

AGREED MINUTES

The delegations representing jointly the aeronautical authorities of the Kingdoms of Denmark, Norway and Sweden and the Socialist Republic of Viet Nam (hereinafter referred to as the "Delegations") met during ICAN2012 at Jeddah on 10 December 2012 to discuss their civil aviation relations.

The talks were held in a friendly and cordial atmosphere.

The delegations are listed in Appendices I and II.

The Delegations reached the following understandings:

New Air Services Agreement Text

1. The two Delegations negotiated and agreed upon the text of new Air Services Agreements (hereinafter referred to as "the Agreements") to replace the Air Services Agreements between the Socialist Republic of Viet Nam and the Kingdoms of Denmark, Norway and Sweden, respectively, signed on 25 September 1997 by initialing the text attached as Appendix III.

2. The two Delegations decided to recommend to their respective Governments that the Agreements replace the 1997 Agreements and that the necessary arrangements be made for the signing of the Agreements and, under the procedure set out in Article 21 of the Agreements, for the Agreements to be brought into force. The two Delegations decided that they would use their best endeavours towards bringing the Agreements into force as soon as possible. The two Delegations decided that, pending the Agreements entering into force, the aeronautical authorities will act in conformity with the principles of the Agreements and give immediate practical effect to the initialled Agreements, to the extent possible under national law. The two Delegations decided to inform each other in writing through diplomatic channels when the national requirements to sign the Agreements, and subsequently to bring the Agreements into force, have been completed.

Proposed MOU regarding Scandinavian Airlines System (SAS)

3. The Scandinavian side proposed an MoU on designation of airlines and on the cooperation within SAS as Appendix IV, in principle, in line with the present arrangements in force. The Vietnamese side needed to consult its home authorities before it could accept this MoU, but stated that it would consider it positively.

Taxation of Aviation Fuel

4. The delegations noted the following proposals regarding aviation fuel taxation.

The Scandinavian side proposed to include the following wording in Article 6 of the Agreements:

"Nothing in this Agreement shall prevent [Denmark/Norway/Sweden] from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated airline of Viet Nam that operates between a point in the territory of [Denmark/Norway/Sweden] and another point in the territory of [Denmark/Norway/Sweden] or in the territory of another European Union Member State or EEA EFTA State."

The Vietnamese side proposed the following addition to the above proposed wording:

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“Accordingly, in the case [Denmark/Norway/Sweden] imposes such aviation fuel taxation, nothing in this Agreements shall prevent Viet Nam from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated airline of [Denmark/Norway/Sweden] that operates between a point in the territory of Viet Nam and another point in the territory of Viet Nam or in the territory of any other state other than [Denmark/Norway/Sweden].”

The two delegations were not able to agree on these proposals and decided to re-visit this issue once such a case is raised in the future.

Fifth Freedom Traffic Rights

5. On the issue of 5th freedom traffic rights, the delegations agreed that they would give positive consideration to any future request for such rights from the designated airlines.

Done at Jeddah on 10 December 2012

For the Scandinavian delegation



Lars Österberg

Director

For the Vietnamese delegation



Vo Huy Cuong

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