

## **Confidential Memorandum of Understanding**

The Civil Aviation Working Group, composed of the Delegation representing the Ministry of Transport of the Russian Federation (hereinafter referred to as the Russian Delegation) and the Civil Aviation Administration of China (hereinafter referred to as the Chinese Delegation) met in Novosibirsk from 28 August to 31 August 2012 for the 16<sup>th</sup> Meeting of Russia-China Transportation Cooperation Sub-Committee to discuss matters relating to further development of aviation relations between the two countries.

The name lists of the Delegations are attached hereto as Appendix 1 and Appendix 2.

The discussions were conducted in a very cordial and friendly atmosphere.

### **I. Air Traffic Management Cooperation**

1. Both delegations presented detailed information concerning present situation and further development in the field of Air Traffic Management in Russia and China including organization and functioning of existing administrative structures in Russia and China. Both delegations further agreed to enhance their cooperation by mutual visits and exchange of relevant information between the experts.

2. The Russian delegation proposed once again a new entry/exit point east of SIMLI and a connecting route for flights from China to North America, with SIMLI for those from North America to China. Both delegations agreed to make joint efforts and to continue discussions on this issue. In this respect, both delegations decided to conduct a meeting on air traffic management cooperation before the end of 2012.

### **II. Aviation Safety Cooperation**

The Russian Delegation made presentation of the existing Aviation Safety Regulation in the Russian Federation and the Chinese Delegation presented their report on the Aviation Safety Administrative System in China. Both delegations exchanged the related materials in electronic version.

### **III. Expansion of Traffic Rights Arrangements and Overflying**

Both Delegations agreed to expand local air services, triangular air services as well as overflying arrangements for the designated airlines of both sides. With regard to capacity and frequency entitlements of local services as well as overflying frequencies, both sides agreed to new arrangement as set out in Appendix 4 to this CMOU, which shall replace Appendix 2 to the Confidential Memorandum of Understanding signed on July 28, 2011.



#### **IV. Preparation for the Agreement on Civil Aircraft Search and Rescue**

Both Delegations noted with satisfaction that through joint efforts of the two Parties, both Delegations agreed on the final text of the Agreement between the Government of the Russian Federation and the Government of the People's Republic of China on the Coordination for Civil Aircraft Search and Rescue ("Agreement"), which was initialed by the heads of the two Delegations and attached herewith as Appendix 3. In this respect both Delegations agreed to make all necessary steps for formal signing of the Agreement as soon as it will be practically possible, presumably during next Russia-China prime-ministers Summit meeting.

#### **V. Cooperation on the Position towards EU ETS**

Both Delegations confirmed their firm positions to cooperate together and with other States having similar position to strive against inclusion of international aviation into EU Emission Trading Scheme (hereinafter EU ETS).

#### **VI. Other Issues**

1. The Russian Delegation informed that the Russian Side took the decision to delete limitation on frequencies and number of foreign designated airlines for passenger and all-cargo operations to/from Vladivostok.
2. The Russian Delegation proposed on the request of the Russian airport Novosibirsk, to use this airport as point for intermediate landing in Russia while operating scheduled flights by the Chinese designated airlines on the routes between China and Europe. The Chinese Delegation noted the request and would inform Chinese airlines accordingly.
3. Under this agenda item both delegations discussed the issues of exemption of custom duties on aircraft spare parts which are used by the designated airlines while within the territory of the State of the other Party, day-time slots at major Chinese airports, requirement of the Chinese side on API, form "R" approval, working visa issuance for staff of the representative offices of the designated airlines, the issuance of economic licenses by CAAC, procedures for registration of representative offices of the designated airlines of both Parties. Both delegations agreed to do their utmost to facilitate relevant procedures for the designated airlines of both Parties.

#### **VII. Next Round of Bilateral Air Services Consultations**

1. In view to further discuss the matters related to commercial rights of the designated airlines of both countries, the two Delegations agreed to meet in Beijing before the end of 2012 for air services consultations between the aeronautical authorities of the Russian



Federation and the People's Republic of China.

