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**Republic of Korea
and
Russian Federation**

Air Services Agreement between the Government of the Republic of Korea and the Government of the Russian Federation (with annex). Seoul, 13 March 2003

Entry into force: *21 May 2003 by notification, in accordance with article 22*

Authentic texts: *English, Korean and Russian*

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**République de Corée
et
Fédération de Russie**

Accord sur les services aériens entre le Gouvernement de la République de Corée et le Gouvernement de la Fédération de Russie (avec annexe). Séoul, 13 mars 2003

Entrée en vigueur : *21 mai 2003 par notification, conformément à l'article 22*

Textes authentiques : *anglais, coréen et russe*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AIR SERVICES AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND
THE GOVERNMENT OF THE RUSSIAN FEDERATION

The Government of the Republic of Korea and the Government of the Russian Federation (hereinafter referred to as "the Contracting Parties"),

Being parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and

Desiring to conclude an agreement for the purpose of establishing and operating air services between and beyond their respective territories,

Have agreed as follows:

Article 1

Definitions

For the purpose of the present Agreement, unless the context otherwise requires:

- (a) "the Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December, 1944, and includes any Annexes and any amendments thereto adopted under Article 90 of the Convention to the extent that such Annexes and amendments thereto are applicable to the Contracting Parties and amendments of the Convention adopted under Article 94 of the Convention ratified by the Republic of Korea and by the Russian Federation respectively;
- (b) "aeronautical authorities" means, in the case of the Republic of Korea, the Ministry of Construction and Transportation of the Republic of Korea, and in the case of the Russian Federation, the State Civil Aviation Authority of the Ministry of Transport of the Russian Federation, or in the case of both States, any other person or body authorized to perform the functions exercised at present by the said authorities;

- (c) "designated airline" means any airline which has been designated and authorized in accordance with Article 3 of the present Agreement;
- (d) "territory" in relation to a State means land areas, territorial sea, internal waters and air space above them under the sovereignty of that State;
- (e) "tariffs" means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which those prices apply, including prices and conditions for agency and other auxiliary services, but excluding remuneration and conditions for the carriage of mail;
- (f) "air service", "international air service", "airline" and "stop for non-traffic purposes" have the meanings respectively assigned to them in Article 96 of the Convention;
- (g) "capacity" means, in relation to an aircraft, the payload of that aircraft available on a route or section of a route; and in relation to an agreed service, the capacity of the aircraft used on such service multiplied by the frequency operated by such aircraft over a given period on a route or section of a route;
- (h) "carriage of traffic" means carriage of passengers, cargo and mail;
- (i) "user charge" means a charge imposed on airlines for the provisions of airport, air navigation or aviation security facilities and services; and
- (j) "Annex" means the Annex to the present Agreement or as modified in accordance with the provisions of Article 19 of the present Agreement. The Annex forms an integral part of the present Agreement, and all references to the Agreement shall include references to the Annex except where otherwise provided.

Article 2

Grant of Rights

1. Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of establishing and operating scheduled international air services on the routes specified in the Annex (hereinafter referred to as "the agreed services" and "the specified routes" respectively).

2. Subject to the provisions of the present Agreement, the designated airlines of each Contracting Party shall enjoy, while operating the agreed services on the specified routes, the following rights:

- (a) to fly without landing across the territory of the State of the other Contracting Party;
- (b) to make stops in the territory of the State of the other Contracting Party for non-traffic purposes;
- (c) to make stops in the territory of the State of the other Contracting Party at the points on the specified routes subject to the provisions contained in the Annex for the purpose of taking up and putting down passengers, cargo and mail.

3. Nothing in this Article shall be deemed to confer on the designated airlines of one Contracting Party the rights of taking up, in the territory of the State of the other Contracting Party, passengers, cargo or mail carried for remuneration or hire and destined for another point in the territory of the State of that other Contracting Party.

4. The technical and commercial matters concerning the operation of aircraft and transportation of passengers, cargo and mail on the agreed services, as well as timetable and procedures of financial accounts shall be settled by agreement between the designated airlines and, if necessary, shall be submitted for approval of the aeronautical authorities of the Contracting Parties.

5. For the purposes of realizing the ground technical services of its aircraft the designated airlines of one Contracting Party may conclude respective agreements with the enterprises of the other Contracting Party which have the needed license to provide such service in the territory of the State of the other Contracting Party.