

**MEMORANDUM OF UNDERSTANDING
BETWEEN
COSTA RICA AND AUSTRIA**

Delegations representing the Republic of Costa Rica and the Republic of Austria meet in Riyadh-Saudi Arabia on December 6th, 2023 to discuss a bilateral Air Services Agreement relating to air services between and beyond their respective territories.

The discussions took place in a friendly and cordial atmosphere.

The delegation lists are attached as Appendix I.

1. Air Services Agreement

The delegations discussed and initialed the text of a bilateral Air Services Agreement, attached as Appendix II, and agreed to recommend it to their respective governments for formal signing and adoption.

The delegations agreed that the Air Services Agreement will enter into force on the date on which both Costa Rica and Austria will have notified each other of the completion of their respective internal procedures necessary for such application.

Until its entry into force, the delegations agreed to act in the spirit of the attached Agreement.

The Austrian delegation proposed to include the following paragraph in Article 6 of the attached Agreement:

"Each Contracting Party shall readmit to its territory for the purposes of examination a person who had been present in its territory before embarkation and who has been found inadmissible and thus denied entry at the destination airport. Where a person who has been found to be inadmissible is not or is no longer in possession of his or her travel documents or if their travel documents have been destroyed, a Contracting Party shall accept instead a document attesting to the circumstances of embarkation and arrival issued by the authorities of the other Contracting Party."

The Costa Rican side took note and will consult with its competent authorities and will get back to the Austrian side.

2. Airline designation

Each side will have the right to designate one or more airlines to operate the agreed services on the specified routes.

3. Route Schedule

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Airline(s) designated by each side will be allowed to operate the services according to the following Route Schedule (also attached to the Agreement as Annex I).

Routes to be operated by the designated airline or airlines of Costa Rica:

<u>From</u>	<u>Intermediate points</u>	<u>To</u>	<u>Points beyond</u>
Points in Costa Rica	Any points	Points in Austria	Any points
Any points		Any points	

Routes to be operated by the designated airline or airlines of Austria:

<u>From</u>	<u>Intermediate points</u>	<u>To</u>	<u>Points beyond</u>
Points in Austria	Any points	Points in Costa Rica	Any points
Any points		Any points	

Notes

- The airlines designated by both sides may, on any or all flights, omit calling at any of the above points provided that the agreed services originate or terminate in their respective territories.
- Intermediate, beyond or points in the territory of the other side may be operated without any geographical or directional constraints.
- The services are operated with third and fourth freedom traffic rights. Fifth freedom traffic rights may be decided upon between the aeronautical authorities of both sides.
- No cabotage rights are allowed.

4. Capacity

Passenger services

The delegations agreed that the Designated Airline(s) of each side are entitled to operate passenger services on the specified routes without restrictions on frequencies, and with any type of aircraft whether owned or leased.

All-cargo services

The delegations agreed that there is no restriction on capacity, number of frequencies and types of aircraft, whether owned or leased, to be operated by

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the Designated Airline(s) of each side in freighter services between the two countries.

5. Charter flights

Both sides affirmed the intention of their Aeronautical Authorities to adopt a liberal policy to both passenger and all cargo charter flights based on market demand, principles of fair and equal opportunities and non-discrimination, in accordance with national laws and regulations.

6. Code-Sharing

In operating or holding out services any air carrier of one side may enter into cooperative marketing arrangements, such as code-sharing arrangements with:

- (a) any air carrier or carriers of both sides; and
- (b) any air carrier or carriers of a third country; and
- (c) any surface (land or maritime) transport provider;

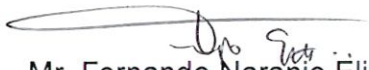
provided that (i) all carriers involved hold the appropriate authority and (ii) the arrangements meet the requirements relating to safety and competition normally applied to such arrangements. In respect of passenger transport sold involving codeshares, the purchaser shall be informed at the point of sale, or in any case before boarding, which transport providers will operate each sector of the service.

7. Entry into effect:

The provisions of this Memorandum of Understanding will come into effect on the date of its signature.

Done in Riyadh, on December 6th, 2023.

For the delegation of Costa Rica


Mr. Fernando Naranjo Elizondo
Director General
General Directorate of Civil Aviation

For the delegation of Austria


Mr. Michael Kainz
Director
Ministry for European and
International Affairs

APPENDIX I

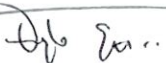
DELEGATION OF COSTA RICA

Head of delegation

Fernando Naranjo Elizondo
Director General
General Directorate of Civil Aviation

Delegates

Ana Patricia Gamboa Venegas
Air Transport Unit
General Directorate of Civil Aviation



DELEGATION OF AUSTRIA

Head of delegation

Michael Kainz
Director, Ministry for European and International Affairs

Delegates

Christine Mucina-Bauer
Ministry for Climate Action, Environment, Energy, Mobility, Innovation and
Technology

Verena Cozac-Brendl
Ministry for Climate Action, Environment, Energy, Mobility, Innovation and
Technology

Stefanie Zugmann
Austrian Airlines

Karl Stefan Ehrenguber
Vienna Airport

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Dr. E. M.

Annex I

ROUTE SCHEDULE

Section I:

- A. The airline(s) designated by the Republic of Austria shall be entitled to operate scheduled air services in both directions on routes specified hereafter:

Points of Origin:	Intermediate points:	Points of Destination:	Points beyond:
Points in Austria	Any points	Points in Costa Rica	Any points

- B. The airline(s) designated by the Republic of Costa Rica shall be entitled to operate scheduled air services in both directions on routes specified hereafter:

Points of Origin:	Intermediate points:	Points of Destination:	Points beyond:
Points in Costa Rica	Any points	Points in Austria	Any points

Notes

1. Intermediate points and points beyond on any of the specified routes may, at the option of the designated airline(s), be omitted on any or all flights, provided that any service either begins or terminates in the territory of the Contracting Party designating the airline(s).
2. Any intermediate points and points beyond may be served by the designated airline(s) of each Contracting Party without exercising Fifth Freedom traffic rights. The exercise of Fifth Freedom traffic rights may be agreed upon by the aeronautical authorities of the two Contracting Parties
3. Each designated airline may perform international air services on any international segment or segments of the agreed routes without any limitation as to change, at any point on the route, in type or number of aircraft operated; provided that, in the outbound direction, the transportation beyond such point is a continuation of the transportation from the territory of the Contracting Party that has designated the airline and, in the inbound direction, the transportation to the territory of the Contracting Party that has designated the airline is a continuation of the transportation from beyond such point.



Annex II

EXCLUSIVE CARGO SERVICES

1. Any designated airline engaged in the international transportation of air cargo:
 - a. Will receive non-discriminatory treatment with respect to access to facilities and services for cargo clearance, handling, storage and facilitation;
 - b. Subject to local laws and regulations, may directly use or exploit other modes of transportation;
 - c. May enter into cooperative arrangements with other air carriers including, but not limited to, code sharing, capacity reservations and inter-airline services; and
 - d. May determine its own cargo rates and may be required to submit these to the aeronautical authorities of either Party.

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Dr. J.