

N° 3468.

GRÈCE ET ROUMANIE

Convention relative à l'exploitation des lignes de communication aérienne régulière. Signée à Bucarest, le 12 juin 1933.

GREECE AND ROUMANIA

Convention regarding the Operation of Regular Air Lines of Communication. Signed at Bucharest, June 12th, 1933.

¹ TRADUCTION. — TRANSLATION.

No. 3468. — CONVENTION² BETWEEN THE HELLENIC REPUBLIC AND THE KINGDOM OF ROUMANIA REGARDING THE OPERATION OF REGULAR AIR LINES OF COMMUNICATION. SIGNED AT BUCHAREST, JUNE 12TH, 1933.

French official text communicated by the Chargé d'Affaires p. i. of the Royal Roumanian Legation accredited to the League of Nations. The registration of this Convention took place August 6th, 1934.

HIS MAJESTY THE KING OF ROUMANIA and THE PRESIDENT OF THE HELLENIC REPUBLIC, being equally desirous of regulating, facilitating and prompting the development of air communications in the two countries on the basis of the Convention³ relating to the Regulation of Aerial Navigation, dated October 13th, 1919, have decided to conclude a Convention for that purpose, and have appointed as their respective Plenipotentiaries :

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency M. N. TITULESCU, Minister for Foreign Affairs ;

THE PRESIDENT OF THE HELLENIC REPUBLIC :

His Excellency M. C. COLLAS, Envoy Extraordinary and Minister Plenipotentiary ;

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions :

Article I.

The Government of the Kingdom of Roumania shall grant the authorisations necessary for the operation over Roumanian territory of the airway :

BUCHAREST-SOFIA-SALONICA, and *vice versa*,

to a Greek air navigation undertaking to be designated by the Hellenic Government.

The Government of the Hellenic Republic shall grant the authorisations necessary for the operation over Greek territory of the airway :

SALONICA-SOFIA-BUCHAREST, and *vice versa*,

to a Roumanian air navigation undertaking to be designated by the Roumanian Government.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Bucharest, July 7th, 1934.

³ Vol. XI, page 173 ; Vol. XXIV, page 174 ; Vol. LIX, page 346 ; Vol. LXIII, page 389 ; Vol. LXXVIII, page 438 ; Vol. CXVII, page 54 ; Vol. CXXXVIII, page 418 ; and Vol. CXLII, page 340, of this Series.

Article II.

The conditions for the operation of the airway mentioned in the previous Article shall be defined in an agreement to be concluded by the competent Air Administrations of the two High Contracting Parties.

The authorisations mentioned above in Article I shall be embodied in special agreements to be concluded by the Air Administration of one High Contracting Party with the air navigation undertaking designated by the Government of the other Contracting Party.

Article III.

New airways passing over the territories of the two High Contracting Parties, other than the airways referred to in Article I of the present Convention, may be established by agreement between the two High Contracting Parties.

All the provisions of the present Convention shall apply to such new airways.

Article IV.

The routes of the airways, the points between which frontiers may be crossed, and the aerodromes at which Customs formalities are to be carried out shall be determined by each High Contracting Party and communicated to the other Contracting Party within forty days from the date of signature of the present Convention, and at least one month before any change is made.

Article V.

The two High Contracting Parties shall take, in their respective territories, the measures necessary to ensure that the concession-holding undertakings have the use of aerodromes, installations and technical services on the route of the airway mentioned in Article I, under the same conditions as national air navigation undertakings.

Article VI.

Should the undertaking of either High Contracting Party be unable to use the technical installations indispensable for the regular operation of the airway in the territory of the other Contracting Party, such undertaking shall be entitled to construct the necessary installations in this territory under conditions to be laid down by the competent Air Administration.

Article VII.

The High Contracting Parties undertake to facilitate the operation of the airways referred to in the present Convention by simplifying and reducing all Customs and police formalities to the minimum required by the laws and regulations in force in their respective countries.

Article VIII.

The aircraft intended for the operation of the airways provided for in Articles I and III, and the engines fitted in such aircraft, spare parts (including spare engines) and the motor fuel and lubricants on board on the entry of the aircraft of an undertaking into the territory of the other Contracting

Party, together with all articles necessary for the equipment or maintenance of aircraft, shall be exempt from Customs duties, on condition that all the articles and material mentioned above are imported for temporary use and are re-exported within one year.

This time-limit for re-export may be extended by the competent authorities on application from the concession-holding undertaking.

The articles above mentioned shall remain under the supervision of the Customs Administration and may be used only for the purpose of operating the airways to which the present Convention refers.

Discarded articles and material on which no Customs duties were levied at the time of import must be either re-exported or cleared through the Customs or destroyed under official supervision.

When such articles and material pass through the Customs, all reductions and facilities allowed by the respective national legislations shall apply.

