

No. 29994

**FRANCE
and
SPAIN**

**Agreement concerning flights over French territory by aircraft serving the Fuenterrabía Airport (with annexes).
Signed at Madrid on 18 March 1992**

Authentic texts: French and Spanish.

Registered by France on 28 April 1993.

**FRANCE
et
ESPAGNE**

Accord concernant le survol du territoire français par les appareils desservant l'aéroport de Fontarabie (avec annexes). Signé à Madrid le 18 mars 1992

Textes authentiques : français et espagnol.

Enregistré par la France le 28 avril 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH
REPUBLIC AND THE GOVERNMENT OF THE KINGDOM OF
SPAIN CONCERNING FLIGHTS OVER FRENCH TERRITORY
BY AIRCRAFT SERVING THE FUENTERRABÍA AIRPORT

Considering international and French national rules, the French and Spanish Governments, desiring to ensure that flights over French territory by commercial aircraft serving the Fuenterrabía Airport shall not disturb the residents of the vicinity as regards noise exposure, real estate development potential or safety, have agreed to implement the following provisions:

Article 1

The French Government undertakes to draw up a noise exposure plan which would define, in accordance with French regulations, the rights and conditions of land use compatible with the noise pollution generated by the reference traffic defined in annex I to this Agreement.

Article 2

Changes in the service provided to the Fuenterrabía Airport (increased number of flights, introduction of new types of aircraft, night flights, etc.) which might require an amendment to the provisions of annex I may not be implemented without the consent of the French Government, in accordance with existing national and international regulations.

Article 3

The French Government shall not authorize flights over French territory over the municipalities of Hendaye and Béhobie to or from the Fuenterrabía Airport by new types of aircraft which might not be covered by chapter 3 of annex 16, volume 1, of the ICAO.

Article 4

The French Government shall prohibit all flights over French territory over the municipalities of Hendaye and Béhobie to or from the Fuenterrabía Airport between 10 p.m. and 7.30 a.m. (local French time).

Article 5

The Spanish Government undertakes to give the following instructions to all types of aircraft using the airport:

(a) Visual manoeuvres following instrument approaches shall, as far as possible, not involve flying over French territory at an altitude of less than 300 metres. Except in cases of urgent necessity, visual flight rules (VFR) flights shall circle the airport on the Spanish side.

¹ Came into force on 15 October 1992, the date on which the Parties notified each other (on 2 and 15 October 1992) of the completion of the domestic constitutional requirements, in accordance with article 10.