



**МИНИСТЕРСТВО ТРАНСПОРТА
РОССИЙСКОЙ ФЕДЕРАЦИИ
(МИНТРАНС РОССИИ)**

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02.04.2012 № *01-0403/1136*

**Федеральное агентство
воздушного транспорта**

На № _____ от _____

Информируем о том, что 26 августа 2011 года в Москве состоялись консультации авиационных властей России и Португалии. Ввиду ограниченного времени пребывания португальской делегации в Москве, протокол консультаций был подписан позднее, путем обмена письмами авиационных властей.

Направляем для учета и использования в работе копию указанного протокола.

Приложение: на 6 л.

Директор Департамента
государственной политики
в области гражданской авиации

В.Н. Тасун



Сабина Маргарита Андреевна
8 499 231 56 29

РОСАВИАЦИЯ
Вх. № 1-5685
От 03.04.2012 1 + 6 л.

AGREED MINUTES

The Aeronautical Authorities of the Russian Federation and the Portuguese Republic met in Moscow on 26th August 2011 to discuss matters related to further development of air services between Russia and Portugal.

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

The discussions were conducted in an open and friendly atmosphere. The delegations discussed the following matters:

1. EU designation clause

The Portuguese delegation referred to its obligation to include the EU standard clauses into the bilateral Air Services Agreements with third countries. The delegation of the Russian Federation informed on the most recent developments in the relations between the Russian Federation, and the European Union and its Member States. The delegation of the Russian Federation explained that it could not discuss the draft text Agreement presented by the Portuguese delegation at this stage, as it intends to formalise its Agreement on that matter with the Republic of Finland. The delegation of the Russian Federation further explained that the bilateral air services agreements concluded on behalf of the Russian Federation (for example, ASA Russia/Finland), would be amended, and those concluded on behalf of the USSR (case of ASA Russia/Portugal), would be totally renegotiated. The delegation of the Russian Federation informed that pending the approval by the respective Governments of the Agreement between the Russian Federation and the Republic of Finland it was not yet in a position to revise or conclude new bilateral Air Transport Agreements including EU clauses with other EU Member States.

2. Reflection on the Agreed Principles

The Portuguese delegation expressed its support to the conclusion and implementation of the "Agreed Principles of the Modernization of the existing System of Utilization of the Trans-Siberian routes", in order to improve the air services between the Parties.

The Russian delegation took note of this statement and informed that this issue is in the responsibility of the Russian Ministry of Economic Development being a matter related to the accession of the Russian Federation to WTO.



3. Designation of the Russian airline on the routes between Russia and Portugal

The Russian delegation informed the Portuguese delegation that Transaero Airlines was designated by the Russian side in 2010 to operate the agreed services on the routes between Moscow and Lisbon/Faro instead of Aeroflot – Russian Airlines. For the Russian delegation such designation is still valid.

In despite of the acknowledgment of Transaero Airlines as the airline designated by the Russian side, the Portuguese delegation emphasized that, due to restrictions set forth by national and EU legislation, the Annex to the Air Services Agreement between the Government of USSR and the Government of Portugal of December 11th, 1974 (SAS) could not be amended in terms of new routings and designated airlines.

The Portuguese delegation further indicated that the current ASA clauses imposing the need for airlines to jointly determine and agree on capacity, programs and tariffs are not compliant with the relevant competition laws.

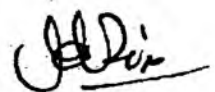
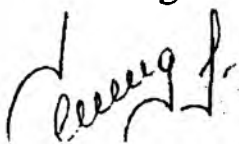
4. Frequencies on scheduled services between Russian Federation and Portugal

Both delegations had intensive discussions on this issue. As a result both delegations confirmed the provision already agreed in paragraph 3, number 2 of the Agreed Record, signed in Moscow, on 26th of April of 2010, stating that: *With reference to point 3 of Article 3 of the ASA both delegations also agreed that designated airlines of both sides will have the right to operate up to 14 frequencies per week on the agreed routes*". Russian delegation also informed that in spite of provisions set forth in point 3 Article 3 and pp. 1-3 Article 13, 5 frequencies on the route Lisbon – Moscow will be unconditionally approved.

The Portuguese delegation informed that, although Faro is a point in the territory of the Portuguese Republic foreseen in the CMoU, signed in 1996, it is not included in the Route Schedule of the Agreement due to the fact that it has not been approved, through the exchange of diplomatic notes, as per paragraph 2 of Article 21. The Russian delegation confirmed this information.

