

No. 30625

FRANCE
and
UNITED ARAB EMIRATES

**Agreement relating to air services between and beyond their
respective territories (with annexes). Signed at Paris on
9 September 1991**

Authentic texts: French and Arabic.

Registered by France on 11 January 1994.

FRANCE
et
ÉMIRATS ARABES UNIS

**Accord relatif aux services aériens entre leurs territoires res-
pectifs et au-delà de ceux-ci (avec annexes). Signé à Paris
le 9 septembre 1991**

Textes authentiques : français et arabe.

Enregistré par la France le 11 janvier 1994.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE UNITED ARAB EMIRATES RELATING TO AIR SERVICES BETWEEN AND BEYOND THEIR RESPECTIVE TERRITORIES

The Government of the French Republic and the Government of the United Arab Emirates,

Being parties to the Convention on International Civil Aviation, signed at Chicago on 7 December 1944,²

Desiring to conclude a supplementary agreement to that Convention for the purpose of establishing air services between and beyond their respective territories,

Have agreed as follows:

Article 1

DEFINITIONS

For the purposes of this Agreement, except where otherwise stated:

1. The term “the Convention” means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944, and includes any annex adopted under article 90 of that Convention and any amendment to the annexes to the Convention adopted under articles 90 and 94 thereof, provided that these annexes and amendments have been adopted or ratified by the two Contracting Parties.

2. The term “aeronautical authorities” means, in the case of France, the Direction Générale de l’Aviation civile or any person or body authorized to perform any of the functions currently performed by it or similar functions related to this Agreement, and, in the case of the United Arab Emirates, the Minister for Communications or any person or body authorized to perform any of the functions currently performed by him in the area of civil aviation.

3. The term “designated airline” means one or more airlines which have been designated and authorized in accordance with article 4 of this Agreement.

4. The term “territory” in relation to a State has the meaning assigned to it by article 2 of the Convention.

5. The terms “air service”, “international air service”, “airline” and “stop for non-traffic purposes” have the meanings respectively assigned to them by article 96 of the Convention.

¹ Came into force on 29 June 1992, the date on which the Contracting Parties notified each other of the completion of the required constitutional procedures, in accordance with article 23.

² United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

6. The term “tariffs” means the prices paid for the carriage of passengers and cargo and the conditions under which those prices apply, including the prices, commissions and conditions for agency services and other ancillary services, but excluding remuneration and conditions for the carriage of mail.

Article 2

APPLICABILITY OF THE CHICAGO CONVENTION

The provisions of this Agreement shall be governed by the provisions of the Convention insofar as those provisions are applicable to international air services.

Article 3

GRANT OF RIGHTS

1. Each Contracting Party grants the other Contracting Party the following rights in respect of its scheduled international air services:

- (a) The right to fly over its territory without landing;
- (b) The right to make stops in its territory for non-traffic purposes.

2. Each Contracting Party grants the other Contracting Party the rights specified in this Agreement for the purpose of establishing scheduled international air services on the routes specified in the appropriate section of the schedule of routes annexed to this Agreement. Such services and routes are hereinafter called “the agreed services” and “the specified routes”. In operating an agreed service on a specified route, the airline designated by each Contracting Party shall enjoy, in addition to the rights specified in paragraph 1 of this article, the right to make stops in the territory of the other Contracting Party at the points specified for that route in the schedule annexed to this Agreement, for the purpose of taking up and putting down passengers and cargo, including mail, together or separately.

3. Nothing in paragraph 2 of this article shall be deemed to confer on the airline or airlines of one Contracting Party the privilege of taking up, in the territory of the other Contracting Party, passengers, cargo or mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party.

4. For the application of paragraph 2 of this article, each Contracting Party shall have the right to specify the routes to be followed over its territory by the airlines of the other Contracting Party and the airports which may be used.

Article 4

DESIGNATION OF AIRLINES

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or more airlines to operate the agreed services on the specified routes.

2. Upon receipt of such designation, the other Contracting Party shall, subject to the provisions of paragraphs 3 and 4 of this article, grant the appropriate operating permit without delay to the airline or airlines thus designated.

3. The aeronautical authorities of one Contracting Party may require an airline designated by the other Contracting Party to satisfy them that it can fulfil the conditions prescribed under the laws and regulations normally and reasonably applied by them, in conformity with the provisions of the Convention, to the operation of international commercial air services.

4. Each Contracting Party shall have the right to withhold the operating permit provided for in paragraph 2 of this article or to impose such conditions as it may deem necessary on the exercise by a designated airline of the rights provided for in article 3 of this Agreement, in any case where it is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in nationals of that Party.

5. Once an airline has been designated and authorized, it may operate the agreed services for which it has been designated, in accordance with the provisions of articles 9, 10 and 12 of this Agreement.

Article 5

REVOCATION, SUSPENSION OR LIMITATION OF OPERATING PERMITS

1. Each Contracting Party shall have the right to revoke an operating permit, limit or suspend the exercise of the rights granted under article 3 of this Agreement by an airline designated by the other Contracting Party or impose such conditions as it may deem necessary on the exercise of those rights, in the following cases:

(a) Wherever it is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in nationals of that Party;

(b) Where the airline fails to comply with the laws or regulations in force in the territory of the Contracting Party granting those rights; or

(c) Where the airline fails to operate in accordance with the conditions laid down in this Agreement.

2. Unless revocation, suspension or imposition of the conditions mentioned in paragraph 1 of this article are immediately necessary to prevent further infringements of laws and regulations, this right shall be exercised only after consultation with the other Contracting Party.

Article 6

EXEMPTION FROM CUSTOMS DUTIES AND OTHER CHARGES

1. Aircraft used in international air services by the designated airline or airlines of either Contracting Party, as well as normal aircraft equipment and any fuel, lubricating oils and stores (including food, beverages and tobacco) on board such aircraft, shall, on entering the territory of the other Contracting Party, be exempt from all customs duties, inspection fees and other similar duties and charges, provided that such equipment and supplies remain on board the aircraft until they are re-exported or are used on the part of the journey made over that territory.

2. The following shall also be exempt from the duties and charges referred to in paragraph 1, with the exception of charges for services rendered:

(a) Aircraft stores taken on board in the territory of one Contracting Party, within the limits fixed by the customs authorities of that Party, for use on board outbound aircraft of the other Contracting Party operating an international air service;

(b) Spare parts imported into the territory of either Contracting Party for the maintenance or repair of aircraft used in international air services by the designated airlines of a Contracting Party;

(c) Fuel and lubricating oils intended for an aircraft of the designated airline or airlines of one Contracting Party operating an international air service over the territory of the other Contracting Party and used on board that aircraft on an incoming, outgoing or through flight, notwithstanding the fact that on all such flights the aircraft may land at intermediate stops in that territory.

The equipment and supplies referred to in paragraphs (a), (b) and (c) above may be placed under the supervision or control of the customs authorities.

3. Normal aircraft equipment, as well as any equipment and supplies on board the aircraft of either Contracting Party, may be unloaded in the territory of the other Contracting Party only with the consent of the customs authorities of that territory. In such cases, they may be placed under the supervision of those authorities until re-exported or otherwise disposed of in accordance with customs regulations.

Article 7

APPLICATION OF NATIONAL LEGISLATION

1. The laws and regulations of a Contracting Party relating to the entry into or departure from its territory by aircraft, of passengers, crew or cargo, such as the regulations governing entry, leave formalities, immigration, passports, customs, currency, health and quarantine, shall apply to such passengers, crew and cargo, either directly or through a third party, upon arrival or departure or while in the territory of that Contracting Party.

2. The laws and regulations of one Contracting Party relating to the entry into or departure from its territory of aircraft used in international air services, or governing the operation and navigation of such aircraft, shall apply during their stay in its territory.

3. In publishing and applying the laws and regulations mentioned above, neither Contracting Party shall discriminate against the technical and commercial operation of the designated airline or airlines of the other Contracting Party.

4. The competent authorities of one Contracting Party shall have the right, without however causing undue delays, to search aircraft of the other Contracting Party, upon landing or take-off, and to examine such certificates and other documents as are provided for under the Convention.

Article 8

RECOGNITION OF CERTIFICATES AND LICENCES

1. Certificates or airworthiness, certificates of competency and licences issued or validated by one Contracting Party shall be recognized as valid by the