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**Argentina
and
Turkey**

Air Transport Agreement between the Government of the Argentine Republic and the Government of the Republic of Turkey on air services between their respective territories (with annexes). Ankara, 20 January 2011

Entry into force: *26 July 2015, in accordance with article 22*

Authentic texts: *English, Spanish and Turkish*

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**Argentine
et
Turquie**

Accord de transport aérien entre le Gouvernement de la République argentine et le Gouvernement de la République turque relatif aux services aériens entre leurs territoires respectifs (avec annexes). Ankara, 20 janvier 2011

Entrée en vigueur : *26 juillet 2015, conformément à l'article 22*

Textes authentiques : *anglais, espagnol et turc*

Enregistrement auprès du Secrétariat des Nations Unies : *Argentine, 9 mars 2017*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AIR TRANSPORT AGREEMENT
BETWEEN
THE GOVERNMENT OF THE ARGENTINE REPUBLIC
AND
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
ON AIR SERVICES
BETWEEN THEIR RESPECTIVE TERRITORIES

The Government of the Argentine Republic and the Government of the Republic of Turkey;

Being Parties to the Convention on International Civil Aviation and the International Air Services Transit Agreement both opened for signature at Chicago on the seventh day of December, 1944;

Desiring to conclude an Agreement for the purpose of establishing air services between their respective territories;

Desiring to ensure the highest degree of safety and security in international air transport;

HAVE AGREED AS FOLLOWS:

ARTICLE 1
DEFINITIONS

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

- a) The term "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 of the Convention under Articles 90 and 94 thereof, so far as those annexes and amendments have become effective for or being ratified by both Contracting Parties;

- b) The term “aeronautical authorities” means, in the case of the Argentine Republic, the Ministry of Federal Planning, Public Investment and Services, -Secretariat of Transport-, National Administration of Civil Aviation, or any other person or body authorised to perform any functions exercised by the said Ministry, and in the case of the Republic of Turkey, the Ministry of Transport and Communications or any other person or body authorised to perform any functions exercised by the said Ministry;
- c) the term “designated airlines” means any airline which has been designated and authorised in accordance with Article 3 of this Agreement;
- d) the term “territory” has the meaning assigned to it in Article 2 of the Convention;
- e) the terms “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” means:
 - in relation to an aircraft, the payload of that aircraft available on the route or section of a route;
 - in relation to a specified air service, 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;
- g) the term “specified route” means the route specified in the route schedule contained in the Annex to this Agreement on which international air services shall be operated by the designated airlines of the Parties;
- h) the term “traffic” means, passengers, baggage, cargo and mail;
- i) the term “tariff” means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which these 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.

ARTICLE 2 TRAFFIC RIGHTS

1. Each Contracting Party grants to the other Contracting Party the rights specified in this Agreement for the purpose of establishing and operating scheduled international air services on the routes specified in Annex I to this Agreement. Such services and routes are hereinafter called the “agreed services” and “the specified routes” respectively.

2. The airlines designated by each Contracting Party shall enjoy, while operating an agreed service on a specified route, the following rights:

a) to fly without landing across the territory of the other Contracting Party,

b) to make stops in the said territory for non-traffic purposes; and,

c) to make stops in the territory at the points specified for that route in Annex I to this Agreement for the purpose of putting down and taking up international traffic in combination or separately.

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

4. Nothing in paragraph (1) of this Article shall be deemed to confer on the airlines of one Contracting Party the privilege of taking up, in the territory of the other Contracting Party, traffic carried for remuneration or hire and destined for another point in the territory of that other Contracting Party, notwithstanding that it does not exclude stop-over rights.

ARTICLE 3 OPERATING AUTHORISATIONS

1. Each Contracting Party shall have the right to designate in writing 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 other Contracting Party shall, subject to the provisions (3) and (4) of this Article, without delay grant to a designated airline the appropriate operating authorisations to operate the agreed services for which that airline has been designated.

3. The aeronautical authorities of one Contracting Party may require an airline designated by the other Contracting Party to demonstrate that it is qualified to fulfil the conditions prescribed under the laws and regulations normally and reasonably applied to the operations of international air services by such authorities, in conformity with the provisions of the Convention.

4. Each Contracting Party shall have the right to refuse to grant the operating authorisations referred to in paragraph (2) of this Article, or to impose such conditions as it may deem necessary on the exercise by a designated airline of the rights specified in Annex 2 of this Agreement, in any case where the Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals, subject to the provisions of the state designating the airline.

5. When an airline has been so designated and authorised it may begin at any time to operate the agreed services, provided that flight schedules have been approved and tariffs established in accordance with the provisions of Annex II and Article 13 respectively of this Agreement in force in respect of those services.

6. Each Contracting Party shall have the right to withdraw, by written notification to the other Contracting Party, the designation of its airline and to substitute it by the designation of another airline.

ARTICLE 4 REVOCATION AND SUSPENSION

1. The aeronautical authorities of each Contracting Party shall have the right to withhold an operating authorisation or to suspend the exercise of the rights specified in Article 2 of this Agreement by an airline designated and/or authorised by the other Contracting Party, or to revoke or suspend such authorisations or to impose such conditions as it may deem necessary on the exercise of these rights:

- a) in the event of failure by such airline to qualify before the aeronautical authorities of that Party under the laws and regulations normally applied by these authorities in conformity with the Convention;
- b) in the event of failure by such airline to comply with the laws or the regulations of that Party;
- c) in the event that they are not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals, subject to the provisions of the state designating the airline;
- d) in case the airline otherwise fails to operate in accordance with the conditions prescribed under this Agreement.

2. Unless immediate action is essential to prevent further infringements of the laws and regulations referred above, the rights enumerated in paragraph 1 of this Article shall be exercised only after consultation with the aeronautical authorities of the other Contracting Party.

ARTICLE 5 APPLICABILITY OF LAWS AND REGULATIONS

1. The laws, regulations and procedures of the Contracting Party relating to entering into, remaining in or departing from its territory of aircraft engaged in international air navigation or to the operation and navigation of such aircraft shall be complied with by the designated airlines of the other Contracting Party upon entrance into, while within and departure from the said territory.

2. The laws and regulations of one Contracting Party respecting entry, clearance, staying or transit, emigration or immigration, passport, customs and quarantine shall be complied with by the designated airline of the other Contracting Party and by or on