2. The Russian Delegation proposed the following requests to be discussed during the next round of bilateral air services consultations:

(1) to increase the total number of frequencies for passenger operation from Moscow to Beijing from 21 to 28 for passenger regular flights and between Moscow and Shanghai from 14 weekly flights up to 21 weekly flights;

(2) to delete frequency limitations for each route of passenger operations between points in Russia (with exception of Moscow and Saint-Petersburg) and Beijing;

(3) taking into account existing problems with traffic capability of ATC routings and slots in main airports of China, to permit designated airlines to operate scheduled flights using triangular routes, when a point of origin in the territory of their States differs from a point of arrival in the territory of their State;

(4) to permit code-sharing between the designated airlines of each Party and airlines of third countries while operating agreed services between and beyond points in Russia and points in China;

(5) to enlarge the rights of coterminalization for all-cargo and passenger services;

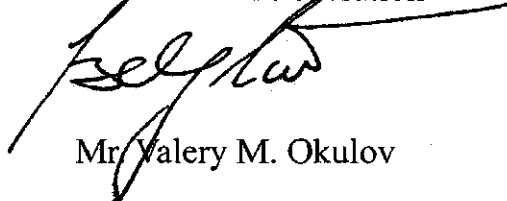
(6) to increase frequencies on triangle routes with 5<sup>th</sup> freedom rights from 3 up to 7 flights per week for all-cargo operations;

(7) to permit positioning of cargo aircraft between points in China without commercial rights on those sectors.

This Confidential Memorandum of Understanding shall come into effect on the date of signature.

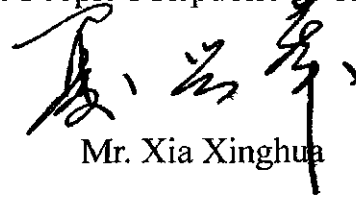
Done in Novosibirsk on August 30, 2012 in English language.

For the Aeronautical Authorities  
of the Russian Federation



Mr. Valery M. Okulov

For the Aeronautical Authorities  
of the People's Republic of China



Mr. Xia Xinghua

**Nameslist of the Russian Delegation**

**Head of the Working Group**

Mr. Okulov Valery Deputy Minister of Transport of the Russian Federation;

**Executive secretary of the Working Group**

Mr. Demidov Oleg Deputy Director  
Department of State Policy in Civil Aviation  
Ministry of Transport of the Russian Federation;

**Delegates**

Mr. Tumanov Alexander Adviser  
Department of State Policy in Civil Aviation of the  
Ministry of Transport of the Russian Federation

Mr. Parnev Mikhail Director of International Relations  
Federal Air Transport Agency

Mr. Pustovarov Vladimir Deputy Director  
Air Traffic Management Regulation Department  
International Relations Department  
Federal Air Transport Agency

Ms. Vlasova Natalia Head of the Division  
International Relations Department  
Federal Air Transport Agency



**Name list of the Chinese Delegation**

**Head of Working Group**

Mr. Xia Xinghua Deputy Administrator  
Civil Aviation Administration of China (CAAC)

**Executive secretary of Working Group**

Mr. Wu Zhuhong Deputy Director General  
Department of International Affairs, CAAC

**Delegates**

Mr. Zhu Shixin Deputy Director General  
Air Traffic Management Bureau, CAAC

Ms. Liang Nan Director  
Department of International Affairs, CAAC

Ms. Bai Wenli Deputy Director  
Department of Air Transport, CAAC

Mr. Zhu Shixin Deputy Director General  
Air Traffic Management Bureau  
CAAC

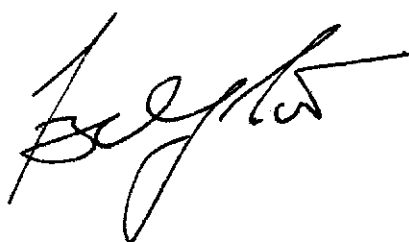
Ms. Liu Lianxi Director  
Air Traffic Regulation Office, CAAC

Mr. Qiao Yibin Deputy Director  
Aviation Safety Office, CAAC

Mr. Xiao Jing Secretary of Mr. Xia Xinghua  
General Office, CAAC

Ms. Sun Ying Senior Official  
Department of International Affairs, CAAC

Mr. Zhu Liang Interpreter




**Route Schedule Specifications:**

**A. PASSENGER AIR SERVICES**

**1. Common frequencies entitlements for designated carriers of Russia and China (major city pairs):**

Moscow – Beijing	21 flights per week
Moscow – Shanghai	14 flights per week
Saint-Petersburg – Beijing	7 flights per week
Saint-Petersburg – Shanghai	7 flights per week



