

AIR TRANSPORT SERVICES

Exchange of notes at Athens December 22 and 24, 1945
Entered into force December 24, 1945
*Expired March 27, 1946*¹

Department of State files

The American Embassy to the Ministry for Foreign Affairs

No. 283

ATHENS, *December 22, 1945*

NOTE VERBALE

The Embassy of the United States of America presents its compliments to the Royal Hellenic Ministry for Foreign Affairs and has the honor to refer to a conversation which took place on December 20, 1945, between His Excellency, the Foreign Minister of Greece and the American Ambassador, during the course of which His Excellency suggested that, pending the conclusion of the bilateral Air Transport Agreement between Greece and the United States, which was the subject of the Royal Ministry's Note Verbale No. 11876 of December 1, 1945, the Greek Government would be disposed to enter into a temporary agreement granting the airlines of the United States temporary operating rights in Greece.

The Embassy welcomes the above-mentioned suggestion of the Foreign Minister, and hopes, in view of the fact that the Transcontinental and Western Air Incorporated, which is in this case the airline designated by the United States Government, will soon be in a position to inaugurate its international service to the Middle East, that the Greek Government may be agreeable to grant to the United States Government temporary operating rights until such time as a permanent agreement may be concluded.

The details of such temporary operations may of course be worked out between the TWA and the appropriate Greek authorities.

The Embassy of the United States of America avails itself of this opportunity of renewing to the Royal Hellenic Ministry of Foreign Affairs the assurances of its highest consideration.

THE ROYAL MINISTRY FOR FOREIGN AFFAIRS,
Athens

¹ Date of entry into force, provisionally, of agreement of Mar. 27, 1946 (TIAS 1626, *post*, p. 398).

*The Ministry for Foreign Affairs to the American Embassy*KINGDOM OF GREECE
MINISTRY FOR FOREIGN AFFAIRSATHENS, *December 24, 1945*

NOTE VERBALE

The Royal Ministry for Foreign Affairs presents its compliments to the Embassy of the United States of America and, with reference to the Embassy's Note Verbale, dated December 22nd, 1945, has the honour to inform the United States Embassy that the Greek Government is disposed to grant airlines designated by the United States of America a temporary permission to operate air services through Greece, pending the signature of a permanent agreement between the two Governments, under the following conditions:

A. Designated airlines of the United States are hereby accorded rights of transit and non-traffic stop in Greek territory as well as the right to pick up and discharge international traffic in passengers, cargo and mail, to and from Greece, belonging only to 3rd and 4th freedoms on the international air transport routes operated by designated airlines of the United States, subject to the following conditions:

1. This agreement is entered into for a temporary period of two months, pending the completion of negotiations between the Greek Government and the United States of America covering the establishment and development of air transport services between their respective territories and is entered into without prejudice to such negotiations. This agreement will terminate upon the effective date of any such agreement between the Greek Government and the United States of America.

2. In areas of hostilities or military occupation, or any areas affected thereby, the inauguration of services by designated airlines of the United States hereunder shall be subject to the approval of the competent military authorities.

3. It is understood that designated airlines of the United States should exercise the rights granted under this agreement at the earliest practicable date except in case of temporary inability to do so.

4. The Government of Greece may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. It is agreed however, that these charges shall not be higher than should be paid for the use of such airports and facilities by Greek aircraft engaged in similar international services.

5. The Greek Government hereby authorize designated airlines of the United States to make use of ELLINIKON (Hassani) airport, or such other airport as may be used at the time by the Air Transport Command of the United States Army, and the facilities provided at such airport by the Air

Transport Command, without additional payment to the Greek Government of other charges than those referred to in paragraph 4 and those relating to the custom, sanitary and police control under the Greek laws in effect, and so long as the authorization granted by the Greek Government to the Air Transport Command of the United States Army under date of July 26, 1945, is in effect.

6. Fuel, lubricating oils and spare parts introduced into the territory of Greece by designated airlines of the United States and intended solely for use by aircraft of designated airlines of the United States shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees, or other national duties or charges by the Greek Government.

7. The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of designated airlines of the United States shall, upon arriving in or leaving the territory of Greece, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by aircraft on flight in the territory of Greece.

8. Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by the Government of the United States shall be recognized as valid by the Greek Government for the purpose of operations by designated airlines of the United States under this agreement.

9. The laws and regulations of Greece relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of designated airlines of the United States and shall be complied with by such aircraft upon entering or departing from or while within the territory of Greece.

10. The laws and regulations of Greece as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, entry-permit, emigration, passports, customs duties, quarantine and airmail service, shall be complied with by or on behalf of such passengers, crew or cargo of designated airlines of the United States upon entrance into or departure from, or while within the territory of Greece.

11. The Government of Greece reserves the right of withholding or refusing the rights herein granted to designated airlines of the United States in case of failure of such airlines to comply with the laws of Greece or perform its obligations under this agreement.

B. Pending the installation of other air services on the same or on section of the same air route designated airlines of the United States are authorized to load and unload at Athens cargo and passengers belonging to the 5th freedom under the following conditions:

1. Designated airlines of the United States shall not have the right to operate a service with a greater frequency than one aircraft daily in both directions.

2. Designated airlines of the United States shall enjoy the right of no restrictions relating to the amount of 5th freedom traffic to be loaded and unloaded at Athens.

3. Immediately after declaration of the intention of the Greek or other Government to operate a service on the same or on section of the same air route, the Greek Government shall announce the termination of this agreement relating to the 5th freedom. This termination will take effect on the date of expiration of this agreement without regard to the eventual prolongation of this agreement for another two months' period for the other four freedoms according to the provisions here below.

C. (1) The effect of the present agreement may, by common agreement, on request of the United States Government, be prolonged for another two months' period under the restrictions of sub-paragraph B(3).

(2) This agreement shall be registered with the Provisional International Civil Aviation Organization.

The Royal Ministry for Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

To the

EMBASSY OF THE UNITED STATES OF AMERICA,
Athens