Passengers, baggage and goods in transit shall be placed under Customs supervision. Such baggage and goods shall be exempt from all Customs duties.

Article IX.

In the event of a forced landing or of any other accident to aircraft of the concession-holding undertakings, the local authorities shall be bound to give such aircraft, subject to reimbursement of the actual expenditure, the same assistance as that extended to national aircraft.

Article X.

The concession-holding undertakings shall be obliged :

(a) To observe the provisions of the Convention relating to the Regulation of Aerial Navigation, dated October 13th, 1919 ;

(b) To comply, in the territory of the other Contracting Party, with all the laws, regulations, orders and rules in force.

Article XI.

The concession-holding undertaking designated by one High Contracting Party shall employ only Roumanian and Greek nationals in its services in the territory of the other Contracting Party.

Non-technical staff of the undertaking designated by one High Contracting Party employed in the territory of the other Contracting Party shall be of the nationality of the latter Contracting Party.

Should there be any doubt as to the specification of this non-technical staff, the matter shall be settled by agreement between the competent air authorities of the High Contracting Parties.

Nationals of third States may only be employed if the undertaking concerned receives the necessary authorisation beforehand from the competent Air Administration of the other Contracting Party.

Article XII.

Every concession-holding undertaking shall be obliged to carry air mail under conditions laid down in an agreement to be concluded between it and the Postal Administration of the other Contracting Party, on the basis of a previous agreement between the Postal Administrations of the two High Contracting Parties.

Article XIII.

Concession-holding undertakings may not transfer their concessions, either wholly or in part, to other undertakings without the consent of the competent air authorities of their own States.

Article XIV.

Each of the High Contracting Parties reserves the right to substitute for the undertaking previously designated another national undertaking, to which the same concession shall be granted by the other Contracting Party.

An undertaking whose concession has been cancelled by its Government may not on that account claim any compensation from the other Contracting Party.

Article XV.

In the case of a breach of the provisions of the present Convention or of the agreements concluded in accordance with Article III by employees of the concession-holding undertakings, either Contracting Party may require the removal of the said employees from its territory.

In the event of repeated or serious breaches of the Convention, either High Contracting Party may cancel the concession of the undertaking at fault, which may not claim any compensation for loss sustained thereby, and may grant the same concession to another undertaking designated by the other High Contracting Party.

Article XVI.

Should one of the High Contracting Parties cease to be a party to the Convention of October 13th, 1919, relating to the Regulation of Aerial Navigation, the present Convention shall continue to be in force, but may be revised at the request of either High Contracting Party.

Article XVII.

Details regarding the application of the present Convention shall be settled by a special agreement to be concluded direct between the competent Air Administrations of the two High Contracting Parties.

The frequency of the service, co-ordination with the time-tables of other lines, and the methods of co-operation between the two undertakings designated by the High Contracting Parties and with any other undertakings which may operate the line mentioned in Article I shall be settled in the same agreement.

The High Contracting Parties agree that their competent air authorities shall come to an understanding and correspond direct with regard to the application of the provisions laid down in the present Convention, without resort to the usual diplomatic channel.

Article XVIII.

Disputes relating to the application of the present Convention which it has not been possible to settle through the diplomatic channel shall, at the request of either of the Contracting Parties, be submitted for decision to an arbitral tribunal.

This tribunal shall be constituted as follows :

If either of the High Contracting Parties communicates to the other a request that an arbitral tribunal shall be set up, each High Contracting Party shall nominate an arbitrator within one month of such communication.

During the next month, the arbitrators shall meet in order jointly to choose an umpire.

Should the arbitrators not be able to agree on the choice of the umpire, the High Contracting Parties shall each designate a third State, and the third State thus designated shall proceed to appoint the umpire, either by common consent or by each proposing a name and choosing between them by lot.

The decisions of the arbitral tribunal shall be binding on the High Contracting Parties.

The costs of arbitration shall be fixed by the tribunal, and each of the High Contracting Parties shall pay half of such costs.

Article XIX.

The present Convention shall be ratified, and the instruments of ratification shall be exchanged at Bucharest as soon as possible.

It shall come into force on the thirtieth day following the exchange of ratifications, and shall remain in force up to December 31st, 1938.

After the expiry of this first period, the Convention shall be renewed by tacit agreement for periods of five years, unless notice of denunciation is given by either High Contracting Party to the other at least two years before the expiry of the current period.

The present Convention may be revised from January 31st, 1936, at the request of either High Contracting Party, but the agreements between the competent authorities of the two High Contracting Parties may be revised by common consent every two years.

Done at Bucharest, in duplicate, June 12th, one thousand nine hundred and thirty-three.

In faith whereof the Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

(ss) Constantin COLLAS.

(ss) N. TITULESCU.