

**No. 14075**

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**FEDERAL REPUBLIC OF GERMANY  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement concerning air services (with exchanges of notes).  
Signed at Bonn on 11 November 1971**

*Authentic texts: German and Russian.*

*Registered by the International Civil Aviation Organization on 12 June 1975.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Accord relatif aux services aériens (avec échanges de notes).  
Signé à Bonn le 11 novembre 1971**

*Textes authentiques : allemand et russe.*

*Enregistré par l'Organisation de l'aviation civile internationale le 12 juin 1975.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING AIR SERVICES

The Government of the Federal Republic of Germany and the Government of the Union of Soviet Socialist Republics, desiring to conclude an agreement on the establishment of air services between the two countries, have agreed as follows:

*Article 1.* 1. Each Contracting Party grants to the other Contracting Party the rights provided for in this Agreement for the purpose of establishing international air services on the routes specified in the schedule of routes. The said services and routes shall hereinafter be referred to as “the agreed services” and “the specified routes”.

The airline designated by each Contracting Party shall enjoy, while operating the agreed services on the specified routes, the right:

- (a) To make traffic stops in the territory of the other Contracting Party at the points specified in the schedule of routes for the purpose of picking up and setting down international traffic in passengers, mail and cargo;
- (b) To make stops for non-traffic purposes in the territory of the other Contracting Party at the points specified in the schedule of routes.

2. The flight routes of aircraft used by the designated airlines in the agreed services and the points for crossing national boundaries shall be determined by each Contracting Party within its territory.

3. Flights by aircraft of the designated airlines of the two Contracting Parties over the territory of a third State shall be made in accordance with the terms of an operating permit to be obtained by each Contracting Party from the Government of such third State.

*Article 2.* 1. The Government of the Federal Republic of Germany designates the Deutsche Lufthansa Aktiengesellschaft for the operation of the agreed services specified in the schedule of routes.

2. The Government of the Union of Soviet Socialist Republics designates the Central International Air Services Board (Aeroflot — “Soviet Airlines”) for the operation of the agreed services specified in the schedule of routes.

3. All commercial questions, in particular the fixing of flight schedules, including traffic frequency, tariffs, financial arrangements and the servicing of aircraft on the ground, shall be settled by separate agreements between the designated airlines. Such agreements relating to schedules and tariffs shall be subject to approval by the civil aviation authorities of the two Contracting Parties.

4. The capacity provided by the designated airlines in the agreed services shall be closely related to the requirements of air traffic between the terminal points of the agreed services in the territory of the Contracting Parties. In this connexion, the designated airlines shall be guided by the principles of complete equality of rights and mutual benefit.

5. Additional flights and charter flights shall be carried out in accordance with the laws and regulations of each Contracting Party.

<sup>1</sup> Came into force on 15 January 1973, i.e., 30 days after the date upon which the Contracting Parties notified each other of the completion of their constitutional formalities, in accordance with article 14.

*Article 3.* The Contracting Parties shall take all necessary steps to ensure the safe and unhindered operation of the agreed services. To that end, each Contracting Party shall place at the disposal of aircraft of the airline designated by the other Contracting Party all radio, lighting, meteorological and other facilities required for the operation of the agreed services.

*Article 4.* Each Contracting Party reserves the right to withhold an operating permit from the airline of the other Contracting Party referred to in article 2 of this Agreement or to revoke such permit if it has no proof that substantial ownership, power of disposition or effective control of the said airline is vested in nationals or agencies of the latter Contracting Party.

*Article 5.* Fees and other charges for the use of each airport, including its structure and technical and other facilities and services, as well as any charges for the use of airways and communications facilities and services shall be levied upon the designated airline of the other Contracting Party at the levels and rates established in the State concerned and shall in any case not be higher than the fees and charges levied upon other airlines in that territory.

*Article 6.* 1. Financial accounting and payments shall be effected on the basis of an agreement between the designated airlines of the two Contracting Parties. The said accounting and payments shall be effected in accordance with the official rate of exchange on the date of the transfer.

