
**MEMORANDUM OF UNDERSTANDING
BETWEEN THE AERONAUTICAL AUTHORITIES
OF THE RUSSIAN FEDERATION AND THE KINGDOM OF SPAIN (MOU)**

Delegations representing the Aeronautical Authorities of the Russian Federation and the Kingdom of Spain met in Moscow on 25 and 26 of February 2016 for the purpose of further development of the bilateral air transport relations between their respective countries.

The Spanish Delegation was headed by Mr. David Benito Astudillo, Deputy Director General for Air Transport of the Ministry of Public Works and Transport, duly empowered by the Ministry of Foreign Affairs and Cooperation and duly entitled by articles 6.1.e and 6.2.a of the Royal Decree 452/2012. The Russian Delegation was headed by Mr. Sergey Seskutov, Deputy Director of the Department for Civil Aviation of the Ministry of Transport.

A list of members of the Delegations is attached as Appendix I.


As a result of consultations understanding was gained on the following issues:

I. AIR SERVICES AGREEMENTS (ASAs) AND MEMORANDUMS OF UNDERSTANDING (MOUs)

The Contracting Parties referred to the Air Services Agreement between the Kingdom of Spain and the Russian Federation, signed in Madrid on 12 May 1976 (hereinafter referred to as the "1976 Agreement") whose Annex 1 was amended by exchange of letters of 29 March and 8 May 1990 between both countries.

The Contracting Parties also referred to the Memorandum of Understanding on Non-Scheduled Air Services between the Kingdom of Spain and the Russian Federation, signed in Moscow on 6 October 2000 (hereinafter referred to as the "2000 MOU").

The Contracting Parties finally referred to the Memorandum of Understanding between

the Kingdom of Spain and the Russian Federation, signed in Madrid on 17 April 2012 (hereinafter referred to as the “2012 MOU”), as later amended by the exchange of letters of 11 and 25 March 2015, which contains the text of a new Air Services Agreement agreed and initialled by both Contracting Parties and which specifies the provisions on designation of airlines, frequencies, route schedule, code share clause, all cargo services and charter services between both countries.

II TRANSSIBERIAN OPERATIONS

The Spanish delegation referred to the “Agreed Principles of the Modernisation of the Existing System of Utilisation of the Transsiberian Routes” (hereinafter referred to as the “Agreed Principles”), initialled on 24 November 2006 by the European Commission and the Russian Federation and encouraged the Russian Delegation to implement them as soon as possible.

The Russian Delegation stated that according to Article II.3 of the “Agreed Principles” new/additional valuable traffic rights have to be granted to the Russian Side. In this regard, the document can be discussed only after receiving this traffic rights by the Russian side. Thus, the document “Agreed Principles” defy the spirit of close and productive cooperation between Russia and Spain and creates many obstacles for the future development of air services between and beyond territories of respective countries.

The Russian Delegation presented the general overview for overflight policy in Russia and informed that any operations through the territory of the Russian Federation have to be performed in accordance with the bilateral Air Services Agreement between Russia and Spain and in accordance with other bilateral arrangements of Aeronautical Authorities of two respective countries without any interferences. Moreover any traffic rights on the above mentioned routes must be elaborated on the principles of equality and reciprocity.

Both Sides stated their mutual interest in further developing their air transport relations and hereby agreed on the following:

To amend Route Schedule agreed as Appendix II to 2012 MOU by inserting the

following issue:

One designated airline from the Spanish side and one designated airline from the Russian side are authorized to operate on the Transsiberian routes with the following weekly frequencies for each designated airline:

- Madrid – Moscow – Tokyo v.v. with capacity 3 frequencies starting from IATA Season “Summer – 2016”;
starting from IATA Season “Summer – 2017” frequencies will be increased up to 5;
starting from IATA Season “Summer – 2018” frequencies will be increased up to 7.
- Madrid – Moscow – Shanghai v.v. with capacity 3 frequencies starting from IATA Season “Summer – 2016”;
starting from IATA Season “Summer – 2017” frequencies will be increased up to 5;
starting from IATA Season “Summer – 2018” frequencies will be increased up to 7.

Services on the above mentioned routes are performed in accordance with the existing conditions of utilization of Transsiberian routes system with any type of subsonic aircraft with a capacity less than 500 seats.

II DESIGNATION OF AIRLINES AND FREQUENCIES

Both respective Parties confirmed the principle of multiple designation of air carriers performing flights between the territories of both countries except for the following routes:

Madrid – Moscow v.v. 3 air carriers for each Side;
Barcelona – Moscow v.v. 5 air carriers for each Side;
on all other routes different from Madrid/Barcelona-Moscow and v.v. an unlimited number of air carriers for each Side.

The Delegations agreed that the designated airlines of each Party shall be allowed to operate the following passenger frequencies per week on the specified routes using any

type of aircraft:

Madrid – Moscow v.v. 28 frequencies for each Side;

Barcelona – Moscow v.v. (57) frequencies for each Side (For the Russian Federation 14 additional frequencies are to be allocated between newly designated air carries, 7 to each of them. For Spain all frequencies are to be allocated according to its national regulations);

Malaga – Moscow v.v. 21 frequencies for each Side;

On any other routes different from Madrid/Barcelona/Malaga – Moscow v.v. 14 frequencies on each city pair between any point in Spain and any point in Russia for each side.

III ALL CARGO SERVICES

The Delegations confirmed that in addition to the existing provisions on all Cargo Services agreed in 2012 MOU the Russian designated all cargo airlines are authorized to perform services with fifth freedom traffic rights to 5 points in United States of America and 1 point in Mexico to be freely selected by the Russian Aeronautical Authorities as points beyond/intermediate points without any restrictions on frequencies, capacity offered and type of aircraft.

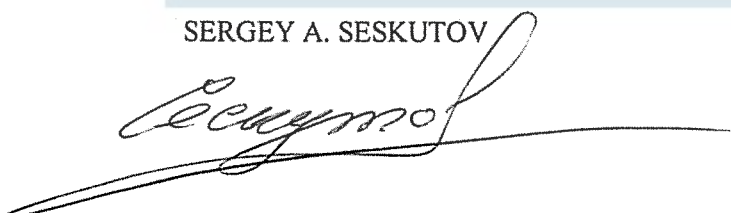
This Memorandum of Understanding shall come into effect as from the date of its signature.

Provisions of the previous arrangements not covered in the present MOU shall remain in force.

Signed in Moscow on 26 February 2016.

**For the Civil Aviation Authorities
of the Russian Federation**

SERGEY A. SESKUTOV



**For the Civil Aviation Authorities
of the Kingdom of Spain**

DAVID BENITO ASTUDILLO



DELEGATION OF SPAIN

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Mr. DAVID BENITO ASTUDILLO
Deputy Director General for Air Transport
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DELEGATES

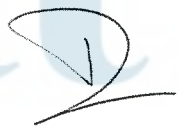
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