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**Republic of Korea  
and  
Turkmenistan**

**Agreement between the Government of the Republic of Korea and the Government of Turkmenistan for air services between and beyond their respective territories (with annex). Seoul, 6 November 2008**

**Entry into force:** *5 January 2009 by notification, in accordance with article 21*

**Authentic texts:** *English, Korean and Turkmen*

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**République de Corée  
et  
Turkménistan**

**Accord entre le Gouvernement de la République de Corée et le Gouvernement du Turkménistan relatif aux services aériens entre leurs territoires respectifs et au-delà (avec annexe). Séoul, 6 novembre 2008**

**Entrée en vigueur :** *5 janvier 2009 par notification, conformément à l'article 21*

**Textes authentiques :** *anglais, coréen et turkmène*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *République de Corée, 8 décembre 2015*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF KOREA  
AND THE GOVERNMENT OF TURKMENISTAN  
FOR AIR SERVICES BETWEEN AND  
BEYOND THEIR RESPECTIVE TERRITORIES**

The Government of the Republic of Korea 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 the seventh day of December, 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 DEFINITIONS**

For the purpose of this Agreement, unless the context otherwise requires:

- (a) the term "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944, and includes any annex adopted under Article 90 of that Convention and any amendment of the annexes or Convention under Article 90 and 94 thereof in so far as these annexes and amendments have become effective for both Contracting Parties;
- (b) the term "aeronautical authorities" means, in the case of the Republic of Korea, the Minister of Land, Transport and Maritime Affairs, 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 the functions exercised at present by the said authorities;
- (c) the term "designated airline" means any airline which one Contracting Party has designated, by written notification to the other Contracting Party, for the operation of air services on the routes specified in the Annex of this Agreement, and to which the appropriate operating permission has been given by that other Contracting Party, in accordance with Article 3 of this Agreement;
- (d) the term "territory" in relation to a State has the meaning assigned to it in Article 2 of the Convention;

- (e) the term "air service", "international air service", "airline" and "stop for non-traffic purposes" have the meanings respectively assigned to them in Article 96 of the Convention;
- (f) the term "capacity" in relation to an aircraft means the payload of that aircraft available on a route or section of a route;
- (g) the term "capacity" in relation to an agreed service means the capacity of the aircraft used on such service multiplied by the frequency operated by such aircraft over a given period and route or section of a route;
- (h) the term "carriage of traffic" means carriage of passengers, baggage, cargo and mail;
- (i) the term "tariff" means any amount charged or to be charged by airlines, directly or through their agents, to any person or entity for the carriage of passengers, baggage and cargo (excluding mail) in air transportation, including: the conditions governing the availability and applicability of a tariff, and the charges and conditions for any services ancillary to such carriage which are offered by airlines;
- (j) the term "user charge" means a charge made to airlines by the competent authorities or permitted by them to be made for the provision of airport property or facilities or of air navigation facilities, including related service and facilities, for aircraft, their crews, passengers, baggage and cargo; and
- (k) the term "Annex" means the Annex to this Agreement or as amended in accordance with the provisions of Article 18 of this Agreement. The Annex forms an integral part of this Agreement, and all references to the Agreement shall include references to the Annex except where otherwise explicitly provided.

## **ARTICLE 2 GRANT OF RIGHTS**

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement to enable its designated airlines to establish and

operate scheduled international air services on the routes specified in the Annex to the present Agreement(hereinafter referred to as "the agreed services" and "the specified routes" respectively).

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

- (a) to fly without landing across the territory of the other Contracting Party;
- (b) to make stops in the territory of the other Contracting Party for non-traffic purposes; and
- (c) to take up and put down passengers, baggage, cargo and mail at any point on the specified routes subject to the provisions contained in the Annex.

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

### **ARTICLE 3 DESIGNATION OF AIRLINES**

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

2. On receipt of such designation, the aeronautical authorities of the other Contracting Party shall, subject to the provisions of paragraphs 3 and 4 of this Article, grant without delay to the designated airlines the appropriate operating authorizations.