Air Canada and Qatar Airways have little in common. One is based in, and serves, the world’s second largest country, while the other has a vast international network radiating from one of the world’s smallest countries. But one thing the two airlines both do is to take advantage of Fifth Freedom traffic rights.

Surprisingly, both offer service between two South American cities. Air Canada operates a 700mi (1,125km)-stage across the Andes between Argentina’s capital, Buenos Aires, and Santiago, Chile, while Qatar Airways can fly you between Brazil’s largest city, São Paulo, and Buenos Aires.

The ‘freedoms of the air’ are international commercial aviation agreements devised in 1944 to provide consistency in a global airline industry. Fifth Freedom allows an airline from one country to carry revenue traffic between two other countries. Traditionally, Fifth Freedom was important to the viability of long-haul routes. For example, in the 1960s, Lufthansa’s weekly Boeing 707 service from Frankfurt to Sydney had en route stops in Athens, Karachi, Bangkok, and Singapore.

Despite the introduction of airliners that can now fly nonstop for more than 15 hours, Fifth Freedom routes are still operationally and economically important to many airlines. Swiss International Air Lines, for instance, cannot fill its airplanes between Zürich and Muscat, Oman, but it surely can make a go of it with a Zürich–Dubai–Muscat service. Any seats sold on the Fifth Freedom sector between Dubai, in the United Arab Emirates, and Oman constitute bonus revenue.
These flights are a boon to travellers as much as they are to the airline, providing passengers with a different air travel experience tinged with a hint of the exotic. Often offering reasonably priced fares, these Fifth Freedom flights are mainly on wide-bodies with full international service.

For example, between Vancouver and New York nonstop options are limited to an Air Canada Airbus A319 (with buy-onboard meals), or a three-class Cathay Pacific Airways Boeing 777, featuring the superb service for which that airline has become famous.

Predictably, Cathay and Thai fly from Hong Kong to Bangkok, but there are also Pakistan International Airlines, Ethiopian Airlines, Emirates, Royal Jordanian Airlines, SriLankan Airlines, and Kenya Airways, albeit with more limited schedules.

Airways recently sampled four Fifth Freedom flights in a nine-day ‘round the world’ adventure that began at New York-John F Kennedy International Airport.

Nearing Kennedy Airport, my cab driver asked what airline I was flying.

“China Airlines,” I replied, noting the large signs next to the roadway showing the terminals that each airline serves.

“Here you go,” the driver said, as he pulled into Terminal 1.

“I think we need Terminal 4,” I replied.

“No, this is it,” he said convincingly, pointing to an Air China sign.

“I’m flying China Airlines, not Air China,” I pointed out.
The freedoms of the air

At the Convention on International Civil Aviation, held in Chicago in 1944, the following freedoms of the air, in respect of scheduled international air services, were agreed:

First
The right or privilege granted by one State to another State or States to fly across its territory without landing.

Second
The right or privilege granted by one State to another State or States to land in its territory for non-traffic purposes.

Third
The right or privilege granted by one State to another State to put down, in the territory of the first State, traffic coming from the home State of the carrier.

Fourth
The right or privilege granted by one State to another State to take on, in the territory of the first State, traffic destined for the home State of the carrier.

Fifth
The right or privilege granted by one State to another State to put down and to take on, in the territory of the first State, traffic coming from or destined to a third State.

Four additional so-called freedoms have not been officially recognized as such by international treaty:

Sixth
The right or privilege of transporting, via the home State of the carrier, traffic moving between two other States. Unlike the first five freedoms, the Sixth is not incorporated as such into any widely recognized air service agreements.

Seventh
The right or privilege granted by one State to another State of transporting traffic between the territory of the granting State and any third State with no requirement to include on such operation any point in the territory of the recipient State; that is, the service need not connect to or be an extension of any service to/from the home State of the carrier.

