

EMBASSY OF THE
UNITED STATES OF AMERICA

Bogota, D.C. ,
September 28, 2007

No. 3034

Excellency:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Colombia and has the honor to refer to the Air Transport Agreement between the United States of America and the Republic of Colombia of October 24, 1956 ("the 1956 Agreement") and to the understanding and amendments relating to the 1956 Agreement, effected by exchange of notes at Bogota on August 11, October 11, and November 22, 2000, as amended and extended ("the 2000 Agreement"), and to the consultations between representatives of the Government of the United States of America and the Government of the Republic of Colombia held on September 13, 2007, via digital video conference, in order to further the development of air transportation service between our two countries.

In light of the recent consultations, the Embassy has the honor to inform Your Excellency that the Government of the United States of America proposes that paragraphs 1 and 3 of the understanding and amendments effected by the 2000 Agreement, currently set to expire on September 30, 2007, shall be amended to read as follows:

1. The following provisions shall apply to scheduled combination services on any route authorized under Annex II of the October 24, 1956 Air Transport Agreement between the United States and the Republic of Colombia, as amended ("the Agreement"), until December 31, 2009:
 - a) Consistent with the provisions of Annex II of the Agreement:
 - i. (a) Airlines designated by the Government of the United States may operate up to a total of seventy (70) weekly round-trip frequencies, and
 - (b) Airlines designated by the Government of Colombia may operate up to a total of seventy-eight (78) weekly round-trip frequencies.

ii. Effective December 1, 2007:

(a) Airlines designated by the Government of the United States may operate up to a total of seventy-seven (77) weekly round-trip frequencies, and

(b) Airlines designated by the Government of Colombia may operate up to a total of eighty-five (85) weekly round-trip frequencies.

iii. Effective April 1, 2008:

(a) Airlines designated by the Government of the United States may operate up to a total of eighty-four (84) weekly round-trip frequencies, and

(b) Airlines designated by the Government of Colombia may operate up to a total of ninety-two (92) weekly round-trip frequencies.

iv. Effective October 1, 2008:

(a) Airlines designated by the Government of the United States may operate up to a total of ninety-one (91) weekly round-trip frequencies, and

(b) Airlines designated by the Government of Colombia may operate up to a total of ninety-nine (99) weekly round-trip frequencies.

v. Both Parties may authorize, by common agreement, capacity increases in addition to those provided under this paragraph to address special market conditions.

vi. All frequencies may be utilized freely in any authorized market provided that the airline is duly authorized by the Party that designates the airline, and that such authorization is communicated to the other Party in writing.

b) Notwithstanding the provisions of paragraph (a) above:

i. Designated airlines of the Republic of Colombia shall be entitled to operate unlimited frequencies from Colombian territory to San Juan, Puerto Rico.

ii. Designated airlines of both Parties shall be entitled to operate unlimited frequencies to and from the cities of Barranquilla and Cartagena.

c) There shall be no limits on the number of combination airlines that either party may designate under the Agreement.

d) The frequency limitations herein do not apply to the non-operating carriers participating in code-sharing arrangements.

* * *

3. The following provisions shall apply to charter services operated by airlines of the parties until December 31, 2009:

a) Airlines of the parties shall be authorized to perform charter services between the territories of the parties, as provided in subparagraphs (b), (c), and (d) of this paragraph, consistent with regulations normally applied.

b) Authorized airlines of either party providing charter services between the territories of the parties may engage in cooperative marketing arrangements set forth in Article 2(B) of the Agreement.

c) Authorized airlines of the United States and of the Republic of Colombia may operate unlimited combination charter flights to Cartagena de Indias, Santa Marta, San Andres Island, and Armenia in Colombia from any point in the United States.

d) Authorized airlines of the United States and of the Republic of Colombia may operate unlimited combination charter flights to San Juan, Puerto Rico and Orlando in the United States from any point in Colombia.

e) Both parties will give sympathetic consideration to requests to authorize, on the basis of comity and reciprocity, the performance of charter services other than those specified in sub-paragraphs (c) and (d) above.

The Embassy has the further honor to propose that, if acceptable to your Government, this note and your Excellency's affirmative note in reply shall constitute an agreement on this subject which shall enter into force on the date of your Excellency's note in reply, with effect from September 30, 2007.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Relations of the Republic of Colombia the assurances of its highest consideration.

Embassy of the United States of America

Bogotá, D.C., September 28, 2007



His Excellency
Fernando Araujo Perdomo
Minister of Foreign Relations of
the Republic of Colombia,
Bogotá, D.C.



Comparison/Translation

REPUBLIC OF COLOMBIA
MINISTRY OF FOREIGN RELATIONS

DM.OAJ.CAT No. [blank]

Bogotá, D.C., September 28, 2007

Mr. Ambassador:

I have the honor to write Your Excellency regarding Note No. 3034 of September 28, 2007, the text of which reads as follows:

[The Spanish translation of Embassy note No. 3034 of September 28, 2007, agrees in all substantive respects with the original English text.]

I have the honor to inform you that the above-transcribed proposal is acceptable to the Government of Colombia. Accordingly, Your Excellency's note [Embassy Note No. 3034] and this note shall constitute an agreement between our two governments which shall enter into force on the date of this note, with effect from September 30, 2007.

I avail myself of this opportunity to renew to Your Excellency, the assurances of my high and distinguished consideration.

[Signature]

Camilo Reyes Rodríguez
Deputy Minister of Foreign Relations
on behalf of the Minister of Foreign Relations

His Excellency
William R. Brownfield
Ambassador of the United States of America,
Bogotá, D.C.