended 6/28/47 and 11/11/52	Bermuda	No	(z) 1. Lisbon via the Azores (a) to Bermuda, New York City and Boston, or (b) to Gender, Boston and New York City. 2. Lisbon via the Azores and Bermuda to Miami and beyond.
United States				(z) 1. The United States to the Azores and thence (a) to London and beyond, on a route without stops in the Iberian Peninsula, and (b) to Lisbon and thence (a) to London and (b) to Barcelona and points beyond. 2. The United States to the Azores and Lisbon and thence to Madrid and points beyond. 3. The United States to the Azores and points beyond to the Union of South Africa. 4. The United States via intermediate points in the Pacific to Macao thence to Hong Kong (and/or Canton).
Spain	12/2/44; amended 1/15/46, 3/12/46, 7/4/50, and 7/21/54	Chicago	Yes	1. A route from Spain to New York via Lisbon and the Azores. 2. A route from Spain to San Juan, Puerto Rico, via Lisbon, the Azores and Bermuda, and Caracas in both directions and from San Juan to points beyond in the Caribbean area and the West Coast of South America.
United States				1. United States through Lisbon to Barcelona, proceeding therefrom to Marseilles and possibly points beyond. 2. United States through Lisbon to Madrid proceeding therefrom (a) to Rome and points beyond and (b) to Algiers and points beyond.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Sweden	12/16/44; amended 12/14/45 and 8/6/54; amended 7/8/58	Bermuda	Yes	1. From Sweden via intermediate points to (a) New York and (b) Chicago. 2. From Sweden (via Greenland) to Los Angeles 3. From Sweden to Anchorage
United States				1. United States via intermediate points to Stockholm and points beyond.
Switzerland	8/3/45; amended 5/13/49	Bermuda	Yes	(z) 1. Switzerland, over a North Atlantic route via Ireland or the Azores and Newfoundland to New York and Chicago. (z)
United States				1. The United States, over a North Atlantic route to Geneva and Zurich and beyond.
Syria (n)	4/28/47; amended 5/5/57	Bermuda	Yes	1. Not defined.
United States				1. Traffic rights granted at Damascus on the following route: The United States of America through Europe and Turkey to Syria and beyond to India, via intermediate points
Thailand (Siem)	2/26/47	Bermuda	No	(z) 1. Traffic rights granted at Los Angeles and Honolulu on the following route: Siem to Los Angeles over a reasonably direct route.
United States				(z) 1. The United States over a Pacific route to Bangkok and beyond.

Country	Date of Agreement and of Amendments	Type of Agreement	Nonstop Clause	Routes
Turkey	2/12/46	Chicago	No	1. Not defined.
United States				1. From the United States, via intermediate points to the continent of Europe and to Istanbul and Ankara, and thence to points beyond.
Union of South Africa	5/23/47 amended 11/2/53	Bermuda	☒ Yes	1. Traffic rights granted at New York on a route or routes to be determined later.
United States				1. United States via the North Atlantic and Africa to Johannesburg. 2. United States via the Caribbean, South America, the South Atlantic and Africa to Johannesburg.
United Kingdom (see page 23 et seq.)				
Uruguay (n) (p)	12/14/46	Bermuda	Yes	1. Not defined.
United States				(z) 1. The United States via the east coast of South America to Montevideo and beyond. 2. The United States and/or the Panama Canal Zone and the West Coast of South America to Montevideo.
Venezuela	8/14/53; amended 12/30/54	Bermuda	☒ Yes	(z) 1. From Venezuela, except Maracaibo, via Netherlands West Indies and the Dominican Republic to New York and beyond to Canada and beyond. 2. From Venezuela, via the Netherlands West Indies, Jamaica and Cuba to Miami. 3. Venezuela, via Jamaica, to New Orleans.

