

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES FOR THE
PROMOTION OF AVIATION SAFETY**

The Government of the United States of America and the Government of the United Mexican States, hereinafter referred to as "the Parties";

DESIRING to promote aviation safety and environmental quality;

NOTING common concerns for the safe operation of civil aircraft;

RECOGNIZING the emerging trend toward multinational design, production, and interchange of civil aeronautical products;

DESIRING to enhance cooperation and increase efficiency in matters relating to civil aviation safety;

CONSIDERING the possible reduction of the economic burden imposed on the aviation industry and operators by redundant technical inspections, evaluations, and testing;

RECOGNIZING the mutual benefit of improved procedures for the reciprocal acceptance of airworthiness approvals, environmental testing, and development of reciprocal recognition procedures for approval and monitoring of flight simulators, aircraft maintenance facilities, maintenance personnel, flight crew members, and flight operations;

BEARING IN MIND the provisions of the Convention on International Civil Aviation, adopted at Chicago on December 7, 1944 and its Annexes, and that the Parties, as Contracting States thereto, are committed to conduct their mutual activities so as to meet or exceed the civil aviation safety standards of the Convention and its Annexes;

Have agreed as follows:

ARTICLE I

A. The Parties agree:

1. To facilitate acceptance by each Party of the other Party's:
 - (a) airworthiness approvals and environmental testing and approval of civil aeronautical products, and
 - (b) qualification evaluations of flight simulators.
2. To facilitate acceptance by the Parties of the approvals and monitoring of maintenance facilities and alteration or modification facilities, maintenance personnel, flight crew members, aviation training establishments, and flight operations of the other Party, and
3. To provide for cooperation in sustaining an equivalent level of safety and environmental objectives with respect to aviation safety.

B. Each Party shall designate its civil aviation authority as the executive agent to implement this Agreement. For the Government of the United States of America, the executive agent shall be the Federal Aviation Administration (FAA) of the Department of Transportation. For the Government of the United Mexican States, the executive agent shall be the Mexican General Directorate of Civil Aeronautics (DGAC) of the Secretariat of Communications and Transport.

ARTICLE II

For the purposes of this Agreement:

- A. "Airworthiness approval" means a finding that the design or change to a design of a civil aeronautical product meets standards agreed between the Parties or that a civil aeronautical product conforms to a design that has been found to meet those standards, and is in a condition for safe operation.
- B. "Alterations or modifications" means making a change to the construction, configuration, performance, environmental characteristics, or operating limitations of the affected civil aeronautical product.
- C. "Approval of flight operations" means the technical inspections and evaluations conducted by a Party, using standards agreed between the Parties, of an entity providing commercial air transportation of passengers or cargo, or the finding that the entity complies with those standards.
- D. "Civil aeronautical product" means any civil aircraft, aircraft engine, or propeller or subassembly, appliance, material, part, or component to be installed thereon.
- E. "Environmental approval" means a finding that a civil aeronautical product complies with standards agreed between the Parties concerning noise and/or exhaust emissions.
- F. "Environmental testing" means a process by which a civil aeronautical product is evaluated for compliance with those standards, using procedures agreed between the Parties.
- G. "Flight crew member" means a pilot, flight engineer or flight navigator assigned to duty in an aircraft during flight time.
- H. "Flight simulator qualification evaluations" means the qualification process by which a flight simulator is assessed by comparison to the aircraft it simulates, in accordance with standards agreed between the Parties, or the finding that it complies with those standards.
- I. "Maintenance" means the performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a civil aeronautical product to ensure the continued airworthiness of that product, but excludes alterations or modifications.
- J. "Monitoring" means the periodic surveillance by the civil aviation authority of a Party to determine continuing compliance with the appropriate standards.

ARTICLE III

A. The Parties' civil aviation authorities shall conduct technical assessments and work cooperatively to develop an understanding of each other's standards and systems in the following areas:

1. Airworthiness approvals of civil aeronautical products;
2. Environmental approval and environmental testing;
3. Approval and monitoring of maintenance facilities and maintenance personnel;
4. Approval and monitoring of flight operations and flight crew members;
5. Evaluation and qualification of flight simulators, and
6. Approval and monitoring of aviation training establishments.

B. When the civil aviation authorities of the Parties agree that the standards, rules, practices, procedures, and systems of both Parties in one of the technical specialties listed in paragraph A of this Article are sufficiently equivalent or compatible to permit acceptance of findings of compliance made by one Party for the other Party to the agreed-upon standards, the civil aviation authorities shall execute written Implementation Procedures describing the methods by which such reciprocal acceptance shall be made with respect to that technical specialty.

C. The Implementation Procedures shall include at a minimum:

1. Definitions;
2. A description of the scope of the particular area of civil aviation to be addressed;
3. Provisions for reciprocal acceptance of civil aviation authority actions such as test witnessing, inspections, qualifications, approvals, monitoring and certifications;

4. Accountability;
5. Provisions for mutual cooperation and technical assistance;
6. Provisions for periodic evaluations, and
7. Provisions for amendments to or termination of the Implementation Procedures.

ARTICLE IV

Any disagreement regarding the interpretation or application of this Agreement or its Implementation Procedures shall be resolved by consultation between the Parties or their civil aviation authorities.

ARTICLE V

This Agreement shall enter into force thirty (30) days after the date of the last diplomatic note transmitted between the Parties indicating that their respective legal procedures necessary for the entry into force of this Agreement have been completed.

This Agreement may be amended by written agreement of the Parties. Such amendments shall enter into force thirty (30) days after the date of the last diplomatic note transmitted between the Parties indicating that their respective legal procedures necessary for the entry into force of such amendments have been completed.

Either Party may terminate this Agreement, at any moment, by giving written notice to the other Party, through diplomatic channels. Such termination shall become effective six (6) months after the date of the written notification sent to the other Party.

Such termination shall also act to terminate existing Implementation Procedures executed in accordance with this Agreement. So long as this Agreement is in force, individual Implementation Procedures may be terminated or amended by agreement of the civil aviation authorities.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Montreal, this eighteenth day of September of two thousand and seven, in duplicate, in the English and Spanish languages, both language versions being equally authentic.

**FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA**

Original signed by
Mary E. Peters
Secretary of Transportation

**FOR THE GOVERNMENT OF THE
UNITED MEXICAN STATES**

Original signed by
Luis Téllez Kuenzler
**Secretary of Communications
and Transportation**