

法規名稱：(終)EXCHANGE OF LETTERS BETWEEN CCNAA AND AIT CONCERNING AMENDMENT TO THE ARTICLE 6 OF THE AGREEMENT OF AIR TRANSPORT 1980 (AD.1986.7.28)

終止日期：民國 87 年 03 月 18 日

Mr. Robert Shiching Hsiao

Chief, Business Division

Coordination council for

North American Affairs

133 Po Ai Road

Dear Mr. Hsiao :

May 8, 1986

AIT B-291

As evidenced by a recent unanimous resolution of the Security Council of the United Nations, there is a growing consensus that terrorism attacks all systems of law and order. The International Civil Aviation Organization, as part of the effort to combat terrorism against civil aviation, has approved amendments to Annex 17 of the Chicago Convention which, among other things, include a recommendation that appropriately strong language on aviation security be included in all bilateral civil aviation agreements.

The subject of aviation security is treated in Article 6 of the "Air Transport Agreement between the American Institute in Taiwan and the Coordination Council for North American Affairs" which was signed in Washington, D.C. on March 5, 1980. However, the language contained in Article 6 of the aforementioned agreement is not as adequate as that recently developed by the International Civil Aviation Organization. Accordingly, I propose that the present Article 6 of the Agreement be replaced by a new Article 6, the text of which is enclosed. The new Article 6 is closely based on ICAO suggestions.

This letter and your reply accepting the contents thereof will constitute an agreement between the American Institute in Taiwan and the Coordination Council for North American Affairs to replace the present Article 6 of the Agreement with a new Article 6.

The new Article 6 will enter into force upon the date of your letter in reply and will remain in force for the life of the Agreement.

Sincerely,

[Signed]

Philip t. Lincoln, Jr.

Chief

Economic/commercial

Section

Enclosure:a/s

Article 6

Aviation Security

The Parties, recognizing their responsibilities to develop international civil aviation in a safe and orderly manner, reaffirm that their obligation to protect, in their mutual relationship, the security of civil aviation against acts of unlawful interference forms and integral part of this Agreement.

The Parties shall provide upon request all necessary assistance to each other to prevent acts of unlawful seizure of aircraft and other unlawful acts against the safety of passengers, crew, aircraft, airports and air navigation facilities and any other threat to aviation security.

The Parties shall act in conformity with the provisions of the Convention on Offenses and Certain Other Acts committed on Board Aircraft, signed at Tokyo on September 14, 1963; the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on December 16, 1970; and the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, signed at Montreal on September 23, 1971.

The Parties shall, in their mutual relations, act in conformity with the aviation security provisions established by the International Civil Aviation Organization and designated as annexes to the Convention on International Civil Aviation; they shall require that operators of aircraft registered in the territories rep-

represented by the Parties or operators who have their principal place of business or permanent residence in the territories represented by the Parties and the operators of airports in the territories represented by the Parties act in conformity with such aviation security provisions.

Each Party agrees to observe the security provisions required by the other contracting Party for entry into the territory of that other contracting Party and to take adequate measures to protect aircraft and to inspect passengers, crew, their carry-on items as well as cargo and aircraft stores prior to and during boarding or loading. Each Party shall also give positive consideration to any request from the other Party for special security measures to meet a particular threat.

When an incident or threat of an incident of unlawful seizure of aircraft or other unlawful acts against the safety of passengers, crew, aircraft, airports and air navigation facilities occurs, the Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate rapidly and safely such incident or threat thereof.

When a party has reasonable grounds to believe that the other Party has departed from the aviation security provisions of this Article, the first Party may request immediate consultations with the second Party. Failure to reach a satisfactory agreement within fifteen days from the date of such request will constitute grounds by the requesting Party to withhold, revoke, limit or impose conditions on the operating authorization of technical permission of an airline or airlines of the other Party. When required by an emergency, a Party may take interim action prior to the expiry of fifteen days.

Ref No : (75) CCNAA 0986

July 28, 1986

Communications Programs Office

American Institute in Taiwan

Taipei Office

7, Lane 134, Hsin Yi Road, Sec. 3, Taipei

Attention : Ms. Deborah R. Schwartz

Acting Chief

Economic / Commercial Section

Dear Ms. Schwartz :

This refers to Mr. Lincoln's letter (AIT B-291) of May 8, 1986 and its enclosure proposing a revision of Article 6 of the "Air Transport Agreement between the Coordination Council for North American Affairs and the American Institute in Taiwan, " which was signed in Washington, D.C. on March 5, 1980.

In reply, we are pleased to inform you that we accept the proposed contents of the new Article 6 and that your letter and this letter will constitute an agreement between the American Institute in Taiwan and the Coordination Council for North American Affairs to replace the present Article 6 of the Agreement with this new Article 6 and that the new Article 6 will enter into force on to-day's date and will remain in force for the life of the Agreement.

Sincerely Yours,

[Signed]

Robert Shiching Hsiao

Chief

Business Division