

No. 47154

**Germany
and
Viet Nam**

Air Transport Agreement between the Government of the Federal Republic of Germany and the Government of the Socialist Republic of Vietnam (with route schedule). Bonn, 26 August 1994

Entry into force: *17 October 1997 by notification, in accordance with article 20*

Authentic texts: *English, German and Vietnamese*

Registration with the Secretariat of the United Nations: *Germany, 23 February 2010*

**Allemagne
et
Viet Nam**

Accord relatif au transport aérien entre le Gouvernement de la République fédérale d'Allemagne et le Gouvernement de la République socialiste du Viet Nam (avec tableau de route). Bonn, 26 août 1994

Entrée en vigueur : *17 octobre 1997 par notification, conformément à l'article 20*

Textes authentiques : *anglais, allemand et vietnamien*

Enregistrement auprès du Secrétariat des Nations Unies : *Allemagne, 23 février 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

Air Transport Agreement
between
the Government of the Federal Republic of Germany
and
the Government of the Socialist Republic of Vietnam

The Government of the Federal Republic of Germany
and
the Government of the Socialist Republic of Vietnam,

Being Parties to the Convention on International Civil
Aviation opened for signature at Chicago on December 7, 1944,
and

Desiring to conclude an agreement for the purpose of
establishing and operating air services between and beyond
their respective territories,

Have agreed as follows:

Article 1

(1) For the purposes of the present Agreement, unless the text
otherwise requires:

(a) The term "aeronautical authorities" means in the case of
the Federal Republic of Germany, the Federal Ministry of
Transport; in the case of the Socialist Republic of
Vietnam, the Civil Aviation Administration of Vietnam
- Ministry of Transport; or in both cases any other person
or agency authorized to perform the functions exercised by
the said authorities;

(b) the term "designated airline" means an airline that one
Contracting Party has designated in writing to the
other Contracting Party in accordance with Article 3 of
the present Agreement as being an airline which is to
operate international air services on the routes specified
in accordance with paragraph (2) of Article 2 of the
present Agreement.

(2) The term "territory" shall be understood in accordance with national and international law.

(3) The terms "air service", "international air service" and "stop for non-traffic purposes" have, for the purpose of the present Agreement, the meaning laid down in Article 96 of the Convention of December 7, 1944, on International Civil Aviation as amended at present or in future.

(4) The term "tariff" means the price to be charged for the international carriage of passengers, baggage or cargo (excluding mail) and comprises:

- (a) any through tariff or amount to be charged for international carriage, marketed and sold as such, including through tariffs constructed using other tariffs or add-ons for carriage over international sectors or domestic sectors forming part of the international sector;
- (b) the commission to be paid on the sales of tickets for the carriage of passengers and their baggage, or on the corresponding transactions for the carriage of cargo; and
- (c) the conditions that govern the applicability of the tariff or the price for carriage, or the payment of commission.

It also includes:

- (d) any significant benefits provided in association with the carriage;
- (e) any tariff for carriage on a domestic sector which is sold as an adjunct to international carriage, which is not available for purely domestic travel and which is not made available on equal terms to all international carriers and users of their services.

Article 2

(1) Each Contracting Party shall grant to the other Contracting Party for the purpose of operating international air services by designated airlines over the routes specified in accordance with paragraph (2) of this Article:

- (a) the right to fly across its territory without landing;
- (b) the right to land in its territory for non-traffic purposes; and
- (c) the right to land in its territory at the points named on the routes specified in accordance with paragraph (2) of this Article in order to take on or discharge passengers, mail and/or cargo on a commercial basis.

(2) The routes over which the designated airlines of the Contracting Parties will be authorized to operate international air services shall be specified in a Route Schedule to be agreed upon in an exchange of notes between the Governments of the Contracting Parties.

(3) Nothing in paragraph (1) of this Article shall be deemed to grant the right for one Contracting Party's airlines to participate in air transportation between points in the territory of the other Contracting Party.

Article 3

(1) The international air services on the routes specified in accordance with paragraph (2) of Article 2 of the present Agreement may be started at any time, provided

- (a) the Contracting Party to whom the rights specified in paragraph (1) of Article 2 of the present Agreement are