

No. 46585

**Latvia
and
Turkmenistan**

Air Services Agreement between the Government of the Republic of Latvia and the Government of Turkmenistan (with annex). Ashgabat, 8 October 2008

Entry into force: *28 May 2009 by notification, in accordance with article 23*

Authentic texts: *English, Latvian and Turkmen*

Registration with the Secretariat of the United Nations: *Latvia, 12 October 2009*

**Lettonie
et
Turkménistan**

Accord relatif aux services aériens entre le Gouvernement de la République de Lettonie et le Gouvernement du Turkménistan (avec annexe). Achgabat, 8 octobre 2008

Entrée en vigueur : *28 mai 2009 par notification, conformément à l'article 23*

Textes authentiques : *anglais, letton et turkmène*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 12 octobre 2009*

[ENGLISH TEXT – TEXTE ANGLAIS]

AIR SERVICES AGREEMENT
between
the Government of the Republic of Latvia
and
the Government of Turkmenistan

The Government of the Republic of Latvia and the Government of Turkmenistan, hereinafter referred to as "the Contracting Parties";

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on 7 December 1944;

Desiring to conclude an Agreement in conformity with and supplementary to the Convention on International Civil Aviation for the purpose of establishing scheduled air services between and beyond their respective territories based on the principle of reciprocity,

Have agreed as follows:

Article 1
Definitions

1. For the purposes of this Agreement, unless the context otherwise requires:

- a) the term "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 of the Annexes and Convention adopted under Articles 90 and 94 thereof so far as those Annexes and amendments have become effective for or have been ratified by both Contracting Parties;
- b) the term "aeronautical authorities" means, in the case of the Republic of Latvia, the Ministry of Transport, and in the case of Turkmenistan, Turkmenhowayollary State Civil Aviation

Department named after Saparmurat Turkmenbashi the Great, or, in both cases, any other person or body authorized to perform any functions at present exercised by the said aeronautical authorities;

- c) the term "designated airline" means an airline which has been designated and authorized in accordance with Article 4 of this Agreement;
- d) the term "territory" in relation to the Contracting Parties has the meaning assigned to it in Article 2 of the Convention;
- e) the terms "air service", "international air service", "airline" and "stop for non-traffic purposes" have the meanings assigned to them in Article 96 of the Convention;
- f) the term "tariff" means the prices to be charged for the carriage of passengers, baggage or cargo (excluding mail), including any significant additional benefits to be furnished or made available in conjunction with such carriage, and the commission to be paid on the sales of tickets for the carriage of persons, or on corresponding transactions for the carriage of cargo. It includes also the conditions that govern the applicability of the price for carriage or the payment of commission;
- g) the term "Annex" means the Annex to this Agreement or as amended in accordance with the provisions of Article 20 of this Agreement. The Annex forms an integral part of this Agreement and all references to this Agreement shall include also references to the Annex except where explicitly agreed otherwise.

2. Titles given to the Articles of this Agreement are for reference purposes only.

Article 2

Grant of traffic rights

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement to conduct the scheduled international air services by the designated airlines of the other Contracting Party as follows:

- a) to fly across its territory without landing;
- b) to make stops in its territory for non-traffic purposes.

2. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of operating international air services on the routes specified in the Annex to this Agreement. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively. While operating an agreed service on a specified route the airline or airlines 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 Annex for the purpose of taking on and/or discharging international traffic of passengers, baggage, cargo and mail, separately or in combination on a commercial basis.

3. Nothing in paragraph 2 of this Article shall be deemed to confer on designated airlines of one Contracting Party the right of taking on board, in the territory of the other Contracting Party, passengers, baggage, cargo and mail carried for remuneration or hire and destined for another point in the territory of that other Contracting Party (cabotage).

4. If because of armed conflict, political disturbances or developments, or special and unusual circumstances, designated airlines of one Contracting Party are unable to operate a service on its normal routing, the other Contracting Party shall use its best efforts to facilitate the continued operation of such service through appropriate temporary rearrangements of routes.

Article 3

Recognition of certificates and licences

1. Certificate of airworthiness, certificates of competency and licences issued or rendered valid by one Contracting Party shall, during the period of their validity, be recognized as valid by the other Contracting Party, provided that the requirements under which such certificates or licences were issued or rendered valid are equal to or above the minimum standards which may be established pursuant to the Convention.

2. Each Contracting Party reserves the right, however, to refuse to recognize as valid, for the purpose of flights over its own territory, certificate of competency and licences granted to or rendered valid for its own nationals by the other Contracting Party or by any other State.

Article 4

Designation of airlines and operating authorization

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party one or several airlines for the purpose of operating the agreed services on the specified routes.

2. Each Contracting Party shall have the right to withdraw or alter such designation by written notification to other Contracting Party.

3. On receipt of such a designation the other Contracting Party shall grant the appropriate authorisations and permissions with minimum procedural delay, provided:

a) in the case of the airlines designated by the Republic of Latvia:

- i) they are established in the territory of the Republic of Latvia under the Treaty establishing the European Community and have valid Operating Licences in accordance with European Community law; and
- ii) effective regulatory control of the airlines is exercised and maintained by the European Community Member State responsible for issuing their Air Operator's Certificate and