

## **AGREED RECORD**

The Aeronautical Authorities of the Russian Federation and the Republic of Poland met in Warsaw on 19 – 20 February 2013 to discuss matters related to the Agreement between the Government of the Russian Federation and the Government of the Republic of Poland on air services, done at Kaliningrad on 26<sup>th</sup> July 2002 (ASA).

The list of the delegations is attached hereto as Appendix 1.

The discussions were held in open and friendly atmosphere. The delegations discussed the following issues:

### **1. Amendments to the ASA**

Both sides agreed to implement amendments into the ASA in the form of the Protocol to amend the Agreement between the Government of the Russian Federation and the Government of the Republic of Poland on air services, done at Kaliningrad on 26<sup>th</sup> July 2002 (Protocol). The said Protocol brings the ASA into conformity with the European Union legislation. The draft Protocol is attached hereto as Appendix 2. Both sides agreed to make the respective internal procedures in order to implement the Protocol as soon as possible.

### **2. Amendments to the Annex to the ASA**

The Polish side proposed to implement into the Annex to the ASA the appropriate provisions concerning the possibility of providing the air services by one airline using aircraft and flight crew provided by other airline (wet leasing). According to the Polish delegation, wet leasing provides important flexibility into the airlines operations of both sides and therefore it is desirable and may be profitable.

The Russian delegation explained, that in accordance with the ASA the wet leasing is not possible and that at this stage there is no possibility of any change of the ASA with this respect.

Both sides agreed to change point C in the Annex to the ASA in order to increase the number of designated airlines for either side to two (2) for performance of scheduled services on each particular route, beginning from IATA 2013 Summer season. Accordingly, the point C shall be read as follows:

“ Either Contracting Party has the right to designate two (2) airlines to perform the scheduled operations on each particular route. In case, where the capacity of the designated airlines does not meet the demand for carriage on the said particular route, the designation of the third airline by either side shall remain subject to the agreement of the Aeronautical Authorities of both Contracting Parties”.

### **3. Scheduled services beyond the Russian Federation territory and the issue of overflights**

Both sides confirmed, that the arrangements made during the previous meetings in Moscow, on 14<sup>th</sup> September 2010 and on 5<sup>th</sup> August 2011, including the operations to points beyond the territory of the Russian Federation (Hanoi, Beijing and Tokyo) and

the number of frequencies on routes Warsaw – Hanoi v.v., Warsaw – Tokyo vv. and Warsaw – Beijing, remain valid.

The Polish delegation informed the Russian counterpart about the revised plans of operations for the upcoming years of the airline designated by the Republic of Poland. The following scheme concerning the possible increase of the number of frequencies in the upcoming years and new destinations envisaged to be operated by the airline designated by the Republic of Poland was presented:

2014 IATA Summer season	Beijing	- 5 frequencies per week
	Tokyo	- 5 frequencies per week
	Seoul	- 5 frequencies per week
	Singapore	- 5 frequencies per week
2015 IATA Summer season	Shenzhen	- 5 frequencies per week
	Shanghai	- 5 frequencies per week
	Hong-Kong	- 5 frequencies per week

The Russian side took note of the plans presented above.

The Polish delegation expressed its dissatisfaction that the Agreed Principles signed at the end of 2011 are still not in force.

The Russian side informed that the implementation of Agreed Principles is “frozen” due the EU position on the EU ETS.

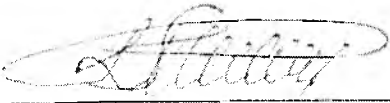
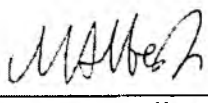
#### 4. Miscellaneous

In response to the Polish request, the Russian side declared to submit in due time to the Polish Authorities the designation of Aeroflot Russian Airlines in order to continue to perform the services on the route Moscow - Cracow v.v. in accordance with the ASA.

#### 5. Next meeting

Both sides agreed to hold the next meeting of the Aeronautical Authorities of the Russian Federation and the Republic of Poland in November 2013.

Done at Warsaw, on 20<sup>th</sup> February 2013 in two original copies in English language.

For the Aeronautical Authorities of the Russian Federation 	For the Aeronautical Authorities of the Republic of Poland 
Paula Malinina	Malgorzata Alberti

## APPENDIX 1

### Delegation of the Russian Federation

Ms. Paula Malinina Head of Air Services Division, Department of State Policy in Civil Aviation, Ministry of Transport of the Russian Federation, Head of the Delegation

Ms. Victoria Kuzovleva Expert, Air Services Division, Department of State Policy in Civil Aviation, Ministry of Transport of the Russian Federation

Mr. Andrey Mozhaev Representative of the Ministry of Transport of the Russian Federation

Mr. Tauras Shpokyaviczus Counselor, Embassy of the Russian Federation in the Republic of Poland

### Observers:

Mrs. Natalya Teimurazova Director External Relations and Alliances, Aeroflot Russian Airlines

Mr. Vladimir Ivchenko Country Manager, Aeroflot Russian Airlines

### Delegation of the Republic of Poland

Ms. Małgorzata Alberti Head of the International Agreements Division, Air Transport Department, Civil Aviation Authority of the Republic Poland, Head of the Delegation

Ms. Elzbieta Leksowska International Agreements Division, Air Transport Department, Civil Aviation Authority of the Republic of Poland

Mr. Paweł Moniak International Agreements Division, Air Transport Department, Civil Aviation Authority of the Republic of Poland

Mr. Michał Karczmarz Department of Legal and Treaty Issues, Ministry of Foreign Affairs of the Republic of Poland

Mr. Jerzy Wrzesiński Interpreter

### Observer:

Ms. Elzbieta Wiszniewska LOT Polish Airlines

