

# AIR SERVICE TO BE OPERATED BY U.S. AIR TRANSPORT COMMAND

*Exchange of notes at Bern August 6 and September 5, 1945, with text  
of agreement*

*Entered into force September 5, 1945*

*Expired in accordance with its terms*

Department of State files

## *The American Legation to the Federal Political Department*

No. 2133

The American Legation at Bern presents its compliments to the Federal Political Department and has the honor to transmit herewith the terms of a proposed agreement regarding an air service of provisional and temporary character to be operated by the Army Transport Command (ATC) of the United States to and from Geneva, Switzerland. The text of the enclosure embodies terms which have heretofore been agreed upon in conversations which have taken place between the competent Swiss and American officials, both in the United States and in Switzerland, and more particularly conferences recently held between Mr. Jean Merminod of the Federal Political Department, Colonel Louis Clerc, Chief of the Federal Air Office, and the Legation's Civil Air Attaché.

It is understood that the proposed arrangement is independent from the bilateral interim air transport agreement just concluded between the Swiss and American Governments.<sup>1</sup> It is also understood that the air transport service contemplated under the proposed agreement is of a non-commercial character and that traffic will not be carried by it on a common carrier basis. The traffic carried will be limited to that of Swiss and American national interests.

In view of the fact that an agreement on the basic principles has already been reached in the course of the conversations above referred to, it is the hope of the Legation that the attached agreement can be put into effect at an early date.

The Legation avails itself of this opportunity to express to the Federal Political Department the assurances of its highest consideration.

L.H.

BERN, August 6, 1945

Enclosure:

Terms of a proposed agreement regarding air service to be operated by ATC.

To the

FEDERAL POLITICAL DEPARTMENT

*Bern*

<sup>1</sup> Agreement of Aug. 3, 1945 (TIAS 1576, *ante*, p. 946).

## [PROPOSED AGREEMENT]

1. The competent Swiss authorities agree to the operation by Air Transport Command (ATC) of unarmed military aircraft to and from Geneva/Cointrin carrying passengers, cargo and mail, consisting of military and non-military national interest traffic. The carriage of mail will be subject to necessary arrangements by the competent postal authorities.

2. ATC will operate under this agreement scheduled flights between Paris-Geneva/Cointrin-Marseille in both directions. The time and frequency schedules will be worked out jointly by ATC and the Federal Air Office. To begin with one daily flight is envisaged which can be increased or decreased by ATC in the light of experience.

3. Passengers and crews solely in transit through Geneva, Switzerland, carried by ATC planes shall be exempt from immigration and customs regulations, including requirement for transit visas provided they do not leave the airport. Cargo and mail solely in transit shall be exempt from customs inspections and other entry and clearance formalities.

4. Military passengers solely in transit through Geneva, Switzerland, carried by ATC planes shall be permitted to wear uniforms. Such passengers shall be permitted in the event of force majeure to stay overnight in Geneva in uniform. It is understood that this transit facility shall not extend to military passengers en route to zones of active hostilities.

5. Subject to the Swiss civil air regulations applicable to air traffic and airdrome control, the administrative and operational control of the ATC aircraft utilizing Geneva/Cointrin airport shall be exercised by ATC. Air crews are permitted to operate ATC planes in uniform but will change to civilian clothes when leaving the limits of Geneva/Cointrin. The ATC will determine and provide the minimum number of ground personnel necessary for the conduct of its operations. Such personnel, while stationed in Switzerland, shall wear civilian clothes. The ATC will procure all supplies necessary for its operations and it is agreed that equipment and supplies required for the exclusive use of ATC and its personnel may be imported into Switzerland free of customs and other charges.

6. Technical details of operations, such as schedules, navigational assistance, weather communications, etc., as well as arrangements for the transportation of mail, will be worked out by the American and Swiss technical services concerned. Coding and decoding of administrative, operational and weather communications necessary for the operation of ATC planes will be accomplished in an American Legation office situated at Cointrin airport. It is agreed that the Swiss Government is entitled to knowledge of the substance of messages despatched under the provisions of this paragraph, provided that cryptographic security is maintained.

7. This agreement shall be effective at once and shall remain in force during a transitional period until normal commercial operations by an Ameri-

can air carrier can be inaugurated pursuant to the Interim Agreement between the United States of America and Switzerland relating to Air Transport Services concluded on August 3, 1945.

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*The Federal Political Department to the American Legation*

[TRANSLATION]

FEDERAL POLITICAL DEPARTMENT  
DIVISION OF FOREIGN AFFAIRS

C.16.316.2-CG  
*ad No 2133*

The Legation of the United States of America transmitted to the Federal Political Department, with its note of August 6, a memorandum setting forth the conditions under which the Air Transport Command of the American Army could be authorized to operate, for a transitional period, unarmed military aircraft on the Paris-Geneva-Marseille route.

The Political Department has the honor to inform the Legation that the Federal Council made a favorable decision regarding this matter and, accordingly, the Air Office of the Federal Department of Posts and Railroads is empowered to grant the required authorization for flights over Swiss territory and landing at Geneva-Cointrin airdrome making possible the Paris-Geneva-Marseille service under the conditions set forth in the note of August 6 and its annex.

As far as technical questions relating to the organization of the service are concerned, it is suggested that the Legation's Civil Air Attaché contact as soon as possible the Federal Air Office with a view to making the necessary arrangements before the inauguration of the service.

The Department avails itself of this opportunity to renew to the Legation the assurance of its high consideration.

BERN, *September 5, 1945*

To the  
LEGATION OF THE UNITED STATES  
OF AMERICA  
*Bern*