



Treaty Series No. 68 (1990)

# Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the People's Republic of Bangladesh

amending the Agreement for Air Services  
between and beyond their respective Territories,  
done at London 5 July 1978

Dhaka, 20 and 27 May 1990

[The Exchange of Notes entered into force on 27 May 1990]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
October 1990*

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**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
AMENDING THE AGREEMENT FOR AIR SERVICES BETWEEN AND BEYOND  
THEIR RESPECTIVE TERRITORIES, DONE AT LONDON 5 JULY 1978**

No. 1

*The United Kingdom High Commissioner at Dhaka to the Minister for Foreign Affairs of the  
People's Republic of Bangladesh*

*British High Commission  
Dhaka  
20 May 1990*

Your Excellency,

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of Bangladesh for Air Services between and beyond their respective Territories, signed at London on 5 July 1978<sup>1</sup>, ("the Agreement") and to subsequent discussions which have taken place between representatives of the two Governments.

As a result of these discussions, it was proposed that the Agreement should be amended by the addition, after Article 12 of the Agreement, of a new article on Aviation Security to be numbered Article 12 *bis*, the text of which is set out in the Annex to this Note.

If the foregoing proposal is acceptable to the Government of the People's Republic of Bangladesh, I have the honour to suggest that this Note together with its Annex and Your Excellency's Reply Note to that effect shall in accordance with Article 14 of the aforementioned Agreement constitute an agreement between our two Governments in this matter which shall enter into force on the date of your Reply Note.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

COLIN IMRAY

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<sup>1</sup>Treaty Series No. 86 (1978), Cmnd. 7334.

## ANNEX

### ARTICLE 12 *bis*

#### Aviation Security

(1) The assurance of safety for civil aircraft, their passengers and crew being a fundamental pre-condition for the operation of international air services, the Contracting Parties reaffirm that their obligations to each other to provide for the security of civil aviation against acts of unlawful interference (and in particular their obligations under the Chicago Convention<sup>1</sup>, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963<sup>2</sup>, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970<sup>3</sup>, and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971<sup>4</sup>) form an integral part of this Agreement.

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

(3) The Contracting Parties shall, in their mutual relations, act in conformity with the aviation security Standards and, so far as they are applied by them, the Recommended Practices established by the International Civil Aviation Organisation and designated as annexes to the Chicago Convention; and shall require that operators of aircraft of their registry, operators who have their principal place of business or permanent residence in their territory, and operators of airports in their territory, act in conformity with such aviation security provisions. In this paragraph the reference to aviation security Standards includes any difference notified by the Contracting Party concerned.

(4) Each Contracting Party shall ensure that effective measures are taken within its territory to protect aircraft, to screen passengers and their carry-on items, and to carry out appropriate checks on crew, cargo (including hold baggage) and aircraft stores prior to and during boarding or loading and that those measures are adjusted to meet increases in the threat. Each Contracting Party agrees that its airlines may be required to observe the aviation security provisions referred to in paragraph (3) required by the other Contracting Party, for entrance into, departure from, or while within, the territory of that other Contracting Party. Each Contracting Party shall also act favourably upon any request from the other Contracting Party for reasonable special security measures to meet a particular threat.

(5) When an incident or threat of an incident of unlawful seizure of civil aircraft or other unlawful acts against the safety of such aircraft, their passengers and crew, airports or air navigation facilities occurs, the Contracting Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate as rapidly as possible commensurate with minimum risk of life such incident or threat.

(6) When a Contracting Party has reasonable grounds to believe that the other Contracting Party has departed from the provisions of this Article, the first Contracting Party may request immediate consultations with the other Contracting Party. Failure by the Contracting Parties to reach a satisfactory resolution of the matter within a maximum of 30 days from the date of receipt of such request shall constitute grounds for withholding, revoking, limiting or imposing conditions on the operating authorisations or technical permissions of an airline or airlines of the other Contracting Party. When justified by an emergency, a Contracting Party may take interim action prior to the expiry of 30 days.

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<sup>1</sup>Treaty Series No. 8 (1953), Cmd. 8742.

<sup>2</sup>Treaty Series No. 126 (1969), Cmnd. 4230.

<sup>3</sup>Treaty Series No. 39 (1972), Cmnd. 4956.

<sup>4</sup>Treaty Series No. 10 (1974), Cmnd. 5524.

*The Minister for Foreign Affairs of the People's Republic of Bangladesh to the  
United Kingdom High Commissioner at Dhaka*

*Dhaka  
27 May 1990*

Your Excellency,

I have the honour to refer to your Note of 20th May, 1990 regarding the Agreement between the Governments of the United Kingdom of Great Britain and Northern Ireland and the People's Republic of Bangladesh for Air Services between and beyond their respective Territories signed at London on 5th July, 1978 (the Agreement) and to subsequent discussions which have taken place between the representatives of the two Governments.

As a result of these discussions, it was proposed that the Agreement should be amended by the addition, after Article 12 of the Agreement, by a new article on Aviation Security to be numbered as Article 12 *bis*, the text of which is set out in the annex to your Note of 20th May, 1990.

In accordance with the proposal contained in your Note of 20th May, 1990, I have the honour to confirm that your Note together with its Annex and this Reply Note in accordance with Article 14 of the said Agreement, shall constitute an Agreement between our two Governments which shall enter into force on the date of the Reply Note.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

ANISUL ISLAM MAHMUD