## 2. For designated carriers of Russia:

### Local services:

Points in Russia (except Moscow and Saint-Petersburg) – Beijing

**90 flights per week**, but not more than 7 flights per week for each route

Points in Russia (except Moscow and Saint-Petersburg) – Shanghai

**14 flights per week**, but not more than 7 flights per week for each route

Points in Russia – Harbin, Shenyang, Urumqi, Dalian, Tianjin, Guangzhou, Qingdao, Sanya, Mudanjiang, Hailar, Yanji, Manzhouli and two other points (except Beijing and Shanghai) to choose by the Russian Side

**14 flights per week for each route**

### Triangular routes:

Berlin – Moscow – Beijing

**1 flight per week**

Points of intermediate stops and/or points beyond

points in Asia, Africa, Middle East, Far East and Northern America, 1 point in CIS countries to choose by the Russian Side

Including with commercial landing in China (without 5<sup>th</sup> traffic rights):

**14 flights per week**, but not more than 5 flights per week via Beijing and 5 flights per week via Shanghai

Including with 5<sup>th</sup> traffic rights:

**7 flights per week** from points in Russia excluding Moscow and Saint-Petersburg but not more than 3 flights per week via Beijing and 3 flights per week via Shanghai via/to Singapore, Bangkok, Seoul

Including with commercial landing in Russia (without 5<sup>th</sup> freedom traffic rights):

**14 flights per week, but not more than 5 flights per week via Moscow and 5 flights per week via Saint-Petersburg**

Overflying frequency entitlements (for passenger and cargo):

**Currently 423 frequencies per week, of which the newly added 23 frequencies per week are subject to the ATC handling capability of Russia.**

**After opening of the entry/exit point of MAGIT at UTC0001 on October 20, 2011, overflying frequencies via the existing route G212 and the related new route connecting MAGIT, unlimited;**

**After opening of the entry/exit point near SIMLL, overflying frequencies via route CPR, unlimited;**

**The selection of destination points to third countries are at the discretion of the Chinese carriers;**

**Over flights with technical stop in Russia shall not be counted against the total overflying frequencies of China;**

**Flights over TSR are subject to commercial agreement.**





Overflying frequency entitlements (for passenger and cargo):

**Currently 423 flights per week, of which the newly added 23 frequencies per week are subject to the ATC handling capability of China.**

**The selection of destination points to third countries are at the discretion of the Russian carriers**

**Over flights with technical stop in China shall not be counted against the total overflying frequencies of Russia**

**3. For designated carriers of China:**

Local services:

Points in China (except Beijing and Shanghai) – Moscow

**90 flights per week, but not more than 7 flights per week for each route**

Points in China (except Beijing and Shanghai) – Saint-Petersburg

**14 flights per week, but not more than 7 flights per week for each route**

Points in China – Irkutsk, Vladivostok, Novosibirsk, Omsk, eight other points (except Moscow and Saint-Petersburg) to choose by the Chinese Side

**14 flights per week for each route**

Triangular routes:

Berlin – Moscow – Beijing

**1 flight per week**

Stockholm – Moscow – Beijing

**2 flights per week**

Points of intermediate stops and/or points beyond

points in Asia, Africa, Europe and Northern America, 1 point in CIS countries to choose by the Chinese Side

## B. CARGO AIR SERVICES

### 1. Common frequencies entitlements for designated carriers of Russia and China (major city pairs):

Moscow – Beijing	<b>21 flights per week</b>
Moscow – Shanghai	<b>28 flights per week</b>
Moscow – Tianjin	<b>14 flights per week</b>

### 2. For designated carriers of Russia:

#### Local services:

Points in Russia (except Moscow)-Beijing	<b>21 flights per week, but not more than 7 flights per week for each route</b>
Points in Russia (except Moscow)-Shanghai	<b>10 flights per week, but not more than 7 flights per week for each route</b>
Points in Russia (except Moscow)-Tianjin	<b>14 flights per week, but not more than 7 flights per week for each route</b>
Points in Russia – Harbin, Shenyang, Urumqi, Dalian, Guangzhou, Qingdao, Sanya, Mudanjiang, Zhengzhou, Chengdu, Xiamen, Yantai and Chongqing	<b>14 flights per week for each route</b>



Triangular air services:

Points of intermediate stops and/or points beyond

Almaty, points in Asia, Africa, Middle East, Far East and Northern America to choose by the Russian side

Including with commercial landing in China (without 5<sup>th</sup> freedom traffic rights):