<u>Country</u>	<u>Date of Agreement and of Amendments</u>	<u>Type of Agreement</u>	<u>Nonstop Clause</u>	<u>Routes</u>
Venezuela (cont.) United States				(Z) 1. From the Eastern Zone of the United States, via Puerto Rico and the Netherlands West Indies, to Caracas and beyond to Brazil and beyond. 2. From the Eastern Zone of the United States except New York, via Cuba, Haiti, the Dominican Republic and the Netherlands West Indies, to Caracas. 3. From the Eastern Zone of the United States except New York, via Cuba, Jamaica and Colombia, to Maracaibo. 4. From the Central Zone of the United States, via Cuba, Jamaica, and the Netherlands West Indies, to Caracas. 5. From the Canal Zone (served through Tocumen Airport in the Republic of Panama) via Colombia, to Maracaibo and Caracas, and beyond to Trinidad and beyond.
United Kingdom	2/11/46; amended 1/27/47; 1/14/48; 8/16/55; 10/30/46; 12/28/56	Bermuda <u>1</u>	Yes	
ROUTES (Points marked with * added by notification under Section IV(b) of the Annex to the Agreement.)				
Point of Departure (One of more of the following)	Intermediate Points (If desired, one or more more of the following)	Destination in U.S. Territory (If desired, one or more of the following)	Points Beyond (If desired, one or more of following)	
1. London		New York	San Francisco and the points on Route 7.	

United Kingdom (continued) ROUTES

Point of Departure	Intermediate Points	Destination in U.S. Territory	Points Beyond
2. London Prestwick Manchester *	Shannon Iceland Azores Bermuda Gander Montreal	<u>New York</u> <u>Chicago</u> <u>Detroit</u> <u>Philadelphia</u> <u>Washington</u> <u>Baltimore</u> <u>Boston</u>	
3. ^{4/} London Prestwick Manchester *	Shannon Iceland Azores Bermuda Gander Montreal	<u>New York</u>	(a) <u>New Orleans</u> <u>Mexico City</u> (b) <u>Bahamas *</u> Cuba Jamaica Panama A point in Colombia A point in Ecuador Lima Santiago
4. Bermuda Barbados		<u>Baltimore</u> <u>Washington</u> <u>New York</u>	Montreal
5. ^{4/} Trinidad British Guiana Jamaica British Honduras Cayman Isles *	Tobago Barbados Grenada St. Vincent St. Lucia Antigua St. Kitts St. Thomas	<u>Miami</u>	

4/ (See next page)

United Kingdom (continued)		ROUTES	
Point of Departure	Intermediate Points	Destination in U.S. Territory	Points Beyond
5. (continued) 4/	San Juan Ciudad Trujillo Port au Prince Jamaica Cuba Nassau Bermuda		
6. Points in the Bahamas	Havana	Miami <u>Palm Beach</u> <u>Fort Lauderdale</u> <u>Tempe</u>	
7. Singapore Hong Kong	Manila Tokyo * Guam <u>Wake</u> <u>Midway</u> <u>Honolulu</u>	<u>San Francisco</u>	
8. Fiji Island (to and from designated terminals in Australia and New Zealand) 5/	<u>Canton Island</u> <u>Honolulu</u>	<u>San Francisco</u>	Vancouver
9. Nassau		<u>New York</u>	

4/ Notice will be given by the aeronautical authorities of the United Kingdom to the aeronautical authorities of the United States of the route service patterns according to which services will be inaugurated on these routes, and vice versa as to United States routes.

5/ Granted with respect to services to be operated by British Commonwealth Pacific Airlines.

