

CONVENTION
ON
INTERNATIONAL
CIVIL AVIATION
DONE
AT CHICAGO
ON THE
7TH DAY OF DECEMBER
1944

**07 Aralık 1944
Perşembe Günü
Chicago'da
imzalanan
ICAO
Uluslararası Sivil
Havacılık
Konferansı
İlk Baskı**

CONVENTION ON INTERNATIONAL CIVIL AVIATION

PREAMBLE

WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and

WHEREAS it is desirable to avoid friction and to promote that cooperation between nations and peoples upon which the peace of the world depends;

THEREFORE, the undersigned governments having agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically;

Have accordingly concluded this Convention to that end.

PART I. AIR NAVIGATION

CHAPTER I

GENERAL PRINCIPLES AND APPLICATION OF THE CONVENTION

Article 1

Sovereignty The contracting States recognize that every State has complete and exclusive sovereignty over the air-space above its territory.

Article 2

Territory For the purposes of this Convention the territory of a State shall be deemed to be the land areas and

ICAO

Uluslararası Sivil Havacılık Antlaşması

İlk sayfa.

2ci dünya savaşının en kızgın döneminde dünyamız insanları için barış ve kardeşlik getirmesi dileği ile başlayan bu açılış çok anlamlı.

Türkiye'nin üç katılımcı ile temsil edilmesi ise muhteşem.

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered.

Article 31

Certificates of airworthiness

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

Article 32

Licenses of personnel

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

(b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State.

Article 33

Recognition of certificates and licenses

Certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the

Sayfa 17

Sivil Havacılığın temelleri bu başlıklarla atılıyor.

İleride Annex'lere dönüşecek olan temel konular işleniyor.

(d) "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

SIGNATURE OF CONVENTION

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having been duly authorized, sign this Convention on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language. A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be open for signature at Washington, D. C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or adhere to this Convention.

FOR AFGHANISTAN:

FOR THE GOVERNMENT OF THE
COMMONWEALTH OF AUSTRALIA:

Sayfa 48

Son sayfada
imzaların alfabetik
sıraya göre atılacağı
vurgulanıyor.

FOR SWEDEN:

V. Aronlin

FOR SWITZERLAND:

Charles Buggnani

July 6th 1944.

FOR SYRIA:

Mahab

FOR TURKEY:

S. Koc
F. Sahin
Cham. Erol

Sayfa 59

İşte Türkiye
ve delegelerin
imzaları.

Yıl 1944.

ICAO'nun
kuruluşunda
Türkiye, çok
önemli bir yer
sahibi.

TURKEY

SÜKRÜ KOÇAK, President, Turkish Aeronautical League; *Chairman of the Delegation*
FERRUH SAHINBAS, Director General of State Airways
ORHAN H. EROL, Counselor, Turkish Embassy, Washington

UNION OF SOUTH AFRICA

S. F. N. GIE, Minister to the United States; *Chairman of the Delegation*
JOHN MARTIN; *Co-Delegate*

UNITED KINGDOM

LORD SWINTON, Minister of Civil Aviation; *Chairman of the Delegation*
SIR ARTHUR STREET, Permanent Under Secretary, Air Ministry
SIR GEORGE LONDON, Government of Newfoundland
W. P. HILDRED, Director of Civil Aviation, Air Ministry
J. H. MAGOWAN, Minister, British Embassy, Washington
W. C. G. CRIBBETT, Assistant Under Secretary, Air Ministry
G. G. FITZMAURICE, Legal Adviser, Foreign Office
A. J. WALSH, Newfoundland

UNITED STATES OF AMERICA

ADOLF A. BERLE, JR., Assistant Secretary of State; *Chairman of the Delegation*
JOSIAH W. BAILEY, Chairman, Committee on Commerce, United States Senate
OWEN BREWSTER, Member, Committee on Commerce, United States Senate
ALFRED L. BULWINKLE, House of Representatives
WILLIAM A. M. BURDEN, Assistant Secretary of Commerce for Air
REAR ADMIRAL RICHARD E. BYRD, U. S. N., Retired
FIORELLO H. LAGUARDIA, Chairman, United States Section,
Permanent Joint Board on Defense (Canada-United States)
L. WELCH POGUE, Chairman Civil Aeronautics Board
EDWARD WARNER, Vice Chairman, Civil Aeronautics Board
CHARLES A. WOLVERTON, House of Representatives

Katılımcı
listelerinde
Türk
delegasyonu.

Türkiye'den
Ulaştırma
Bakanlığı
temsilcisi ve
Devlet
Havayolları
Gen.Md.
Katılmış.