5. Crew Visa waiver

On the issue of visa waiver for TAP crew members, the Russian delegation stated that following the results of aeronautical authorities' consultations of 2010, the Russian side has passed via diplomatic channels a draft of intergovernmental visa waiver agreement in the form of exchange of diplomatic



notes and awaits Portuguese side comments on the draft in order to start preparing necessary governmental decision.

The Portuguese delegation thanked the Russian side for this initiative and requested indication of the date of the exchange of such diplomatic note, in order to follow up the process.

6. Miscellaneous

The Russian side expressed its concern with the implementation of the EU ETS on aircraft operators from third countries. The Russian side believes that such unilateral actions contradict the ICAO Assembly Resolution which urges Parties involved to engage in negotiations and consultations to reach an agreement on the implementation of market based measures. The Russian side considers unacceptable the implementation of the EU ETS on international aviation and reserves its right to impose adequate measures in case the Russian carriers will be included into EU ETS without being at first agreed between relevant authorities.

7. Entry into force

These Agreed Minutes shall come into effect on the date of its signature.

8. Next meeting

The two delegations agreed to hold the next meeting between the Aeronautical Authorities of the Russian Federation and the Portuguese Republic, in Lisbon.

Done at Moscow on 26th August 2011 in two original copies in English language.

For the Aeronautical Authorities
of the Russian Federation

 Oleg Demidov

For the Aeronautical Authorities
of the Portuguese Republic


Helena Faleiro

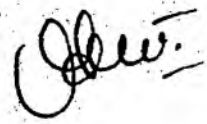
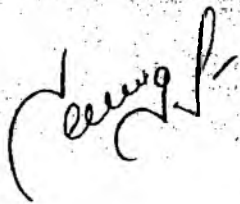
APPENDIX 1

RUSSIAN DELEGATION

1. Mr. Oleg Demidov Deputy Director Department of State Policy in Civil Aviation, Ministry of Transport,
Head of the Delegation;
2. Mrs. Natalia Prostir Chief - expert Air Services Division Department of State Policy in Civil Aviation, Ministry of Transport;
3. Mr. Arthur Romanenko Chief - expert Department International Cooperation, Ministry of Transport;
4. Mr. Sergey Vasiliev Deputy Head, International Relations Department, Federal Air Transport Agency;
5. Mrs. Darya Parshina Representative of the Federal Air Transport Agency;
6. Mr. Dmitry Sorokin Ministry of Foreign Affairs;

Airline observers

7. Mr. Alexander Delezha "Transaero";
8. Mrs. Natalia R. Teimurazova "Aeroflot - Russian Airlines";
9. Mr. Igor Chernyshov "S7";
10. Mr. Yury Mikhin "VIM-AVIA";
11. Mrs. Nadejda Kuzmina "Yakutia".

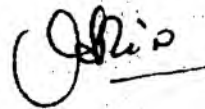


PORTUGUESE DELEGATION

1. Mrs. Helena Faleiro Director of Economic Regulation, National Institute of Civil Aviation Ministry of Economy and Employment, Head of the Delegation;
2. Mrs. Ana Cristina Pais Market Access Department, National Institute of Civil Aviation Ministry of Economy and Employment;
3. Mrs. Ana Maria Ribeiro da Silva Embassy in Moscow;

Airline observers

4. Ms. Jose Guedes Dias Vice President Alliances and External Relations, TAP Portugal;
5. Mrs. Claudia Madeira da Silva Alliances and External Relations, TAP Portugal;
6. Mr. Pedro Pinto General Manager, Russia and Ukraine, TAP Portugal.



APPENDIX 2

Cooperative Marketing Arrangements

In operating or holding out the authorized services on the agreed routes, any airline of each Party may enter into co-operative marketing arrangements such as code-sharing with:

- an airline or airlines of either Party; and
- an airline or airlines of a third country,

provided that all airlines in such arrangements hold the appropriate authority and meet the requirements normally applied to such arrangements.

It is the common understanding of both Parties that the airlines of either Party, when code-sharing in the above arrangements, shall be allowed to hold out as marketing carrier any number of services and to serve any points in the territory of the other Party.

Where the airlines of the other Party enter into code-sharing arrangements, the frequencies used by the non-operating carrier will not be counted against that carrier's capacity entitlement.

Signed commercial agreements in this regard shall be notified to both Aeronautical Authorities prior to the introduction of any code-share services.

Information to passenger - When booking, issuing, selling tickets and at check-in on services pursuant to any code-share agreement, the marketing carrier shall advise its passengers of which airline will actually operate each sector of the service.