Eighth
The right or privilege of transporting cabotage traffic between two points in the territory of the granting State on a service which originates or terminates in the home country of the foreign carrier or (in connection with the so-called Seventh) outside the territory of the granting State (also known as ‘consecutive’ cabotage).

Ninth
The right or privilege of transporting cabotage traffic of the granting State on a service performed entirely within the territory of the granting State (also known as ‘stand alone’ cabotage).

The use of the terms ‘freedom’ and ‘right’ only give the entitlement to operate international air services within the terms of the multilateral and bilateral treaties that allow them.

Open skies agreements may include all the freedoms. For example, the single aviation markets in the European Union and the trans-Tasman market between Australia and New Zealand. Source: ICAO
A puzzled yet enlightened look came over his face, and he deposited me a short distance away at T4.

China Airlines previously operated out of JFK’s T1, but because that building is nearing full capacity a move was made to T4 to maximize connection possibilities with its SkyTeam partners. The Taiwan-based CAL is the only carrier offering nonstop service between New York and Osaka, with three flights a week. Until recently, China Airlines had exercised Fifth Freedom rights by using Anchorage as an intermediary stop between Taipei and New York. Following a 2011 open skies accord between Taiwan and Japan, the airline saw an opportunity to attract more customers travelling between New York and Japan. Based on market surveys, Osaka was the preferred choice. Other Fifth Freedom routes operated by CAL include Bangkok–Amsterdam, Brisbane/Sydney–Auckland, and Hong Kong–Jakarta.

Six of CAL’s 13 747s are in a two-class J70Y319 layout, and this version operates over the JFK–KIX–TPE route. Currently constrained by high fuel costs, CAL would consider increasing the frequency when it takes delivery of suitable new aircraft.

Check-in took only a few minutes using the dedicated SkyTeam SkyPriority counters. By contrast, the line for the security check was less efficient. The wait for screening would likely have been an hour had I not asked if there was a priority lane for business class. As it was, there was still a delay of more than 20 minutes.

SkyPriority customers at JFK have access to the Oasis Lounge. While it offers great views of airside operations, the menu is sparse, with only sandwiches, crackers, cheese, and bread rolls. Some of the table tops were chipped, giving it the appearance of a cheap diner. Showers and complimentary WiFi are available.

Boarding at Gate B31 began at 1430, with dual airbridges in use. Cabin crewmembers were friendly as they welcomed passengers onboard, although we were not greeted by name as I have experienced previously.

I settled into seat 18A, and a selection of Chinese and English newspapers were offered, along with juices and water. Before takeoff a hot towel service was also provided, along with a small bag of snacks in their original packaging; a nicer touch would have been for them to be presented in a small dish.

Doors were closed at 1510 with 371 passengers onboard, including 65 in Business; 156 of us would be deplaning in Osaka. After pushback and engine start, we taxied to Runway 13R and at 1535 we rolled, facing a 13hr 20min flight. Because of haze, the Manhattan concrete and glass monuments to commerce were not visible during the initial climb.

We crossed into Canadian airspace west of Montréal and continued north across the province of Québec. A delicious meal was served beginning with pan-fried scallops, roasted bell pepper coulis, and Manchego cheese, along with artichoke and mesclun salad. With a choice of three main courses, I opted for the melt-in-your-mouth grilled tenderloin with herb butter, broccoli rabe, carrot, and potato, accompanied by a red wine sauce. For dessert I sampled a fruit plate and ice cream, while clear skies below treated us to the stark beauty of the ice floes in Hudson Bay.
Immersed in a fabulous collection of music from the Fantasy Sky in-flight entertainment system, we jetted across the Arctic Ocean, abeam the Canadian coastline. The halfway point of our 7,000mi (11,265km) journey was reached over Alaska.

A second meal service was conducted six hours before landing. This time I chose the wok-fried beef short rib in black pepper sauce, with broccoli, carrot, and jade rice—all of which was presented with a smile.

