

Memorandum of Understanding

The delegations representing the Government of Colombia and the Government of Iceland (hereinafter referred to “Colombia” and “Iceland” respectively or “Contracting Party” and collectively as the “Delegations” or “Contracting Parties”) met in Montego Bay, Jamaica on June 30, 2010, for consultations for the purpose of negotiating an Air Services Agreement and related arrangements which would be applicable in respect of the operations of air transportation between and beyond their respective countries.

Discussions were held in a friendly atmosphere. The composition of the two Delegations is attached as “Attachment A” and “Attachment B” respectively.

The following understandings were reached between the Delegations:

1. Air services Agreement Text

- a. The Delegations negotiated and agreed upon the text of the Air Services Agreement by initialling this text which is attached as “Attachment C”.
- b. The Delegations decided to recommend to their respective Governments the formal signing of the initialled Air Services Agreement. Pending the completion of the national requirements necessary to formalize this Agreement, it was decided that the initialled Air Services Agreement shall have interim effect except paragraph 7 of Article 9 which shall take effect 6 months from the date hereof. The Delegations agreed to inform each other in writing through diplomatic channels when the national requirements to bring the initialled Air Services Agreement in force have been satisfied.

2. Capacity and Frequencies

The two delegations agreed, that the designated airlines of both sides shall be permitted to operate up to 4 (four) passengers flights per week and 3 (three) cargo flights with any type of aircraft on specified routes. In case of increase in future in demand for air services on the specified routes the frequencies may be reviewed and agreed by Aeronautical Authorities of both sides.

3. Exercise of Fifth Freedom Traffic Rights

The authorization of fifth freedom traffic rights is subject to approval of the Aeronautical Authorities of both Parties.

4. Exchange operational information regarding forged or counterfeit travel documents

The Delegation of Colombia proposed provision on the exchange of operational information regarding forged or counterfeit travel documents. The Icelandic Delegation explained that this competence falls under another authority in Iceland. The Icelandic Delegation will recommend to the competent authority to Iceland to cooperate with the competent authority of Colombia to strengthen resistance to travel document fraud, including the forgery or counterfeiting of travel documents, the use of forged or counterfeit travel documents, the use of valid travel documents by impostors’, the misuse of authentic travel documents by rightful holders in furtherance of the commission of an offence, the use of expired or revoked travel documents, and the use of fraudulently obtained travel documents.



5. European Economic Area

Iceland is a member of the European Economic Area. Reference to the "European Economic Area" means the enhanced free trade area established by the Agreement on the European Economic Area (EEA Agreement), done at Oporto on 2 May 1992, between the European Community and its Member States on the one hand and the EFTA States with the exclusion of Switzerland on the other hand. EFTA is an abbreviation for the European Free Trade Association of which Iceland is a Member State.

According to the EEA Agreement a Member State may be required to designate an operator from any other Member State to operate on its routes. The Parties agree on the wording of Article 3 of the ASA Agreement. However, in the light of the above obligation the Delegation of Iceland proposes that the Government of Colombia considers a following clause to be put into Article 3 of the ASA Agreement. Colombia informed that they could not accept such a provision at present. If at a later stage the Government of Colombia accepts the proposal the expectation of which will be done by diplomatic note.

Upon receipt of such a designation and of applications from the designated airline, in the form and manner prescribed for operating authorizations and technical permissions, the other Party shall grant the appropriate authorizations and permissions with minimum procedural delay, provided:

a) in the case of an airline designated by Iceland:

- (i) it is established in the territory of Iceland in accordance with the Agreement on the European Economic Area, and has a valid Operating License in accordance with national law adopted in accordance with the Agreement on the European Economic Area;
- (ii) effective regulatory control of the airline is exercised and maintained by a Member State of the European Economic Area responsible for issuing its Air Operator's Certificate, and the relevant aeronautical authority is clearly identified in the designation; and
- (iii) it is owned and shall continue to be owned directly or through majority ownership by Member States of the European Economic Area and/or nationals of the European Economic Area and shall at all times be effectively controlled by such states and/or nationals.

This Memorandum of Understanding shall come into effect on the date of its signature.

Signed in Montego Bay, Jamaica on the 30 June 2010

For the Government of Colombia



Ilya Restrepo
Chief of the Air Transport Bureau

For the Government of Iceland



Kristján Andri Stefánsson
Ambassador, Chief Air Negotiator

ATTACHMENT “A”

Delegation of the Government of the Colombia

Ilva Restrepo
Chief of the Air Transport Bureau
Civil Aviation Administration

Claudia Esguerra B.
Chief of the International affairs and Regulations
Civil Aviation Administration



ATTACHMENT “B”

Delegation of the Government of Iceland

Kristján Andri Stefánsson
Ambassador, Chief Air Negotiator
Ministry for Foreign Affairs

Karl Alvarsson
Director of Transport
Ministry of Transport, Communications and Local Government

Jóhanna Helga Halldórsdóttir
Legal Adviser
Civil Aviation Administration