2. Each Contracting Party shall grant the designated airline of the other Contracting Party the right to transfer freely to its central office the balance of the receipts accruing from the operation of the agreed services.

3. The above-mentioned payments shall not be subject to any tax or restriction.

*Article 7.* 1. Aircraft of the designated airlines carrying out flights in accordance with article 1 of this Agreement and fuel, lubricants, spare parts, customarily used equipment and stores, including food, alcoholic beverages and tobacco, on board the said aircraft shall, when arriving in and departing from the territory of the other Contracting Party, be exempt from import and export duties and other charges even when they are to be used or consumed during flights over the said territory.

2. Fuel, lubricants, stores, spare parts and customarily used equipment which have been or are introduced by the designated airline of one Contracting Party into the territory of the other Contracting Party exclusively for purposes of the operation of its aircraft shall be exempt from duties and other charges levied upon goods which are imported, exported or conveyed in transit.

3. Fuel and lubricants taken on board in the territory of one Contracting Party by aircraft of the designated airline of the other Contracting Party and used in the agreed services shall be exempt from the duties and other charges referred to in paragraph 2 of this article and from any special taxes on consumption.

4. While present in the territory of the other Contracting Party, the above-mentioned articles and goods shall be subject to customs control.

5. Where the articles and goods referred to in paragraphs 1-3 of this article are exempt from duties and other charges, they shall not be subject to any economic prohibitions or restrictions normally applicable to them in respect of importation, exportation or transit.

*Article 8.* 1. Aircraft of the designated airlines referred to in article 2 of this Agreement shall, during flights over the territory of the other Contracting Party, carry

the identification marks of their State prescribed for international flights, certificates of registration, certificates of airworthiness and aircraft radio-station operating licences. Furthermore, the competent authorities of each Contracting Party shall prescribe the additional aircraft documents which their own aircraft are to carry on international flights and shall inform the competent authorities of the other Contracting Party of such documents. The pilots and other members of the crew shall carry the prescribed documents.

2. Any of the documents referred to in paragraph 1 of this article which are issued or approved by one Contracting Party shall be recognized as valid in the territory of the other Contracting Party.

*Article 9.* 1. The laws and regulations of each Contracting Party relating to the entry into and exit from its territory of aircraft engaged in international flights or to the operation or navigation of such aircraft while within the limits of its territory shall also apply to aircraft of the designated airlines referred to in article 2 of this Agreement and must be complied with by such aircraft upon entering or departing from or while within the territory of the said Contracting Party. In the event of violations of these laws and regulations, the Contracting Parties shall take steps to investigate and terminate such violations forthwith and to prevent their occurrence in the future.

2. The laws and regulations of each Contracting Party relating to the arrival in and departure from its territory of passengers, crews and cargo carried on board aircraft, and particularly regulations relating to passport, customs, currency and quarantine formalities, shall apply to the passengers, crews and cargo of the designated airlines referred to in article 2 of this Agreement at the time of their arrival in and departure from, and during their stay in, the territory of the said Contracting Party.

3. The terms granted to the designated airline of one Contracting Party in the territory of the other Contracting Party pursuant to the laws and regulations referred to in paragraphs 1 and 2 of this article shall not be less favourable than the terms granted in the said territory to the airlines of third countries.

*Article 10.* 1. For the purpose of settling commercial and technical matters relating to the operation of the agreed services, each Contracting Party shall grant the designated airline of the other Contracting Party, on the basis of reciprocity, the right to maintain representatives at Frankfurt am Main or at Moscow, as the case may be, and at other points to which the aircraft of the designated airlines make flights. The number of such representatives shall be in keeping with the requirements of normal operation of the agreed services.

2. The representatives referred to in paragraph 1 of this article and members of the crews of aircraft making flights in accordance with article 1 of this Agreement shall be nationals of the Contracting Parties.

3. Members of the crews of aircraft of the designated airlines of the Contracting Parties shall not be subject to any requirement for entry, exit and transit visas while carrying out flights in the territory of the other Contracting Party. Lists of crew members for each designated airline shall be agreed upon for each calendar year.