We crossed the Sea of Okhotsk, and later the Sea of Japan, before traversing Japan’s largest island, Honshu. Flying over Osaka Bay, Japanese ingenuity was evident; both Kobe and Kansai airports were built on reclaimed land, and looked like platforms floating in the bay. At 1755 we touched down on schedule; after we deplaned a train took passengers to the customs and baggage hall.

With praise to the efficient Japanese rail system, less than two hours after landing I was in Kyoto, Japan’s former imperial capital.

Overall impression

China Airlines offers a great business class experience. And being the only carrier to serve Osaka from New York, the airline has cultivated a niche market for those not travelling to, or wanting to avoid, Tokyo. The only complaint is that the seats are not fully lie-flat, and the bottom does not extend completely. They are comfortable in various seated positions; less so while trying to sleep.

For the past eight years Kenya Airways has exercised Fifth Freedom rights on the Nairobi–Bangkok–Hong Kong route, but in March 2013 the airline moved the en route stop to Dubai. The flight operates three times a week, and while there was demand for service between the Middle East and Hong Kong, another consideration was to offer West African passengers a connection in DXB, which is facilitated by an early morning arrival after a late departure from Nairobi. Obtaining traffic rights was easy because of an existing bilateral air services agreement between Kenya, the UAE, and Hong Kong. KQ has since resumed service via Bangkok on a weekly basis.

An executive of Kenya Airways tells Airways that Fifth Freedom routes are not a priority but considered a by-product of its overall network planning. The airline also operates Nairobi–Khartoum–Cairo, with Fifth Freedom between the Sudan and Egypt.

Kenya Airways is also a member of SkyTeam, with SkyPriority counters in HKG’s Terminal 1. Under normal circumstances, check-in would have been quick; however, a visa snag (not of the airline’s doing) stalled this process. KQ could not check me in because I was not in possession of an entry visa for the UAE which, owing to a diplomatic spat with the Canadian government, had imposed costly visa restrictions on Canadian citizens. A further nuisance is that visas cannot be obtained on arrival in the UAE.

While UAE officials have never publicly given a reason for this imposition, there is speculation that it is retaliation for the Canadian government’s refusal of additional traffic rights to Emirates Airline. (Currently, UAE carriers are limited to six flights a week to Canada; Etihad Airways and Emirates have three apiece.) In recent discussions between the two countries, the UAE has said it will remove the restriction, but has not committed to a date.
I feared being stuck in Hong Kong—normally not an issue as it is one of my favorite cities—but holding onward connections I could not afford a delay. With telephone calls to Dubai and searches of the Internet, KQ’s station manager and check-in staff assisted me for more than an hour before discovering that because I would be in DXB for only a short time, a transit visa could be obtained upon arrival. After checking in and passing through immigration and security, I availed myself of the Air France business lounge, which KQ uses.

Boarding began at 2040, despite the video monitors advertising a 2150 departure, although this was later changed to 2110. Passengers were greeted warmly by cabin crew in red blazers reflecting the airline’s colors. Champagne, juice, water, and hot towels were offered before departure.

The 24-seat business class was in a 2-2-2 layout. Seats appeared to be first-generation shells, which showed their age. Although the arm of my reading light was broken, with no-one sitting next to me I was able to position the adjacent light so I could read. Doors were closed at 2125, with pushback ten minutes later. At 2155 we took off from Runway 07R and set a course that would take us over southern China, Vietnam, Myanmar [Burma], Bangladesh, and across India to the Arabian Peninsula. The planned flight duration was 7hr 55min.

Passengers were issued with portable digEplayers, which surprisingly had excellent screen resolution and a wide selection of movies and music. For a pre-dinner drink, I chose a refreshing Kenyan Tusker beer. An Asian cucumber salad, carrot salad, and a main of beef Bourguignon, potato Lyonnaise, and sautéed carrots, were all served on decorative china that portrayed various Kenyan tribes. Dessert was a pyramid vanilla panna cotta, and fresh fruit. The only disappointment was that the bread roll was served cold.