**7 flights per week**, but not more than 3 flights per week via Beijing and 3 flights per week via Shanghai

Including with commercial landing in China (with 5<sup>th</sup> freedom traffic rights):

**3 flights per week**, from Moscow via one point in Asia to be freely selected by Russia to one point in China except Beijing and Shanghai

**3. For designated carriers of China:**

Local services:

Points in China (except Beijing, Shanghai, Tianjin) – Moscow

**42 flights per week**, but not more than 7 flights per week for each route

Points in China - Irkutsk, Vladivostok, Novosibirsk, Omsk, eight other points (except Moscow) to choose by the Chinese Side

**14 flights per week for each route**

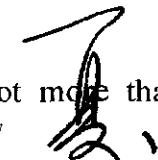
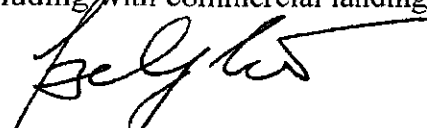
Triangular air services:

Points of intermediate stops and/or points beyond

1 point in CIS countries and points in Asia, Africa, Europe and Northern America to choose by the Chinese Side

Including with commercial landing in Russia (without 5<sup>th</sup> freedom traffic rights):

**7 flights per week**, but not more than 3 flights per week via Moscow



Including with commercial landing in Russia (with 5<sup>th</sup> freedom traffic rights):

**3 flights per week**, from Beijing or Shanghai via one point in Asia to be freely selected by China to one point in Russia except Moscow

*Beijing*

*[Signature]*

AGREEMENT

Between

the Government of the Russian Federation and  
the Government of the People's Republic of China  
on the Coordination for Civil Aircraft Search and Rescue

(draft)


The Government of the Russian Federation and the Government of the People's Republic of China (hereinafter referred to as "the Parties");

Being Parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944 (hereinafter referred to as "the Convention");

Taking account of the standards and recommended practices of the International Civil Aviation Organization concerning the cooperation between search and rescue units in neighboring states;

Recognizing the significant importance of the immediate assistance to persons who are in distress of aircraft accidents and incidents;

Have agreed as follows:



## ARTICLE 1

The terms and definitions of Chapter 1, Annex 12 of the Convention shall be applied for the purpose of this Agreement.

## ARTICLE 2

The Parties shall organize and conduct search and rescue operations in accordance with this Agreement. For organizing and conducting such operations, the International Aeronautical and Marine Search and Rescue Manual of the International Maritime Organization and International Civil Aviation Organization shall be applied together with Annex 12 of the Convention. Matters relating to the organizing and conducting of the marine search and rescue operations shall not be included in this Agreement.

## ARTICLE 3

1. The Parties shall consider the boundaries both between territories of the neighboring states and neighboring flight information regions as the boundaries between the responsible search and rescue regions. The setting of the boundaries between search and rescue regions has no concern to the boundary between the states and has no effect on them.

2. The Parties shall establish civil aircraft search and rescue units (hereinafter referred to as "search and rescue units") for its responsible search and rescue regions. Those units perform their duties 24 hours a day.



3. The responsible authorities for the implementation of this Agreement are:  
in case of the Russian Federation, the Ministry of Transport of the Russian Federation or a person/body which is authorized to perform the functions presently exercised by the said Ministry;

in case of the People's Republic of China, the Civil Aviation Administration of China or a person/body which is authorized to perform the functions presently exercised by the said Administration.

The change of responsible authorities for the implementation of this Agreement shall be notified to each other through diplomatic channels.

#### ARTICLE 4

All the search and rescue operations in the territories of the Russian Federation and the People's Republic of China as well as in the adjacent flight information regions shall be conducted in accordance with the laws and regulations of each Party.

#### ARTICLE 5

1. If the search and rescue unit of one Party is informed of an aircraft accident or an incident in its search and rescue region, that unit shall take all necessary search and rescue measures without delay.

2. If the search and rescue unit of one Party is informed of an aircraft accident

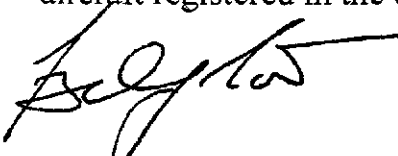


or an incident in the search and rescue region of the other Party, that unit shall immediately inform the search and rescue unit of the other Party of the accident or incident.

