

No. 46765

**Mexico
and
India**

Air Services Agreement between the Government of the United Mexican States and the Government of the Republic of India (with annex). Mexico City, 17 April 2008

Entry into force: *29 May 2009 by notification, in accordance with article 21*

Authentic texts: *English, Hindi and Spanish*

Registration with the Secretariat of the United Nations: *Mexico, 26 October 2009*

**Mexique
et
Inde**

Accord relatif aux services aériens entre le Gouvernement des États-Unis du Mexique et le Gouvernement de la République de l'Inde (avec annexe). Mexico, 17 avril 2008

Entrée en vigueur : *29 mai 2009 par notification, conformément à l'article 21*

Textes authentiques : *anglais, hindi et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Mexique, 26 octobre 2009*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AIR SERVICES AGREEMENT BETWEEN THE GOVERNMENT
OF THE UNITED MEXICAN STATES AND THE GOVERNMENT
OF THE REPUBLIC OF INDIA**

The Government of the United Mexican States and the Government of the Republic of India (hereinafter referred to as "the Parties");

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

DESIRING to promote international air services between their respective territories;

DESIRING to promote an international aviation system based on competition among airlines;

DESIRING to ensure the highest degree of safety and security in international air services; and reaffirming their grave concern about acts or threats against the security of aircraft, which jeopardize the safety of persons or property, adversely affect the operation of air services and undermine public confidence in the safety of civil aviation;

Have agreed as follows:

**Article 1
Definitions**

For the purposes of this Agreement, unless otherwise stated, the term:

1. "Aeronautical Authorities" means in the case of the United Mexican States, the Secretariat of Communications and Transports, through the Directorate General of Civil Aviation, and in the case of the Republic of India the Ministry of Civil Aviation through the Director General of Civil Aviation, or in both cases, any other individuals or institutions authorized to assume the functions carried out by the authorities mentioned above;

2. "Agreement" means this Agreement, its Annexes, and any amendments thereto;

3. "Convention" means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944, and includes any amendment that has entered into force under Article 94(a) of the Convention and has been ratified by both Parties, and any Annex or any amendment thereto adopted under Article 90 of the Convention, insofar as such Annexes or amendments are at any given time effective for both Parties;

4. "Designated airline" means an airline designated and authorised in accordance with Article 3 of this Agreement;

5. "Full cost" means the cost of providing airport, air navigation, airport security and other related services plus a reasonable overhead charge for administrative cost;

6. "International air service" means an air service that passes through the airspace over the territory of more than one State;

7. "Tariff" means the price charged for the transportation of passengers, baggage and cargo, as well as the conditions and rules that regulate the

application of the transportation cost depending on the characteristics of the service rendered, under which that amount shall be applied, excluding the remuneration and other conditions relative to the carriage of mail;

8. "Stop for non-traffic purposes", "airline", "air service" and "territory" have the meaning specified in Articles 2 and 96 of the Convention;

9. "User charges" means a charge imposed on airlines for the provision of airport, air navigation or aviation security facilities or services including related services and facilities;

10. "Frequency" means the number of round flights that an airline operates on a specified route in a given period of time; and

11. "Specified routes" means the routes established in the Route Schedule attached to this Agreement.

Article 2

Grant of Rights

1. Each Party grants to the other 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 Annex to this Agreement. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively.

2. Subject to the provisions of this Agreement, the airline(s) designated by each Party shall enjoy the following rights:

- a) to fly without landing across the territory of the other Party;

- b) to make stops in the territory of the other Party for non-traffic purposes; and
- c) while operating an agreed service on the specified route, the airline(s) designated by each Party shall also enjoy the right to embark and disembark, in the territory of the other Party at the point(s) specified for that route in the Schedule to this Agreement, international traffic in passengers and cargo including mail, separately or in combination.

3. The airline(s) of each Party, other than those designated under Article 3 of this Agreement, shall also enjoy the rights specified in sub-paragraphs a) and b) of paragraph 2 of this Article.

4. Nothing in paragraph 2 of this Article shall be deemed to confer on the designated airline(s) of one Party the privilege of taking on board, in the territory of the other Party, passengers and cargo including mail destined for another point in the territory of that other Party.

Article 3

Designation and Authorisation

1. Each Party shall have the right to designate an airline or airlines for the purpose of operating the agreed services on each of the routes specified in the Annex and to withdraw or alter such designations. Such designations shall be made in writing and transmitted to the other Party through diplomatic channels and shall identify whether the airline is authorised to conduct the type of air services specified in the Annex.

2. Upon receipt of such a designation and of applications from the designated airline, in the form and manner prescribed for operating authorisations and technical permissions, the other Party shall grant the appropriate authorisations and permissions with minimum procedural delay, provided: