

No. 279

Excellency:

I have the honor to refer to the United States-Israel Air Transport Agreement signed at Hakiryra on June 13, 1950 ("The Agreement") and the Protocol relating to United States-Israel Air Transport Agreement of 1950 signed at Washington on August 16, 1978 ("The Protocol").

The Government of the United States of America proposes the following amendments of the Agreement and the Protocol:

1. Article 9 of the Protocol is amended to read as follows:

"ARTICLE 9

AVIATION SECURITY

(A) In accordance with their rights and obligations under international law, the parties reaffirm that their obligation to protect, in their mutual relationship, the security of civil aviation against acts of unlawful interference forms an integral part of this protocol and of the Agreement.

His Excellency

Shimon Peres,

Minister of Foreign Affairs,

Jerusalem

(B) 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.

(C) The parties shall act in conformity with the provisions of the Convention of Offences 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.

(D) 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 of their registry or operators who have their principal place of business or permanent residence in their territory and the operators of airports in their territory act in conformity with such aviation security provisions.

(E) 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.

(F) 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.

(G) When a party has reasonable grounds to believe that the other party has departed from the aviation security provisions of this article, the aeronautical authorities of that party may request immediate consultations with the aeronautical authorities of the other party. Failure to reach agreement within 15 days will constitute grounds to withhold, revoke, limit or impose conditions on the operating authorization or 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 15 days."

2. Article V of the Agreement, as amended by the Protocol, is further amended by deleting in paragraph (B) the words "and security" in each of the three instances in which they appear and by adding the following paragraph (C): "This article does not limit the rights of either contracting party to withhold, revoke, limit or condition airline technical permissions or operating authorizations in accordance with the provisions of Article 9 of the Protocol relating to United States-Israel Air Transport Agreement of 1950 signed at Washington on August 16, 1978."

If the foregoing proposals are acceptable to the Government of Israel, I propose that the present note, together with your reply in that sense, shall constitute an agreement between the two governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.



The block contains a handwritten signature in black ink, which appears to be "S. P. ...". Below the signature is a circular embossed stamp. The stamp features the text "EMBASSY OF THE UNITED STATES OF AMERICA" around the top inner edge and "TEL AVIV" at the bottom. In the center of the stamp is a small, circular emblem, possibly the Great Seal of the United States. The signature and stamp are positioned to the right of the main text.

Embassy of the United States of America
December 16, 1986

Treaties Department
Ministry of Foreign Affairs - Israel

VICE PREMIER
AND MINISTER OF FOREIGN AFFAIRS

ממלא מקום ראש הממשלה
ושר החוץ

Jerusalem, 5 January 1987

Excellency,

I have the honour to refer to Your Excellency's Note No. 279 dated 16 December 1986 which reads as follows:

"Excellency,

I have the honour to refer to the United States-Israel Air Transport Agreement signed at Hakiryia on June 13, 1950 ("The Agreement") and the Protocol relating to United States-Israel Air Transport Agreement of 1950 signed at Washington on August 16, 1978 ("The Protocol").

The Government of the United States of America proposes the following amendments of the Agreement and the Protocol:

1. Article 9 of the Protocol is amended to read as follows:

"ARTICLE 9

AVIATION SECURITY

(A) In accordance with their rights and obligations under international law, the parties reaffirm that their obligation to protect, in their mutual relationship, the security of civil aviation against acts of unlawful interference forms an integral part of this protocol and of the Agreement.

(B) 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.

(C) The parties shall act in conformity with the provisions of the Convention of Offences 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.

His Excellency
Thomas R. Pickering
Ambassador of the
United States of America
in Israel

(D) 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 of their registry or operators who have their principal place of business or permanent residence in their territory and the operators of airports in their territory act in conformity with such aviation security provisions.

(E) 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.

(F) 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 of threat thereof.

(G) When a party has reasonable grounds to believe that the other party has departed from the aviation security provisions of this article, the aeronautical authorities of that party may request immediate consultations with the aeronautical authorities of the other party. Failure to reach agreement within 15 days will constitute grounds to withhold, revoke, limit or impose conditions on the operating authorization or 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 15 days."

2. Article V of the Agreement, as amended by the Protocol, is further amended by deleting in paragraph (B) the words "and security" in each of the three instances in which they appear and by adding the following paragraph (C): "This article does not limit the rights of either contracting party to withhold, revoke,, limit or condition airline technical permissions or operating authorizations in accordance with the provisions of Article 9 of the Protocol relating to United States-Israel Air Transport Agreement of 1950 signed at Washington on August 16, 1978."

If the foregoing proposals are acceptable to the Government of Israel, I propose that the present note, together with your reply in that sense, shall constitute an agreement between the two governments which shall enter into force on the date of your reply.



Accept, Excellency, the renewed assurances of my highest consideration.

"Thomas R. Pickering"

In reply, I have the honour to inform Your Excellency that the foregoing proposals are acceptable to the Government of the State of Israel, who therefore agrees that Your Excellency's Note and this Note of reply shall constitute an Agreement for the amendment of the United States-Israel Air Transport Agreement of 13 June 1950 and the Protocol relating to the United States-Israel Air Transport Agreement of 13 June 1950 of 16 August 1978, which shall enter into force at the date of this Note.

Accept, Excellency, the renewed assurances of my highest consideration.

Shimon Peres