3. If, under the circumstances of paragraph 1 above, there is a necessity for the search and rescue unit of one Party to be assisted from the search and rescue unit of the other Party, the unit of the first Party may request such assistance. The authorities of one Party who wish their search and rescue units to enter the territory of the other Party for search and rescue purposes shall transmit a request, giving full details of the projected mission, to the rescue coordination centre of that other Party or to such other authority as has been designated by that other Party. Subject to such conditions as prescribed by its own authorities, the Party which requests the assistance shall permit immediate entry into its territory of search and rescue units of the other Party for the purpose of searching for the site of aircraft accidents and rescuing survivors of such accidents. Further measures shall be taken under the mutual cooperation of both search and rescue units.

4. Any persons who are in distress shall be assisted regardless of nationalities or status of such persons or the circumstances in which such persons are found.

5. The Parties shall have the responsibility to inform each other of the incident happened and the measures taken in their search and rescue regions concerning the aircraft registered in the other Party.





6. One Party shall inform the diplomatic and consulate representatives of the other Party of the found and rescued survivors or the corpse whose nationalities belong to the other Party. The information shall be sent immediately and, if possible, include the full name, sex, date of birth, address, passport number as well as the information of the survivor's health state or the location of the corpse.

#### ARTICLE 6

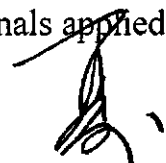
1. The Parties shall strengthen the cooperative relations between their search and rescue units. These cooperative relations include joint training for search and rescue, routine inspection on communication channels between both Parties, mutual visit of the search and rescue experts, exchange of the search and rescue information and experiences.

2. The responsible authorities of the Parties shall conclude the specific agreement on related coordination procedures for the cooperation during the implementation of this Agreement.

3. To review and settle the practical cooperative matters within the contents of this Agreement, the responsible authorities of the Parties shall meet regularly in the Russian Federation or the People's Republic of China by rotation, as required.

#### ARTICLE 7

1. The international disaster, emergency and alert signals and signals applied for



the search and rescue operations shall have effects to assist the aircraft in distress without delay.

2. The list of the technical equipment to be installed in the aircraft for search and rescue operations shall be determined by the national regulations of the respective Party.

#### ARTICLE 8

The Parties shall bear all expenses for the search and rescue operations in their search and rescue regions within the contents of this Agreement.

#### ARTICLE 9

Any provisions of this Agreement shall not affect in any way the rights and duties of other international agreements to which one Party is a member state.

#### ARTICLE 10

If any difference of opinion arises in respect of the interpretation or implementation of this Agreement between the Parties, the responsible authorities of the Parties shall endeavor to settle it through consultation. If a settlement still cannot be reached between responsible authorities, the Parties shall settle it through diplomatic channels.



## ARTICLE 11

If one Party suggests the amendment of this Agreement, the responsible authorities of both Parties shall have a consultation on these amendments. Such consultations shall begin within 60 days from the date of the delivery of the request for consultation, unless otherwise suspended by the responsible authorities of the Parties.

## ARTICLE 12

This Agreement and any subsequent amendments thereto shall be registered with the International Civil Aviation Organization.

## ARTICLE 13

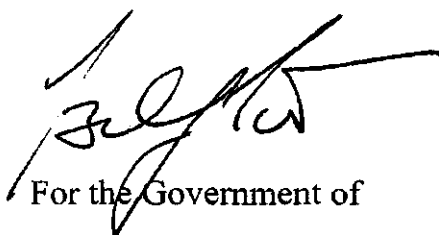
This Agreement shall enter into force on the date of receipt of the last notification through diplomatic channels by either Party to the other Party that it has fulfilled its internal procedures for the entry into force of this Agreement. This Agreement shall continue in force indefinitely.

## ARTICLE 14

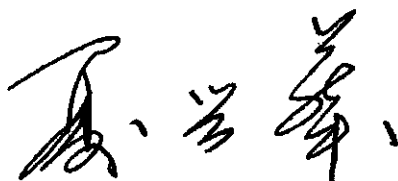
One Party may at any time give a notice to the other Party of its decision to terminate this Agreement in writing. In this case this Agreement shall terminate twelve (12) months after the date of receipt of the notice by the other Party on termination, unless otherwise agreed by the Parties before the expiry of this period.

A handwritten signature in black ink, appearing to be a stylized name or set of initials.A handwritten signature in black ink, appearing to be a stylized name or set of initials.

Done in            on            day of 2012 in two originals in the Russian, Chinese and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall be used.



For the Government of  
the Russian Federation



For the Government of  
the People's Republic of China