

TRANSPORTATION

Aviation

**Agreement Between the
UNITED STATES OF AMERICA
and JAPAN**

**Amending the Schedule of the
Agreement of August 11, 1952,
As Amended**

Effected by Exchange of Notes at
Washington April 26, 2016



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

JAPAN

Transportation: Aviation

*Agreement amending the schedule of the
Agreement of August 11, 1952,
as amended.*

*Effected by exchange of notes at Washington
April 26, 2016;*

Entered into force October 30, 2016.

Translation

Washington, April 26, 2016

Excellency,

I have the honor to refer to the recent consultations on the Civil Air Transport Agreement between Japan and the United States of America, signed at Tokyo on August 11, 1952, as amended (hereinafter referred to as the "1952 Agreement"). I have further the honor to propose, on behalf of the Government of Japan, that Section 3 of the Annex to the Memorandum of Understanding between Japan and the United States of America, effected by the exchange of notes at Yokohama on November 13, 2010, which was negotiated with a view to ensuring the implementation of the 1952 Agreement and which amended the Schedule to the 1952 Agreement, shall be deleted and replaced with the following:

"Section 3

Access to Tokyo International Airport (Haneda)

The following shall apply to international air transportation prescribed in the Annex that includes Tokyo International Airport (Haneda):

1. The slots available for scheduled combination service by the designated airlines of each Party shall be limited to a total of five (5) pairs of slots during daytime hours between 0600 and 2255 hours (local time) and one (1) pair of slots during late night and early morning hours between 2200 and 0655 hours (local time); extra sections shall not be permitted;
2. Slots for scheduled combination service shall not be used for all-cargo service; and

His Excellency
Mr. John Forbes Kerry
The Secretary of State
of the United States of America

3. Airlines of each Party, in the aggregate, may operate no more than six hundred (600) one-way charter flights per year."

If the above proposal is acceptable to the Government of the United States of America, I have the honor to propose that this Note and Your Excellency's Note in reply shall constitute an agreement between the Government of Japan and the Government of the United States of America, which shall enter into force on October 30, 2016.

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

Kenichiro Sasae
Ambassador Extraordinary
and Plenipotentiary of Japan
to the United States of America

書簡をもって啓上いたします。本使は、千九百五十二年八月十一日に東京で署名された日本国とアメリカ合衆国との間の民間航空運送協定（修正を含む。）（以下「千九百五十二年の協定」という。）に関する最近の協議に言及する光榮を有します。本使は、更に、千九百五十二年の協定の実施を確保するために交渉され、及び千九百五十二年の協定の付表を修正した二十年十一月十三日に横浜で交換された公文によって効力を生じた日本国とアメリカ合衆国との間の了解書の附属書第三節を次のように改めることを日本政府に代わって提案する光榮を有します。

第三節 東京国際空港（羽田）の利用

次の規定は、この附属書に規定する国際航空運送であつて、東京国際空港（羽田）を含むものについて適用する。

- 1 各締約国の指定航空企業による定期貨客業務のために利用可能な発着枠は、現地時間午前六時から午後十時五十五分までの間の昼間時間帯の発着枠にあつては合計五組に、現地時間午後十時から翌日の午前六時五十五分までの間の深夜早朝時間帯の発着枠にあつては一組に制限される。臨時便については、許可し

ない。

2 定期貨客業務のための発着枠は、貨物専用便業務に使用してはならない。

3 各締約国の航空企業は、各締約国の航空企業全体で年間片道六百便を超えない範囲内でチャーター便を運航することができる。

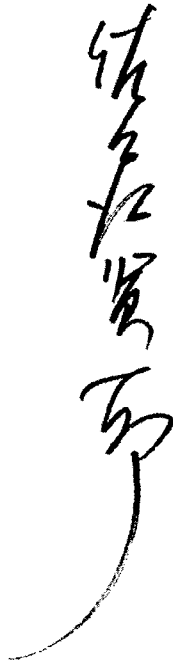
本使は、前記の提案がアメリカ合衆国政府にとって受諾し得るものであるときは、この書簡及び閣下の返簡が日本政府とアメリカ合衆国政府との間の合意を構成し、並びにその合意が二千十六年十月三十日に効力を生ずることを提案いたします。

本使は、以上を申し進めるに際し、ここに重ねて閣下に向かって敬意を表します。

二千十六年四月二十六日にワシントンで

アメリカ合衆国駐在

日本国特命全権大使



アメリカ合衆国

国務長官 ジョン・フォーブス・ケリー閣下

DEPARTMENT OF STATE

WASHINGTON

April 26, 2016

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's

Note of today's date, which reads as follows:

I have the honor to refer to the recent consultations on the Civil Air Transport Agreement between Japan and the United States of America, signed at Tokyo on August 11, 1952, as amended (hereinafter referred to as the "1952 Agreement"). I have further the honor to propose, on behalf of the Government of Japan, that Section 3 of the Annex to the Memorandum of Understanding between Japan and the United States of America, effected by the exchange of notes at Yokohama on November 13, 2010, which was negotiated with a view to ensuring the implementation of the 1952 Agreement and which amended the Schedule to the 1952 Agreement, shall be deleted and replaced with the following:

“Section 3

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1. The slots available for scheduled combination service by the designated airlines of each Party shall be limited to a total of five (5) pairs of slots during daytime hours between 0600 and 2255 hours (local time) and one (1) pair of slots during late night and early morning hours between 2200 and 0655 hours (local time); extra sections shall not be permitted;
2. Slots for scheduled combination service shall not be used for all-cargo service; and
3. Airlines of each Party, in the aggregate, may operate no more than six hundred (600) one-way charter flights per year.”

His Excellency

Kenichiro Sasae,

Ambassador of Japan.

DIPLOMATIC NOTE

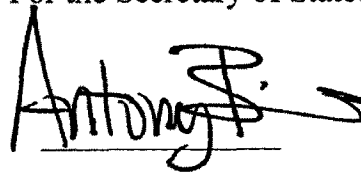
If the above proposal is acceptable to the Government of the United States of America, I have the honor to propose that this Note and Your Excellency's Note in reply shall constitute an agreement between the Government of Japan and the Government of the United States of America, which shall enter into force on October 30, 2016.

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

I have the honor to inform Your Excellency that the Government of the United States of America accepts the above proposal of the Government of Japan and to confirm that Your Excellency's Note and this reply note shall constitute an agreement between the two governments, which shall enter into force on October 30, 2016.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

A handwritten signature in black ink, appearing to read "Antony B.", with a horizontal line underneath the name and a long, sweeping flourish extending to the right.