

**No. 49930. Republic of Korea and
Czech Republic**

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF THE CZECH AND SLOVAK FEDERAL REPUBLIC FOR AIR SERVICES. SEOUL, 26 OCTOBER 1990 [*United Nations, Treaty Series, vol. 2854, I-49930.*]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF THE CZECH REPUBLIC AMENDING THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF THE CZECH AND SLOVAK FEDERAL REPUBLIC FOR AIR SERVICES (WITH APPENDICES). PRAGUE, 3 DECEMBER 2004 AND 14 FEBRUARY 2005

Entry into force: 14 February 2005 by the exchange of the said notes, in accordance with the provisions of the said notes

Authentic texts: Czech and English

Registration with the Secretariat of the United Nations: Republic of Korea, 6 July 2012

**N° 49930. République de Corée et
République tchèque**

ACCORD ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE CORÉE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRALE TCHÈQUE ET SLOVAQUE RELATIF AUX SERVICES AÉRIENS. SÉOUL, 26 OCTOBRE 1990 [*Nations Unies, Recueil des Traités, vol. 2854, I-49930.*]

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE CORÉE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE TCHÈQUE MODIFIANT L'ACCORD ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE CORÉE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRALE TCHÈQUE ET SLOVAQUE RELATIF AUX SERVICES AÉRIENS (AVEC APPENDICES). PRAGUE, 3 DÉCEMBRE 2004 ET 14 FÉVRIER 2005

Entrée en vigueur : 14 février 2005 par l'échange desdites notes, conformément aux dispositions desdites notes

Textes authentiques : tchèque et anglais

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : République de Corée, 6 juillet 2012

[ENGLISH TEXT – TEXTE ANGLAIS]

**EMBASSY OF
THE REPUBLIC OF KOREA
PRAGUE**

I

**Slavičková 5
160 00 Praha 6 - Bubeneč
Tel.: 23409-0411
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Prague, December 3, 2004

Excellency,

I have the honor to refer to the Agreement between the Government of the Republic of Korea and the Government of the Czech and Slovak Federal Republic for Air Services, signed on October 26, 1990 (hereinafter referred to as "the Agreement") and the Note Verbals No. 113. 984/92 dated December 18 1992, of the Ministry of International Relations of the Czech Republic, notifying that the Czech Republic, as a successor state, shall consider itself bound by the multilateral and bilateral treaties and agreements to which the Czech and Slovak Federal Republic was a party on that date. I have further the honor, in accordance with paragraph 1 of Article 17 of the Agreement, to propose on behalf the Government of the Republic of Korea the following:

1. Article 8 shall be replaced by a new Article 8 (Aviation Safety) attached as Appendix I;
2. Article 9A (Code-sharing), attached as Appendix II shall be added after Article 9;
3. Two new paragraphs, attached as Appendix III, shall be added to the end of Article 10;
4. Article 11 shall be replaced by a new Article 11 (Sale of Services and Transfer of Revenues), attached as Appendix IV; and
5. In paragraph (b) of Article 1, the aeronautical authorities of the Republic of Korea shall be amended to "the Minister of Construction and Transportation" and the aeronautical authorities of the Czech Republic shall be amended to "the Ministry of Transport".

If the above proposals are acceptable to the Government of the Czech Republic, I have further the honor to propose that this Note together with its Appendixes and Your Excellency's Note in reply to that effect shall be regarded as constituting an agreement between our two Governments on this matter, which shall enter into force on the date of Your Excellency's Note in reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Enclosure: Appendix I, II, III and IV

A handwritten signature in black ink, reading "Hae Jin Chun". The signature is fluid and cursive, with the first name "Hae" and last name "Chun" being more prominent than the middle name "Jin".

Hae-Jin Chun
Ambassador Extraordinary and
Plenipotentiary of the Republic of Korea

His Excellency
Mr. Cyril Svoboda
Minister of Foreign Affairs
of the Czech Republic

[Appendix I]

**Article 8
Aviation Safety**

1. Certificates of airworthiness, certificate of competency and licenses, issued or rendered valid by one Contracting Party and still in force, shall be recognized as valid by the other Contracting Party for the purpose of operating the agreed services, provided that such certificates and licenses are at least equal to or above the minimum standards which are established pursuant to the Convention.
2. Each Contracting Party reserves the right, to refuse to recognize, for the purpose of flights above its own territory, certificates of competency and licenses granted to its own nationals by the other Contracting Party or by any third party.
3. Each Contracting Party may request consultations at any time concerning safety standards in any area relating to aircrew, aircraft or their operation adopted by the other Contracting Party. Such consultations shall take place within thirty (30) days of that request.
4. If, following such consultations, one Contracting Party finds that the other Contracting Party does not effectively maintain and administer safety standards in any such area that are at least equal to the minimum standards established at that time pursuant to the Convention, the former Contracting Party shall notify the latter Contracting Party of those findings and the steps considered necessary to conform with those minimum standards, and the latter Contracting Party shall take appropriate corrective action. Failure by the latter Contracting Party to take appropriate action within fifteen (15) days, or such longer period as may be agreed, shall be grounds for the application of Article 4 of this Agreement.
5. Notwithstanding the obligations mentioned in Article 33 of the Convention, it is agreed that any aircraft operated by or, under a lease agreement, on behalf of the designated airline or airlines of one Contracting Party on services to or from the territory of the other Contracting Party may, while within the territory of that other Contracting Party, be made the subject of an examination by the authorized representatives of the other Contracting Party, on board and around the aircraft to check both the validity of the aircraft documents and those of its crew and the apparent condition of the aircraft and its equipment (in

this Article called "ramp inspection"), provided this does not lead to unreasonable delay.

6. If any such ramp inspection or series of ramp inspections gives rise to:
 - (a) serious concerns that an aircraft or the operation of an aircraft does not comply with the minimum standards established at the time pursuant to the Convention ; or
 - (b) serious concerns that there is a lack of effective maintenance and administration of safety standards established at that time pursuant to the Convention,

the Contracting Party carrying out the inspection shall, for the purposes of Article 33 of the Convention, be free to conclude that the requirements under which the certificate or licenses in respect of that aircraft or in respect of the crew of that aircraft had been issued or rendered valid, or that the requirements under which that aircraft is operated, are not equal to or above the minimum standards established pursuant to the Convention.

7. In the event that access for the purpose of undertaking a ramp inspection of an aircraft operated by, or, on behalf of, the designated airline of one Contracting Party in accordance with paragraph (5) above is denied by a representative of the airline or airlines, the other Contracting Party shall be free to infer that serious concerns of the type referred to in paragraph (6) above arise and draw the conclusions referred to in that paragraph.
8. Each Contracting Party reserves the right to suspend or vary the operating authorization of an airline or airlines of the other Contracting Party immediately in the event the former Contracting Party concludes, whether as a result of a ramp inspection, a series of ramp inspections, a denial of access for ramp inspection, consultations or otherwise, that immediate action is essential to the safety of an airline operation.
9. Any action by one Contracting Party in accordance with paragraphs (4) or (8) above shall be discontinued once the basis for the taking of that action ceases to exist.