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## Protocol

Delegations representing the Aeronautical Authorities of the Russian Federation and the Federal Republic of Germany met in Moscow on January 21-23, 2014 to discuss civil aviation matters between the two countries.

The discussions were cordial and constructive, reflecting the mutual respect and understanding of the two delegations. Delegation lists are attached as Annexes I and II.

### **1. Modernization of the existing system of utilization of the Transsiberian routes**

Both sides exchanged views on the modernization of the existing system of utilization of the Transsiberian routes and agreed that any issues related to the air services between the two countries, including but not limited to the Air Transport Agreement between the Government of the Federal Republic of Germany and the Government of the Russian Federation signed on July 14, 1993 (hereinafter referred to as "the Agreement") will be discussed and decided between the Aeronautical Authorities of the Russian Federation and the Federal Republic of Germany.

The two sides stated their mutual interest in further developing their air transport relations on a bilateral basis in order to pursue said issues in an expeditious way.

The two sides decided to continue discussions concerning modernization of the currently existing system of operations on Transsiberian routes in the course of the next round of consultations based on the existing bilateral Agreement and respective arrangements between Aeronautical Authorities of the Russian Federation and the Federal Republic of Germany.

### **2. Development of All-Cargo Services**

a) From the date of signature of this Protocol the following shall apply:

Both sides grant each other planning stability for all-cargo air carriers. There shall be no short term hurdles for seasonal application process. All over-flight and neighbourhood traffic applications shall be approved.

The German and Russian side will ensure traffic rights in the scope of the currently flown winter flight programs of all Russian and German all-cargo air carriers.

b) The two sides took note of the proposals for the development of all-cargo air services and decided to provide the all-cargo air carriers effective IATA Summer schedule season 2014 with the traffic rights below:

Russian all cargo air carrier(s):

Two (2) weekly frequencies on route Frankfurt on Main – points in the US and vv. with traffic rights on a scheduled basis.

One (1) weekly frequency on route Frankfurt on Main – points in the US and vv. with traffic rights on a charter basis.

For German all cargo air carrier(s):

In addition to the traffic rights already provided to the German and Russian all-cargo air carriers, fourteen (14) all-cargo direct weekly frequencies in total are granted in accordance with the standard requirements for operation on the specified routes on a scheduled basis

For the second German all cargo air carrier already using Russian airspace :

In accordance with the traffic rights already granted in paragraph 2a) the second German all cargo air carrier is granted seven (7) all-cargo direct weekly frequencies on a charter basis in accordance with the standard requirements for operation on the specified routes.

Both sides affirm that the above mentioned traffic rights on charter basis may be applied on a seasonal basis in accordance with national legislation and applicable respective AIPs, including direct application.

Both sides will discuss the second designation of a German all-cargo air carrier in the near future. Each side reserves its right to terminate the agreement on traffic rights on a charter basis granted above if no agreement on this issue is reached no later than October 25, 2014. After the recognition of the designation



of the second German all-cargo air carrier both sides will allow these charter services to be performed on a scheduled basis.

Technical landings at points agreed for all-cargo air services are at the discretion of the air carriers.

### **3. Amendment of frequency entitlements on specified routes**

Both sides reviewed the request of the German designated carrier for an increase of the currently applicable frequency framework for passenger and cargo (combination) scheduled services on the routes specified in accordance with Article 2 (2) of the bilateral Agreement and the respective arrangements between the Aeronautical Authorities of the Russian Federation and the Federal Republic of Germany agreed to add to the existing frequency entitlements for air carriers designated by each side effective IATA Summer season 2014 as follows:

Route 3	3.5 frequencies per week
Route 4	2.5 frequencies per week
Route 5	0.5 frequencies per week

All standard requirements for operation on specified routes remain unchanged.

### **4. Local Route Network Development**

The Russian side proposed to the German side to consider the following points of destination on the territory of the Russian Federation: Sochi, Chita, Khabarovsk. Both sides decided to discuss further liberalization of the local services including lifting restrictions in terms of number of designated carriers on city pair basis during the next round of consultations.

Both sides reaffirmed their understanding that for all-cargo air services Novosibirsk and Krasnoyarsk may be used for technical landings.

Both sides will consider the issue of scheduled flights with W-Pattern during the next round in the context of considerations on raising the number of designation on the agreed city-pairs.

### **5. Code Share**

Both Sides agreed on the following:



In operating or offering the authorized services on the agreed routes, any designated airline of one Contracting Party may enter into code-sharing arrangements with

- an airline or airlines of the same Contracting Party, and
- an airline or airlines of the other Contracting Party, and

provided that all airlines in such arrangements

- hold the appropriate authority to operate on the routes and segments concerned, and
- in respect of any ticket sold by it or them, make it clear to the purchaser at the point of sale which airline will actually operate each sector of the service and with which airline or airlines the purchaser is entering into a contractual relationship.

Code-share services are not counted against the frequency entitlement of the marketing carrier and shall not be subject to any restrictions with regard to the number of designated airlines on city pair basis.

The authorized airlines may operate flights as a marketing carrier on the routes 1 and 2 to any additional point in the territory of the respective Contracting Parties on a code share basis only.

The German side proposed to include opportunities for code share operations with airlines of a third country on services to, from and via third countries, bearing in mind that the Russian Federation has entered into such arrangements with other European countries. The Russian side proposed to discuss this issue in the next round of air services consultations.

## 6. Charter flights

The two sides discussed the state of charter operations and decided to favorably consider requests for charter flights of air carriers of both sides, provided that all charter flights shall be operated in accordance with applicable legislation of both sides.

During peak traffic seasons and in case of special events, the Aeronautical Authorities of Russia and Germany might also positively consider, subject to

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standard conditions, applications for charter flights of air carriers of both sides in accordance with applicable legislation of both sides.

**7. Next Round of Consultations**

Both Sides agreed on a next round of bilateral air transport negotiations to be held in May or June 2014 in Germany in order to further liberalize the bilateral air services especially with regard the above mentioned issues.

**8. Entry into Force**

This Protocol shall enter into force on the date of its signature.

Signed in Moscow on January 23, 2014.

For the Aeronautical Authorities of  
the Russian Federation

For the Aeronautical Authorities of  
the Federal Republic of Germany

Sergey A. Seskutov

Gerold Reichle



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Annex I

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