*Article 11.* In the event of a forced landing by or damage or disaster to an aircraft of one Contracting Party in the territory of the other Contracting Party, the Contracting Party in whose territory the accident has occurred shall immediately notify the other Contracting Party, take the necessary measures to investigate the causes of the accident and, at the request of the other Contracting Party, ensure the unhindered entry into its territory of representatives of the latter Contracting Party for the purpose of taking part in the investigation of the accident; it shall also take immediate action to provide assistance to any members of the crew and passengers injured in the accident and ensure the safety

of mail, baggage and cargo carried by the aircraft. The Contracting Party conducting the investigation of the accident shall be required to inform the other Contracting Party of its results.

*Article 12.* 1. The civil aviation authorities of the Contracting Parties shall, in a spirit of close co-operation, consult each other from time to time with a view to ensuring observance of the principles and implementation of the provisions of this Agreement.

2. Where one Contracting Party wishes to amend any provision of this Agreement, it may request consultations with the other Contracting Party. Such consultations shall begin within 60 days from the date on which the request is received. Any amendment to this Agreement shall enter into force in accordance with the same procedure that is provided for in the case of the entry into force of the Agreement itself.

*Article 13.* This Agreement shall not affect the rights and obligations of the Contracting Parties under international agreements and treaties to which they are parties.

*Article 14.* 1. This Agreement shall enter into force 30 days after the date on which the Contracting Parties notify each other that they have completed the appropriate constitutional formalities relating to the conclusion and entry into force of international agreements. It shall remain in force until such time as either Contracting Party notifies the other Contracting Party of its desire to denounce the Agreement. In that event, the Agreement shall cease to have effect 12 months after receipt by the other Contracting Party of the notice of denunciation.

2. The schedule of routes referred to in article 1 of this Agreement and a technical agreement on matters of flight safety shall be drawn up by the civil aviation authorities of the Contracting Parties and confirmed through the diplomatic channel.

DONE at Bonn on 11 November 1971, in duplicate in the German and Russian languages, both texts being equally authentic.

For the Government  
of the Federal Republic of Germany:

S. V. BRAUN  
LEBER

For the Government  
of the Union of Soviet Socialist Republics:

BUGAEV  
FALIN

## EXCHANGES OF NOTES

Ia

UNDER-SECRETARY OF STATE OF THE MINISTRY OF FOREIGN AFFAIRS

11 November 1971

Sir,

In connexion with the signing on today's date of the Agreement between the Government of the Federal Republic of Germany and the Government of the Union of Soviet Socialist Republics concerning air services, I have the honour to propose the following on behalf of the Government of the Federal Republic of Germany:

Motor vehicles introduced by the designated airline of one Contracting Party into the territory of the other Contracting Party exclusively for its operational needs shall be exempt, on the basis of reciprocity, from import and export duties and other charges while they are present in the territory of the Contracting Party concerned. While the said motor vehicles are present in the territory of the other Contracting Party, they shall be subject to customs control.

If you are in agreement with this proposal, I have the honour to propose that this note and your reply expressing the agreement of your Government should be regarded as constituting an agreement between our Governments,

Accept, Sir, etc.

[Signed]

VON BRAUN

His Excellency Mr. Valentin Mikhailovich Falin  
Ambassador Extraordinary and Plenipotentiary  
of the Union of Soviet Socialist Republics

IIa

EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS

Bonn, 11 November 1971

Sir,

I have the honour to acknowledge receipt of your note of 11 November 1971, which reads as follows:

[See note Ia]

I have the honour to inform you that the Government of the Union of Soviet Socialist Republics agrees that your note and this reply should be regarded as constituting an agreement between our Governments which will enter into force at the same time as the above-mentioned Agreement.

Accept, Sir, etc.

V. FALIN

To Freiherr von Braun  
Under-Secretary of State of the Ministry of Foreign Affairs

## Ib

## UNDER-SECRETARY OF STATE OF THE MINISTRY OF FOREIGN AFFAIRS

11 November 1971

Sir,

I have the honour, on behalf of the Government of the Federal Republic of Germany and pursuant to article 14, paragraph 2, of the Agreement between the Government of the Federal Republic of Germany and the Government of the Union of Soviet Socialist Republics concerning air services, signed on 11 November 1971, to confirm the following agreement concerning a schedule of routes which has been concluded by the civil aviation authorities of the two Parties:

## SCHEDULES OF ROUTES

I. Routes to be operated by the airline designated by the Government of the Federal Republic of Germany:

| <sup>1</sup><br><i>Departure points in the territory of the Federal Republic of Germany</i> | <sup>2</sup><br><i>Intermediate points</i> | <sup>3</sup><br><i>Points in the territory of the Union of Soviet Socialist Republics</i> | <sup>4</sup><br><i>Points beyond</i>                        |
|---|--|---|---|
| 1. Frankfurt/M.   | Warsaw<br>Prague<br>Budapest<br>Vienna     | Moscow  | —   |
| 2. Points in the Federal Republic of Germany  | Warsaw<br>Prague<br>Budapest<br>Vienna     | Moscow<br>Leningrad<br>Kiev<br>Tashkent   | —   |
| 3. Points in the Federal Republic of Germany  | Warsaw<br>Prague<br>Budapest<br>Vienna     | Moscow and/or a technical stop in Tashkent or Tbilisi                                     | Points in Afghanistan or Iran and beyond to third countries |

II. Routes to be operated by the airline designated by the Government of the Union of Soviet Socialist Republics:

| <sup>1</sup><br><i>Departure points in the territory of the Union of Soviet Socialist Republics</i> | <sup>2</sup><br><i>Intermediate points</i>                  | <sup>3</sup><br><i>Points in the territory of the Federal Republic of Germany</i> | <sup>4</sup><br><i>Points beyond</i> |
|---|---|---|--------------------------------------|
| 1. Moscow   | Warsaw<br>Berlin/Schönefeld<br>Prague<br>Budapest<br>Vienna | Frankfurt/M   | —                                    |
| 2. Points in the Union of Soviet Socialist Republics  | Warsaw<br>Berlin/Schönefeld<br>Prague<br>Budapest<br>Vienna | Frankfurt/M<br>Cologne or Düsseldorf<br>Munich<br>Hamburg                         | —                                    |
| 3. Points in the Union of Soviet Socialist Republics  | Warsaw<br>Berlin/Schönefeld<br>Prague<br>Budapest<br>Vienna | Frankfurt/M or Munich or Hamburg with or without stop                             | Beyond to third countries            |

III. (a) A designated airline may, if it chooses, omit one or more points on a specified route.

(b) Flights on the specified routes must begin at a point in the territory of the Contracting Party by which the airline was designated.

IV. The Government of the Federal Republic of Germany intends to designate, for the airline designated by it, an additional point concerning which it has sent special notification to the Government of the Union of Soviet Socialist Republics.

V. The right to pick up or set down passengers, mail and cargo taken on board in the territory of third countries or carried to such countries may be granted by agreement between the civil aviation authorities of the two Contracting Parties pursuant to the provisions of the Agreement.

I have the honour to propose that this note and your reply expressing the agreement of your Government should be regarded as constituting an agreement between our Governments which will enter into force at the same time as the above-mentioned Agreement.

Accept, Sir, etc.

[Signed]  
VON BRAUN

To His Excellency Mr. Valentin Mikhailovich Falin  
Ambassador Extraordinary and Plenipotentiary  
of the Union of Soviet Socialist Republics

IIb

Bonn, 11 November 1971

Sir,

I have the honour to acknowledge receipt of your note of 11 November 1971, which reads as follows:

[See note Ib]

I have the honour to inform you that the Government of the Union of Soviet Socialist Republics agrees that your note and this reply should be regarded as constituting an agreement between our Governments which will enter into force at the same time as the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Federal Republic of Germany concerning air services, signed on 11 November 1971.

Accept, Sir, etc.

[FALIN]

To Freiherr von Braun  
Under-Secretary of State of the Ministry of Foreign Affairs