

**No. 53575\***

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**Canada  
and  
Russian Federation**

**Air Services Agreement between the Government of Canada and the Government of the Russian Federation (with annexes and memorandum of understanding). Ottawa, 18 December 2000**

**Entry into force:** *9 March 2001 by notification, in accordance with article 22*

**Authentic texts:** *English, French and Russian*

**Registration with the Secretariat of the United Nations:** *Canada, 25 April 2016*

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**Canada  
et  
Fédération de Russie**

**Accord de transport aérien entre le Gouvernement du Canada et le Gouvernement de la Fédération de Russie (avec annexes et mémorandum d'accord). Ottawa, 18 décembre 2000**

**Entrée en vigueur :** *9 mars 2001 par notification, conformément à l'article 22*

**Textes authentiques :** *anglais, français et russe*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Canada, 25 avril 2016*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AIR SERVICES AGREEMENT**  
**BETWEEN**  
**THE GOVERNMENT OF CANADA**  
**AND**  
**THE GOVERNMENT OF THE RUSSIAN FEDERATION**

**THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE  
RUSSIAN FEDERATION**, hereinafter referred to as the "Contracting Parties";

**TAKING INTO CONSIDERATION** the fact of Canada and the Russian Federation being parties to the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944;

**DESIRING** to conclude an Agreement for the purpose of establishing air services between and beyond their respective territories;

**HAVE AGREED** as follows:

**ARTICLE 1**

**Definitions**

1. For the purposes of this Agreement the term:
  - (a) "Aeronautical Authorities" means, in the case of the Russian Federation, the Federal Aviation Authority of Russia or any person or body authorized to perform any function presently exercised by the said Authority, and in the case of Canada, the Minister of Transport and the Canadian Transportation Agency or any other person or body authorized to perform any function exercised by the said authorities;
  - (b) "Agreement" means this Agreement, any Annex attached thereto;
  - (c) "Convention" means the Convention on International Civil Aviation opened for signature at Chicago on the seventh day of December 1944 and includes any Annex and any amendment thereto adopted under Article 90 of the Convention to the extent that such Annex and amendment thereto are applicable to the Contracting Parties, and any amendment of the Convention under Article 94 thereof ratified by both States;
  - (d) "Designated Airline" means an airline which has been designated and authorized in accordance with Article 3 of this Agreement;

- (e) "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;
  - (f) "territory" in relation to a State has the meaning specified in Article 2 of the Convention;
  - (g) "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 other services performed by the carrier in connection with air transportation, but excluding remuneration and conditions for the carriage of mail.
2. Titles of Articles used herein shall be for reference purposes only.

## **ARTICLE 2**

### **Grant of Rights**

1. In accordance with provisions of the Annex 1 of the present Agreement the airlines of each Contracting Party shall enjoy while operating international air service the following rights:
  - (a) to fly across the territory of the State of the other Contracting Party without landing;
  - (b) to make stops in the territory of the State of the other Contracting Party for non-traffic purposes.
2. Each Contracting party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of establishing and operating international air services on the routes specified in Annex 1 to the present Agreement (hereinafter called "the agreed services" and "the specified routes" respectively).
3. The airlines designated by each Contracting Party while operating international air service on a specified route in addition to the rights mentioned in paragraph 1 of this Article shall have the right to make stops in the territory of the other Contracting Party at the points specified for that route in Annex 1 to the present Agreement for the purpose of taking on and/or putting down international traffic in passengers, cargo and mail.
4. Nothing in this Article shall be deemed to confer on a designated airline of one Contracting Party the right of taking on board passengers, cargo and mail carried for hire or reward, between the points in the territory of the other Contracting Party.

**ARTICLE 3**

**Designation and Authorization**

1. Each Contracting Party shall have the right to designate in writing to the other Contracting Party an airline or airlines for the operation of the agreed services on the specified routes and to withdraw the designation of any airline or to substitute another airline for one previously designated.
2. On receipt of such notification Aeronautical Authorities of the Contracting Party shall without delay, subject to the provisions of paragraphs 3 and 4 of this Article, grant to each designated airline the appropriate operating authorizations.
3. The Aeronautical Authorities of one Contracting Party prior to granting the operating authorization may require an airline designated by the other Contracting Party to satisfy them that it is qualified to fulfil the conditions prescribed under the laws and regulations normally and reasonably applied by such authorities to the operation of international air services.
4. Each Contracting Party shall have the right directly, or through its Aeronautical Authorities, to refuse to grant the operating authorization referred to in paragraph 2 of this Article or to impose such conditions as may deem necessary on the exercise by a designated airline of the rights specified in Article 2 of this Agreement, in any case where the said Contracting Party is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals.
5. When an airline has been so designated and authorized, it may begin to operate the agreed services for which it is designated provided that it complies with the applicable provisions of this Agreement, in particular, that tariffs are established in accordance with the provisions of Article 12 of this Agreement.

**ARTICLE 4**

**Revocation and Limitation of Authorization**

1. Each Contracting Party acting directly or through the Aeronautical Authorities shall have the right to revoke an operating authorization or to suspend the exercise of the rights specified in Article 2 of this Agreement by an airline designated by the other Contracting party or to impose such conditions as it may deem necessary on the exercise of these rights:
  - (a) in any case where it is not satisfied that substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or its nationals;
  - (b) in case of failure by that airline to comply with the laws and regulations of the Contracting party granting the rights; or
  - (c) in case the airline otherwise fails to operate in accordance with the conditions prescribed under this Agreement.

2. Unless immediate revocation, suspension or imposition of the conditions mentioned in paragraph 1 of this Article is essential to prevent further infringement of the laws and regulations, or unless safety or security requires immediate action under this Article, Article 6 or Article 7 of this Agreement, such rights shall be exercised only after consultations with the Aeronautical Authorities of the other Contracting Party. Such consultations shall begin within a period of thirty (30) days from the date of the request or some further period by agreement between the Aeronautical Authorities.

## **ARTICLE 5**

### **Application of Laws and Regulations**

1. The laws and regulations of one Contracting party relating to the arrival in or the departure from its territory of aircraft engaged in international air services or to operation and navigation of such aircraft while within its territory shall be applied to aircraft of the airline or airlines designated by the other Contracting Party.
2. The laws and regulations of one contracting Party relating to arrival in, stay in, departure from or transit through its territory of passengers, crews, cargo or mail, such as those relating to passport, customs, currency and sanitary measures, shall be applied to passengers, crews, cargo or mail of an airline or airlines designated by the other Contracting Party while within the said territory.
3. In the application of its customs, immigration, quarantine and similar regulations, neither Contracting Party shall give preference to any airline over an airline of the other Contracting Party engaged in similar international air services.
4. Passengers, baggage and cargo in direct transit shall be exempt from the imposition of customs duties, taxes and other import charges on goods entering the territory of the Contracting Parties, with the fees for services, customs clearance and storage being levied under the national law of the Contracting Parties, subject to paragraph 3 of this Article.

## **ARTICLE 6**

### **Recognition of Certificates and Licences**

1. Certificates of airworthiness, certificates of competency and licences, issued or rendered valid by one Contracting Party and still in force, shall be recognized as valid by the other Contracting Party for the purpose of operating the agreed services provided that such certificates or licences were issued or rendered valid pursuant to, and in conformity with, the standards established under the Convention. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flights above its own territory, certificates of competency and licences granted to its own nationals by the other Contracting Party.