

**CONFIDENTIAL MEMORANDUM OF UNDERSTANDING
BETWEEN THE AERONAUTICAL AUTHORITIES
OF THE RUSSIAN FEDERATION AND THE SWISS CONFEDERATION**

Recognizing the importance of the further development and expansion of the air transport network to meet the increasing demand between Switzerland and Russia, wishing to improve the legal framework according to the current situation in international air services market and taking into account the friendly aviation relationship between the two countries, the Aeronautical Authorities of Switzerland and Russia (hereinafter referred to as "both Delegations") met on July 2, 2019 and agreed as follows.

The lists of the Delegations are attached as Attachment A.

2. TRAFFIC RIGHTS

Both Delegations held their discussions on the further development of the existing operational conditions between their respective countries, in order to meet the market needs. In this regard, both Delegations agreed that the designated airlines of each Contracting Party shall be entitled to operate the agreed services as follows:

2.1. Designation

Both Delegations agreed that two (2) airlines of each Contracting Party can be designated for scheduled air services on the route Moscow – Geneva v.v.



2.2. Capacity/ Frequencies

Both Delegations agreed to increase the frequencies on the route Moscow – Geneva v.v. up to twenty-eight (28) weekly frequencies in total.

Both Delegations agreed that for the Russian side seven (7) additional frequencies on the route Moscow – Geneva v.v. shall be utilized by the already designated airline and seven (7) additional frequencies shall be utilized by the newly designated second airline.

2.3. Status of Zhukovsky airport

The Russian side stated that in accordance with the orders of the Government of the Russian Federation Num. 432-r dated March 15, 2016 and Num. 726-r dated April 20, 2016 Zhukovsky airport in the city of Zhukovsky, which does not belong to the Moscow aviation hub, was opened for international flights. Therefore, the designation of Russian airlines on the route Zhukovsky – points in Switzerland can not be considered within the “Moscow quota”.

The Swiss Delegation considers that Zhukovsky airport is a part of Moscow aviation hub. However, the Swiss Delegation accepted to grant seven (7) weekly frequencies between Zhukovsky and Geneva v.v., as a new city pair, with single designation on this route.

2.4. All-Cargo Services

With respect to the Annex of the ASA dated September 2, 1993, both Delegations agreed that the designated all-cargo airline(s) will be entitled to operate up to seven (7) weekly frequencies with any type of aircraft in both directions between point (s) in Russia – any intermediate point(s) – Basel. The designated airline(s) can continue their flights beyond Basel to points in third countries excluding point (s) in North America with fifth-freedom traffic rights in the frame of seven (7) of these seven (7) weekly frequencies. Both Delegations confirmed that in accordance with the paragraph 1.2 of the Confidential Memorandum of Understanding dated June 7, 1995, the designated airline of the Russian Federation remains authorized to operate two (2) weekly frequencies with 5th freedom traffic rights from/to Switzerland to/from two points of free choice in North America. In such case, these operations will be counted against the total quota of seven (7) weekly frequencies.

4. AMENDMENT OF ARTICLE 9 OF THE RUSSIAN VERSION OF AIR SERVICES AGREEMENT

The ASA dated September 2, 1993 was signed in duplicate in the German and Russian languages. During the past years, implementation challenges highlighted a divergence of interpretation / translation between the German and Russian languages regarding Article 9 on "Exemption of Duties and Taxes" in the Russian language version.

Following these implementation challenges and the relevant legal proceedings that followed, the Swiss Federal Office of Civil Aviation (FOCA) received a proposal from the Ministry of Transport of the Russian Federation on 20 October 2017 for a rewording of Article 9 in its Russian language version. The FOCA responded to this proposal on 25 July 2018 and agreed with the majority of the proposal, with some exceptions.

During the consultations, the Russian side mentioned that it has received the reply from Switzerland and will send a written reply on this issue within three months.



5. ENTRY INTO FORCE

5.1. The present Confidential Memorandum of Understanding (CMOU) enters into force on the date of its signature.

5.3. The provisions of the previously reached agreements not covered by the present CMOU will remain in force.

Signed in Moscow on July 2, 2019.

For the Federal Office of Civil Aviation
of Switzerland



Marcel Zuckschwerdt

For the Ministry of Transport of the
Russian Federation



Svetlana Petrova

DELEGATION OF SWITZERLAND

Head of Delegation

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