Nearing the Omani capital of Muscat, a snack consisting of a sandwich wrap, cheesecake, and fruit was offered. A string of lights stretched along the coast of Oman before dimming into darkness as we passed over empty desert. Nearing Dubai, a blaze of illumination lit up the night sky. We touched down at 0130. The majority of those deplaning were Filipinos, which constitutes a vast proportion of the city’s migrant labor ‘population’.

My stopover of 24 hours was enough time for some sleep at an airport hotel and a day trip across the Gulf to visit Qatar.

**Overall impression**

The Kenya Airways ground and cabin staff offered excellent service, and always with a smile. My only gripe was the 767’s dated cabin. KQ is currently renewing its fleet with 777-300ERs, while the first of nine 787-8 Dreamliners is expected in the second half of 2014 to replace the 767s.
If my experience is any indication, Royal Brunei’s media relations department is either inept or the personnel do not understand the purpose of their job. Neither is acceptable. After more than two months of unanswered messages through multiple channels, it took a telephone call to the airline’s deputy chairman to gain approval for a proposal to profile RBA for this feature.

Maybe it’s the regal-sounding name, or because the airline carries the flag of one of Asia’s smallest countries. In any case I was looking forward to experiencing Royal Brunei Airlines. Not trusting the media relations department, I sent a message on the morning of my flight to confirm my reservation. I was assured that everything was in order.

After spending the day in Qatar, I returned to DXB a little more than two hours before BI097 was to depart at 0155. Because of the nonsensical airport bureaucracy and paperwork, it took 90 minutes to transfer from Terminal 2 to T1, where RBA’s 777 was parked. With only 30 minutes until the flight was due to leave, I raced to the transfer desk and advised the lady on duty that I had a reservation on RBA. She tapped at her keyboard and then, without saying a word, called over someone whom I guessed was a supervisor. He studied the computer screen for a few seconds, then looked up at me and said there was no record of my reservation. He called the Royal Brunei staff at the gate, and after a few words led me over. There I identified myself and provided the reservation number given to me and the confirmation email received earlier in the day from RBA’s head office, but to no avail. The station manager said the only way I could make this flight was to buy an economy ticket, at a cost of more than $800.

With a tight schedule in London and then an onward flight from Brussels to New York I had little option. I returned to the transfer desk and handed over my credit card. Back at the gate the station manager told me there was another problem. My bag was still sitting at T2 and would not be coming with me. He
promised to put it on an Emirates flight leaving in a few hours’ time, and I would have to pick it up at LHR. I walked on to the aircraft ten minutes before departure, and while I was relieved to have kept my schedule, I was seething as I made my way along the aisle to seat 51K.

Royal Brunei has long tried to carve out a niche on the highly competitive DXB–London route by offering lower prices. But since April 2013 the partnership between Qantas and Emirates has seen those airlines’ capacity on the route reach phenomenal proportions.

Despite financial losses, so far Royal Brunei hasn’t blinked, and continues to position itself as an airline that offers great value and well-timed connections. For Australians flying from Melbourne to London, RBA offers a two-stop service via Bandar Seri Begawan, the airline’s home city, and Dubai, while Qantas has a single stop in DXB. Yet, at 24 hours, the Australian carrier’s flight time is only four hours less than that of the significantly cheaper RBA. Checking a random travel date, Royal Brunei was nearly $500 lower than Qantas, a huge saving for an ‘average’ family. This is the reason that many of the passengers on this 7½-hour flight, which was about two-thirds full, were Australian.

A snack and soft drinks were offered soon after takeoff. Given that the sale and public consumption of alcohol is forbidden in the Sultanate of Brunei, the flag carrier does not serve it either. Nor does it offer a duty free service; on an overnight flight I was not bothered. I tried reclining my seat, but soon realized that it was broken. Looking around, I noticed that others had already claimed the nearby empty ones.

