

34. The term "restricted area" means an airspace of defined dimensions, above the territory of a State Party, within which the flight of aircraft is restricted in accordance with specified conditions.

35. The term "danger area" means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Article III

QUOTAS

SECTION I. GENERAL PROVISIONS

1. Each State Party shall have the right to conduct observation flights in accordance with the provisions of this Treaty.

2. Each State Party shall be obliged to accept observation flights over its territory in accordance with the provisions of this Treaty.

3. Each State Party shall have the right to conduct a number of observation flights over the territory of any other State Party equal to the number of observation flights which that other State Party has the right to conduct over it.

4. The total number of observation flights that each State Party is obliged to accept over its territory is the total passive quota for that State Party. The allocation of the total passive quota to the States Parties is set forth in Annex A, Section I to this Treaty.

5. The number of observation flights that a State Party shall have the right to conduct each year over the territory of each of the other States Parties is the individual active quota of that State Party with respect to that other State Party. The sum of the individual active quotas is the total active quota of that State Party. The total active quota of a State Party shall not exceed its total passive quota.

6. The first distribution of active quotas is set forth in Annex A, Section II to this Treaty.

7. After entry into force of this Treaty, the distribution of active quotas shall be subject to an annual review for the following calendar year within the framework of the Open Skies Consultative Commission. In the event that it is not possible during the annual review to arrive within three weeks at agreement on the distribution of active quotas with respect to a particular State Party, the previous year's distribution of active quotas with respect to that State Party shall remain unchanged.

8. Except as provided for by the provisions of Article VIII, each observation flight conducted by a State Party shall be counted against the individual and total active quotas of that State Party.

9. Notwithstanding the provisions of paragraphs 3 and 5 of this Section, a State Party to which an active quota has been distributed may, by agreement with the State Party to be overflowed, transfer a part or all of its total