

AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

PREAMBLE

The Government of Canada and the Government of the United States of America (hereinafter called the Contracting Parties) to the Convention on International Civil Aviation signed at Chicago on December 7, 1944, desiring to ensure the continued development of a system of air transport free from discriminatory practices based on an equitable exchange of economic benefits to the two countries, and able to accommodate the needs of the people of the two countries with a minimum of artificial restrictions arising from the existence of their common border, and desiring to ensure equitable opportunity for the airlines of the two countries to participate in the development of this system and to make optimum use of modern equipment; and

Believing that a route pattern established primarily on the basis of actual and potential traffic between the two countries will best serve the needs of the travelling and shipping public; and

Desiring to ensure the continued development of a system of air transport free from discriminatory practices based on an equitable exchange of economic benefits to the two countries, and able to accommodate the needs of the people of the two countries with a minimum of artificial restrictions arising from the existence of their common border, and desiring to ensure equitable opportunity for the airlines of the two countries to participate in the development of this system and to make optimum use of modern equipment; and

Determined that this Agreement shall reflect the special relationship between the two countries, consistent with general international obligations;

Have agreed as follows:

ARTICLE I

PRINCIPLES

(a) In establishing routes pursuant to this Agreement and consistent with the principles set forth in the Preamble, the principal objective shall be to provide for direct service between points in the two countries where the existing or potential traffic indicates a need for such service, considering primarily:

1. the points of true origin of traffic in the territories of one Contracting Party and the points of true destination of such traffic in the territory of the other Contracting Party; and
2. the flow of traffic between points in the two countries.

(b) The allocation of routes between the two Contracting Parties is designed to establish an equitable overall exchange of economic benefits derived from the establishment of air services between the two countries, including equitable opportunity for the airlines of the two countries to serve the needs of the travelling and shipping public.

¹⁰ Canada Treaty Series 1944, No. 23.