LIST OF STATES PARTIES TO THE CONVENTION
AS OF 1 JULY 1952
(BY ORDER OF DATES OF RATIFICATION OR ADHERENCE)

LISTE DES ÉTATS PARTIES À LA CONVENTION
AU 1er JUILLET 1952
(DANS L'ORDRE CHRONOLOGIQUE DES RATIFICATIONS OU ADHÉSIONS)

LISTA DE LOS ESTADOS PARTES EN EL CONVENIO
EL 1º DE JULIO DE 1952
(POR ORDEN CRONOLÓGICO DE RATIFICACIONES Y ADHESIONES)

	<i>Date of deposit of instrument of ratifica- tion or notification of adherence*</i>	<i>Date of entry into force of the Convention</i>
	<i>Date du dépôt de l'instrument de ratification ou de la notification d'adhésion*</i>	<i>Date d'entrée en vigueur de la Convention</i>
	<i>Fecha de depósito del instrumento de ratificación o de la notificación de adhesión*</i>	<i>Fecha de entrada en vigor del Convenio</i>
Poland/Pologne/Polonia.....	6/4/45	4/4/47
Turkey/Turquie/Turquía.....	20/12/45	4/4/47
Nicaragua.....	28/12/45	4/4/47
Paraguay.....	21/1/46	4/4/47
Dominican Republic/République Domini- caine/República Dominicana.....	25/1/46	4/4/47
Canada/Canada.....	13/2/46	4/4/47
Peru/Pérou/Perú.....	8/4/46	4/4/47
Argentina/Argentina.....	4/6/46 (A)	4/4/47
Mexico/Mexique/México.....	25/6/46	4/4/47
Brazil/Brésil/Brasil.....	8/7/46	4/4/47
United States of America/Etats-Unis d'Amérique/Estados Unidos de América.....	9/8/46	4/4/47
Ireland/Irlande/Irlanda.....	31/10/46	4/4/47
Sweden/Suède/Suecia.....	7/11/46	4/4/47
Switzerland/Suisse/Suiza.....	6/2/47	4/4/47
Liberia/Libéria.....	11/2/47	4/4/47
Portugal.....	27/2/47	4/4/47

*The letter (A) indicates adherence to the Convention.
La lettre (A) indique une adhésion à la Convention.
La letra (A) indica adhesión al Convenio.

ICAO tavsiyelerini
kanunlaştıran ve
hemen yürürlüğe
koyan 2ci ülkeyiz.

CHAPTER III

THE INTERNATIONAL AIR TRANSPORT AGREEMENT
SIGNED AT CHICAGO ON 7 DEC 1944

The States which sign and accept this International Air Transport Agreement, being members of the International Civil Aviation Organization, declare as follows :

Article I
Section 1

Each contracting State grants to the other Contracting States the following freedoms of the air in respect of scheduled international air services:

1. The privilege to fly across its territory without landing;
2. The privilege to land for non-traffic purposes;
3. The privilege to put down passengers, mail and cargo taken on in the territory of the State whose nationality the aircraft possesses;
4. The privilege to take on passengers, mail and cargo destined for the territory of the State whose nationality the aircraft possesses;
5. The privilege to take on passengers, mail and cargo destined for the territory of any other Contracting State and the privilege to put down passengers, mail and cargo coming from any such territory.

With respect to the exercise of the freedoms mentioned in the preceding paragraph, the Convention relates only to flights which are operated by aircraft of the State of nationality of the aircraft.

The privileges mentioned in the preceding paragraph shall be exercised in accordance with the provisions of the Convention and the Interim Agreement on the High Seas, and in time of international emergency, the provisions of the Convention shall be applied in accordance with the provisions of the Convention.

The exercise of the freedoms mentioned in the preceding paragraph shall be in accordance with the provisions of the Convention and the Interim Agreement on the High Seas, and in time of international emergency, the provisions of the Convention shall be applied in accordance with the provisions of the Convention.

A Contracting State may refuse to accept for its territory the exercise of the freedoms mentioned in the preceding paragraph by another Contracting State if such exercise would be prejudicial to its national interests.

* The Final Act of the International Civil Aviation Conference (Chicago, 1944) provides for the exchange of rights which subsequently denounced it. One more State has since ratified the Agreement as on 30 June, 2002. India has not ratified this agreement. The text of the Agreement has been formally adopted. The French, Spanish and Russian texts are authentic. ICAO Secretariat.

2.1.4. MİLLETLERARASI HAVA ULAŞTIRMA SÖZLEŞMESİ

Beynelmîlel sivil havacılık teşkilâtının âzası olup işbu Beynelmîlel Hava Nakliyatı Anlaşmasını imza ve kabul eden Devletler aşağıdaki hususları beyan ederler:

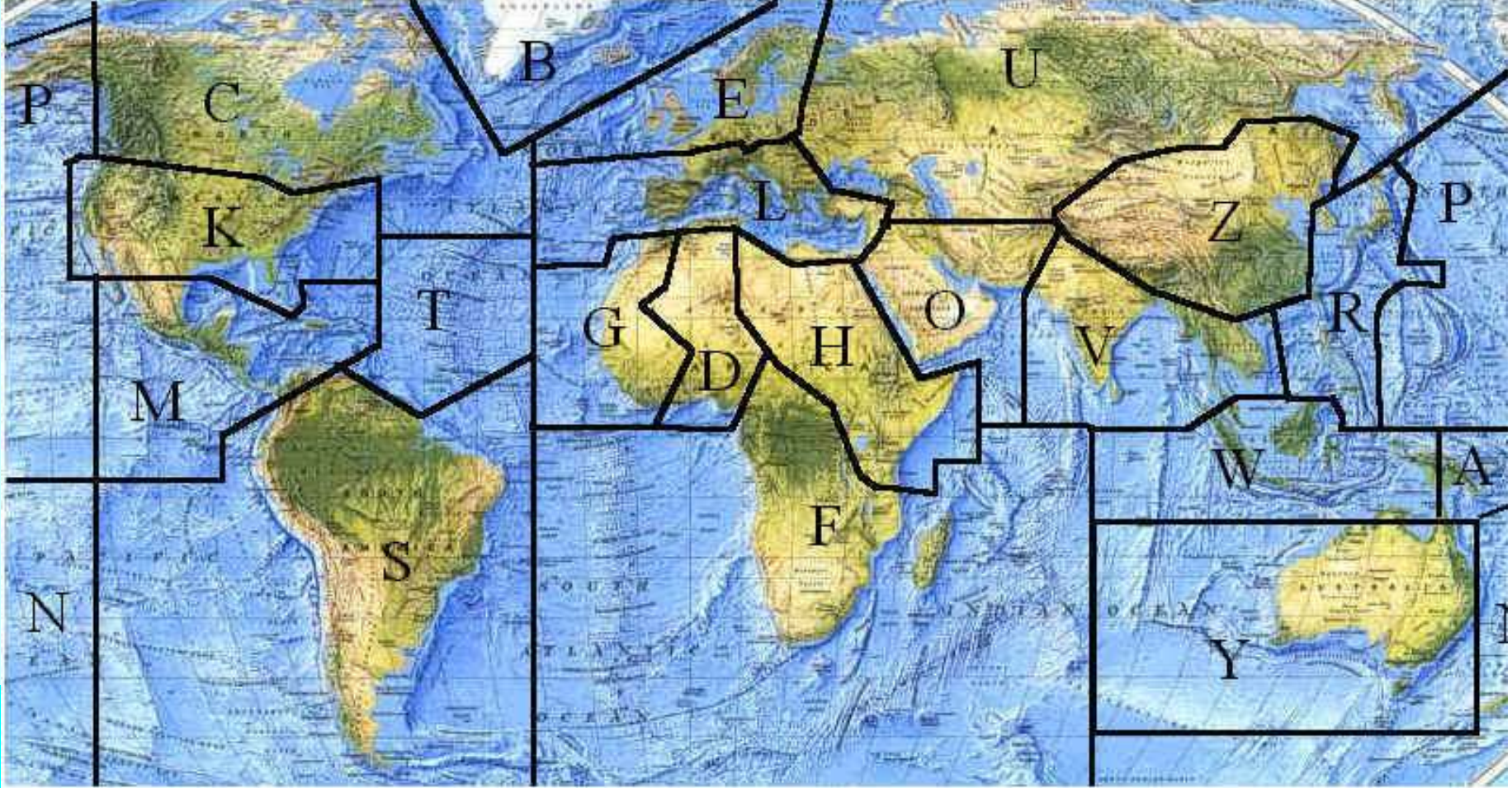
MADDE — 1

KISIM : 1

Akit Devletlerden her biri diğer Akit Devletlere tarifeye bağlanmış Beynelmîlel Hava Servisleri için aşağıdaki hava serbestliklerini bahşeder:

1. Ülkesi üzerinden yere inmeksizin uçup geçmek imtiyazı;
 2. Trafikten gayri maksatlarla inmek imtiyazı (teknik iniş yapmak imtiyazı);
 3. Hava nakil vasıtasının tâbiyetini haiz olduğu Devletin ülkesinden almış olduğu yolcu, posta ve hamuleyi indirmek imtiyazı;
 4. Hava nakil vasıtasının tâbiyetini haiz olduğu Devletin ülkesine gidecek yolcu, posta, hamuleyi almak imtiyazı;
 5. Herhangi diğer bir Akit Devletin ülkesine gidecek yolcu, posta ve hamuleyi almak imtiyazı ve herhangi diğer bir Akit Devletin ülkesinden gelen yolcu, posta ve hamuleyi indirmek imtiyazı;
- 3, 4, 5 inci bentlerde tasrih edilen imtiyazlar münasebetiyle her Akit Devletin taahhüdü, hava nakil vasıtasının tabiiyetini haiz olduğu Devletin ana vatanından itibaren ve ana vatanına müteveccihen aşağı yukarı doğru bir hava yolu üzerindeki geçit servislerine şâmilidir.

“5ci hak” dedikleri madde 5. F : 28



Türkiye, 05.06 1945 tarih ve 4749 no'lu kanunla onaylamıştır.

Resmi Gazete 12.06.1945 tarih ve 6029 sayılıdır.

4 Nisan 1947 Cuma günü resmen yürürlüğe girmiştir.