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**Austria
and
Turkmenistan**

Air Transport Agreement between the Austrian Federal Government and the Government of Turkmenistan (with annex). Ashgabat, 13 October 2011

Entry into force: *1 June 2013, in accordance with article 22*

Authentic texts: *English, German and Turkmen*

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**Autriche
et
Turkménistan**

Accord concernant le transport aérien entre le Gouvernement fédéral autrichien et le Gouvernement du Turkménistan (avec annexe). Achgabat, 13 octobre 2011

Entrée en vigueur : *1^{er} juin 2013, conformément à l'article 22*

Textes authentiques : *anglais, allemand et turkmène*

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**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

AIR TRANSPORT AGREEMENT

**BETWEEN THE AUSTRIAN FEDERAL GOVERNMENT
AND THE GOVERNMENT OF TURKMENISTAN**

The Austrian Federal Government and the Government of Turkmenistan and, hereinafter referred to as "the Contracting Parties", being Parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944;

Desiring to organize, in a safe and orderly manner, international air services and to promote in the greatest possible measure international cooperation in respect of such services; and

Desiring to establish an Agreement to foster the development of scheduled air services between and beyond their territories,

Have agreed as follows:

ARTICLE 1

DEFINITIONS

For the purpose of the present Agreement:

- a)** The term "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944, including any Annex adopted under Article 90 of that Convention and any amendment of the Annexes or Convention under Articles 90 and 94 (a) thereof, so far as those Annexes and amendments are applicable for both Contracting Parties;
- b)** The term "aeronautical authorities" means, in the case of the Austrian Federal Government the Ministry for Transport, Innovation and Technology, and the case of the Government of Turkmenistan the Turkmenhowayollary State Civil Aviation Department named after Saparmurat Turkmenbashi the Great or, in both cases, any person or body authorized to perform any functions at present exercised by the said authorities or similar functions;
- c)** The term "agreed services" means scheduled international air services on the route(s) specified in the Annex to this Agreement for the transport of passengers, baggage, cargo and mail;
- d)** The term "designated airline" means any airline, which has been designated and authorised in accordance with Article 3 of the present Agreement;
- e)** The term "territory" has the meaning assigned to it in Article 2 of the Convention;
- f)** 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;

- g)** The term “specified route” means a route specified in the Annex to this Agreement.
- h)** The term “capacity” in relation to agreed services means the available payload of the aircraft used on such services, multiplied by the frequency operated by such aircraft over a given period on a route or section of a route.
- i)** The term “tariff” means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which those prices apply, including commission charges and other additional remuneration for agency or sale of transportation documents, but excluding remuneration and conditions for the carriage of mail; and
- j)** The term “Annex” means the Annex to this Agreement as amended. The Annex forms an integral part of the Agreement and all references to the Agreement shall include reference to the Annex except where otherwise provided.
- k)** References in this Agreement to nationals of the Republic of Austria shall be understood as referring to nationals of European Union Member States.
- l)** References in this Agreement to airlines of the Republic of Austria shall be understood as referring to airlines designated by the Republic of Austria.
- m)** References in this Agreement to the “EU Treaties” shall be understood as referring to the Treaty on European Union and the Treaty on the functioning of the European Union.

ARTICLE 2

GRANT OF RIGHTS

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of operating scheduled international air services on the routes specified in the Annex to this Agreement.

2. Subject to the provisions of this Agreement the airlines designated by each Contracting Party shall enjoy, while operating the agreed services on the specified routes, the following rights:

a) The right to fly across its territory without landing, and

b) The right to make stops in its territory for non-traffic purposes.

c) The right to make stops in the territory of the other Contracting Party at the points specified in the Annex for the purpose of taking on board and disembarking passengers, baggage, cargo including mail, separately or in combination, destined for or coming from point(s) in the territory of the first Contracting Party.

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