

N° 321.

BELGIQUE ET SUISSE

Convention provisoire réglant la circulation aérienne entre les deux pays, signée à Bruxelles le 13 juin 1922.

**BELGIUM
AND SWITZERLAND**

Provisional Convention regulating Air Traffic between the two countries, signed at Brussels, June 13, 1922.

¹ TRADUCTION. — TRANSLATION.

No. 321. — PROVISIONAL CONVENTION² REGULATING AIR TRAFFIC BETWEEN SWITZERLAND AND BELGIUM, SIGNED AT BRUSSELS JUNE 13, 1922.

French official text communicated by the Swiss Federal Council. The registration of this Convention took place September 13, 1922.

THE GOVERNMENT OF THE SWISS CONFEDERATION and THE GOVERNMENT OF HIS MAJESTY THE KING OF THE BELGIANS, having seen fit to conclude a convention for the purpose of regulating air navigation between Switzerland and Belgium, the undersigned, duly authorised, have drawn up the following provisions :

Article 1.

The present Agreement shall apply only to private aircraft duly registered as such by the competent authority of one of the Contracting Parties.

Article 2.

All aircraft shall be considered to be private aircraft in the sense of Article 1, except :

- (a) military aircraft,
- (b) aircraft allotted exclusively to a State service, such as mails, customs, police, etc.

Article 3.

Each of the Contracting Parties shall undertake to grant in time of peace free passage over its territory and its territorial waters to the aircraft of the other State, referred to in Article 1 provided that the conditions enumerated in this agreement be carried out.

The establishment of international aerial navigation routes shall be subject to the consent of the State over whose territory such routes are planned.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Brussels, August 1, 1922. The Convention came into force on this date.

Article 4.

The Swiss and Belgian Governments shall each have the right to prohibit, for military reasons or reasons of public safety, flying over certain areas of their territory, under penalties laid down by their legislation and provided that no distinction in this respect be made between private aircraft of the two States. Prohibited zones shall be notified to the State concerned.

Article 5.

Any aircraft navigating over a prohibited zone shall immediately show the danger signal laid down by the aerial navigation regulations of the State concerned and shall land as quickly as possible, at an aerodrome of that State, outside the prohibited zone.

Article 6.

All aircraft shall be provided with a log-book, a navigating permit issued by one of the States or by an association qualified by them, and its registration certificate. They must carry visible distinguishing marks enabling them to be identified while in full flight.

Article 7.

The persons composing the crew must be in possession of all the documents required for aerial navigation in the country to which the aircraft belong. The Contracting Parties shall notify each other of the documents in use in their respective territories.

The persons composing the crew must also possess documents showing their nationality, identity and military standing ; if necessary, they must be provided with passports.

Passengers must be in possession of all documents and passports required by the laws and regulations in force.

Article 8.

No wireless telegraphic apparatus may be carried by aircraft without a special licence issued by the State to which it belongs. Such apparatus must only be worked by members of the crew specially licensed for the purpose.

Article 9.

Aircraft engaged in international navigation between the two States may carry passengers and goods from one country to the other. Internal traffic in each country, however may not be carried on without the special authorization of the country flown over.

They must be provided :

- as regards passengers : with a list of their names ;
- as regards goods : with a certificate of the goods and the crew's supplies carried, as well as detailed declarations made out by the consignees.

All this traffic must be carried on subject to the laws and regulations in force.

The mails (letters and parcels) may be carried if an agreement to this effect exists between the postal administrations of the two countries.

Article 10.

On the departure and on the landing of any aircraft, the authorities of both countries shall have the right, under all circumstances, to visit the aircraft and to verify the papers with which it must be furnished.

Article 11.

For the purpose of landing and in case of danger, the aircraft of both States shall be entitled to the same measures of assistance as the national aircraft of each country.

Article 12.

All aerodromes in one of the two States, which may be open to public use by aircraft of that country on payment of certain dues, shall be open to the aircraft of the other State on the same conditions.

Article 13.

All aircraft entering one of the contracting countries shall cross the frontier between points fixed by the competent authority. The Contracting Parties shall notify each other as to the points thus fixed for crossing the frontier.

Each of the Contracting Parties shall specify one or more aerodromes in its territory, to be used compulsorily by aircraft bound for or arriving from the other country.

Each party shall inform the other of the list of aerodromes thus specified. This list may be altered or increased at any time, provided that fifteen days' notice of such decision be given to the other party.

Article 14.

Aircraft are absolutely forbidden to land before touching at one of the Customs aerodromes specified under Article 13.

In case of forced landing elsewhere than at these aerodromes, the pilot shall at once inform the authorities of the place of landing as well as an officer of the Direct Taxes, Customs or Excise Service, and shall be responsible until the arrival of these authorities for preventing the departure of passengers and crew and the removal of the aircraft or any part thereof, of its accessories, or of anything which it carries.

Article 15.

Aircraft, crews, passengers and air navigation companies shall be subject to all legal obligations arising out of the laws in force in the country in which they may be, except such obligations as relate to registration navigation licenses, pilots' certificates and log-books, which shall be regulated by the laws of the country of origin.

Each of the Contracting Parties may refuse to recognise the pilots' certificates and licences issued to any of its nationals by the other Contracting Party, as valid for navigation within and above its own territory.

Article 16.

No ballast except fine sand or water shall be dropped from any aircraft in plight.

Article 17.

No articles other than ballast shall be discharged or dropped from aircraft in motion. No exception shall be made to this rule unless special authorisation be given.

The special arrangements laid down in Article 9 shall however apply to the air mail service.

Article 18.

The Contracting Parties shall notify each other as to the laws and regulations governing aerial navigation over their territory.

Article 19.

No military aircraft of either of the two States shall navigate above the territory of the other without special authorization from the latter. The provisions of the present agreement shall be applicable in so far as they are not cancelled by such authorization.

Article 20.

The present provisional arrangement may be denounced by either of the Contracting Parties at any time, subject to three months notice.

Furthermore, each, of the Contracting Parties reserves the right to denounce the present arrangement, such denunciation to take effect immediately upon the exchange of ratifications of the Convention relating to International air Navigation¹ signed at Paris on October 13, 1919.

Done in duplicate at Brussels, this thirteenth day of June 1922.

(Signed) FRÉDÉRIC BARBEY,
*Envoy Extraordinary and Minister Plenipotentiary
of the Swiss Federal Council.*

(Signed) HENRI JASPAR,
*Minister for Foreign Affairs
to H. M. the King of the Belgians.*

¹ Vol. XI, page 173 of this Series.