Breakfast was offered with two choices: an omelet or chicken with egg noodles. I sampled the latter while watching the moving map display as we overflew Budapest, Vienna, and Frankfurt before descending into the thick of LHR’s morning arrivals. At 0620 we touched down on Runway 09R. Waiting for me on the airbridge was an RBA agent who informed me that my bag would be arriving on an Emirates flight in one hour’s time.

Overall impression

The Heathrow immigration officer expressed interest in my ‘round-the-world’ adventure, and asked my opinion of Royal Brunei. I hesitated before telling her that I expected better. Perhaps the poor communication and the ticket ‘snafu’ clouded my impression; how could it not? But the measure of a good company is how these situations are handled. In this case, RBA was lacking. To be fair, Royal Brunei’s strength surely must lie with its cabin crew, who with customary Southeast Asia hospitality were attentive throughout the flight.
Jet Airways has developed an efficient hub at Brussels, although with a new partnership with Abu Dhabi-based Etihad Airways a move to Amsterdam is thought likely.

At the time I arrived at the airport, Jet Airways was processing four flights but check-in was efficient and quick at the dedicated counter for those in Premier Class. Once through security I retired to the comfortable and spacious Jet Airways lounge. A selection of hot and cold dishes, including an abundance of Indian cuisine, was on offer, along with the usual amenities.

Preparing to operate to Mumbai, Delhi, Toronto, and Newark, four Airbus A330s were parked next to one another. At Gate B38, boarding for 9W228 began at 0910, an hour before the scheduled departure time. I eventually settled into seat 7A, and flight attendants, attired smartly in dark blue-and-yellow suits, offered juice and water and a selection of newspapers and magazines. Laid out in a 1-1-1 herringbone configuration, the 30 seats offer lots of privacy.

The purser welcomed everyone aboard over the PA, acknowledging the airline’s 20th anniversary and thanking the 209 passengers for their support. Jet began operations in May 1993, as an air-taxi operator with four leased Boeing 737s. Today, the airline flies to more than 75 destinations worldwide. Service to Newark started in 2007.
Once airborne, drinks were served along with a selection of gourmet nuts, presented in a glass dish. As the A330 tracked across the North Atlantic, I immersed myself in the JetScreen IFE, featuring an extensive library of movies, music, and television programs.

An exquisite lunch began with roasted red pepper soup, grilled green asparagus salad, and a choice of four entrées. I chose prawns cooked in a zesty sauce, flavored with green onions. This was served with stir-fried green peas and fenugreek, tempered lentils finished with tomatoes and pulao, a classic Indian dish with basmati rice. Cabin service was impeccable.

Before arrival at Newark a light meal was served. I chose the murghtikka kathi—delicious pieces of chicken encased in Indian bread, served with mint chutney.

After 7hr 35min aloft we landed at Newark at 1230 completing a turbulent approach in a 30kt crosswind.

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Overall impression

It was difficult to find any fault with my Jet Airways experience. Service from the cabin attendants exuded a quality and richness not often found in the skies. The cuisine was presented with perfection, and its taste was without compromise.

Having spent more than 36 hours aloft on this particular trip (nearly 50 hours if you count the two staging flights to and from New York), what surprised me most was that despite my ambitious schedule I was not beset by delays. All flights left and arrived on time—a testament to these carriers and the airports that service them. Despite the critics, the airline business really does work; well most of the time.

Like the industry itself, Fifth Freedom flights are vulnerable to the whims of the economy and politics. What might seem like a good route today may not in the future. The demands of airline operations do not tolerate fools. Smart operators will abandon a route if it does not make economic sense. Fifth Freedom segments will continue to be an interesting component of the global airline network, but like the shifting winds some will cease and new ones will begin.

(Airways and the author wish to acknowledge Amol K of hackmytrip.com for maintaining a relatively current and comprehensive list of Fifth Freedom flights.)