United Kingdom (continued)

ROUTES

Point of Departure	Intermediate Points	Destination in U.S. Territory	Points Beyond
10. London	Via a Polar Route	<u>San Francisco</u> or <u>Los Angeles</u>	To be agreed between the parties at a later date

United States			
Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
1. <u>Chicago</u> Detroit Washington Philadelphia New York Boston Baltimore	Gander Greenland Iceland Shannon	London Prestwick	Amsterdam Helsinki Copenhagen Stavanger Oslo Stockholm Hamburg * Bremen * Warsaw Berlin Cologne/ Dusseldorf * Frankfurt * Stuttgart * Moscow Munich * Leningrad Points in Baltic countries

2. <u>New York</u> Chicago	Gander Greenland	London Prestwick	Brussels Cologne/ Dusseldorf *

United Kingdom
United States (continued)

ROUTES

Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
2. ^h / _h (continued)			
Philadelphia	Iceland		Frankfurt *
Baltimore	Shannon		Nuremberg *
Washington			Stuttgart *
Boston			Munich
Detroit			Prague
			Vienna
			Budapest
			Belgrade
			Bucharest
			Istanbul
			Ankara
			A point in Iran
			Beirut
			A point in Syria
			A point in Iraq
			A point in
			Afghanistan
			Karachi
			Delhi
			Calcutta
3. ^h / _h			
Chicago	Gander	Lydda	A point in Iraq
Detroit	Shannon	A point in Ceylon	Dhahran
Washington	Greenland		Bombay
New York	Iceland		Calcutta
Boston	Paris	Note. Air rights at Lydda and	A point in Burma
Baltimore	A point in	Ceylon became ineffectual upon	A point in Siam
Philadelphia	Switzerland	establishment of the independent	A point or points
	Rome	State of Israel and acquisition	in Indo-China
	Athens	of dominion status by Ceylon.	A point or points
	Cairo		in China

United Kingdom
United States (continued)

ROUTES

Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
4. Chicago Detroit Washington New York Boston Baltimore Philadelphia	(a) Algiers Tunis Tripoli Benghazi Cairo (b) Madrid Rome Athens Cairo Gander Azores Lisbon	Lydda A point in Ceylon note. Air rights granted at Lydda and Ceylon became in-effective upon establishment of the independent State of Israel and acquisition of dominion status by Ceylon.	From Lydda to points beyond as described in Route 3.
5. New York Chicago Detroit Washington Philadelphia Boston Baltimore	Gander Bermuda Azores	London	(From the Azores) Lisbon Barcelona Marseilles
6. ^h /San Francisco Los Angeles Portland Seattle	Honolulu Midway Wake Guam Manila Tokyo * Okinawa * * * * *	Hong Kong	Macao A point or points in China A point or points in I-do-China A point or points in Siam A point or points in Burma Calcutta

United Kingdom
United States (continued)

ROUTES

Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
7. ⁴ / San Francisco Los Angeles Portland * Seattle *	Honolulu Midway Wake Guam Manila A point or points in Indo-China	Singapore	Batavia
8. New York Washington Baltimore Boston *		Bermuda	
9. Miami Palm Beach Fort Lauderdale Tampa	Havana	Points in the Bahamas	
10. Miami	Points in Cuba	Jamaica	(a) Barranquilla via South American points to Balboa. (b) Barranquilla via South American points to Trinidad
11. New Orleans Houston	Points in Cuba	Jamaica	Curacao * Aruba South American points

ROUTES

Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
12. New York Miami	Camaguey Port au Prince Ciudad Trujillo San Juan Saint Thomas Saint Maartens * Saint Croix * Pointe à Pitre Fort de France Curaçao * Aruba *	Antigua St. Lucia Barbados Trinidad British Guiana	Via South American points to Buenos Aires
13. New York Boston *	(a) Azores Lisbon * Casablanca * Dakar Monrovia (b) San Juan Trinidad British Guiana Belem Natal Monrovia Ascension Island	Accra or Lagos or Kano	Leopoldville Johannesburg

United Kingdom
United States (continued)

ROUTES

Point of Departure	Intermediate Points	Destination in U.K. Territory	Points Beyond
14. San Francisco Los Angeles Portland * Seattle *	Honolulu Canton Island	Fiji	Noumea (optional) (a) A point or points in Australia (b) A point in New Zealand
15. New York		Nassau	
16. San Francisco Los Angeles Seattle	Via a Polar Route	London	To be agreed between the parties at a later date.

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