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

The Government of the United States of America and the Government of Switzerland, hereinafter referred to as "the Contracting 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, airmen, and flight operations, and

Recalling each State's obligations under the Convention on International Civil Aviation signed at Chicago on 7 December 1944,

Have agreed as follows:

ARTICLE I

A. The Contracting Parties agree:

1. To facilitate acceptance by each Contracting Party of the other Contracting 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 Contracting Parties of the approvals and monitoring of maintenance facilities and alteration or modification facilities, maintenance personnel, airmen, aviation training establishments, and flight operations of the other Contracting Party;

3. To provide for cooperation in sustaining an equivalent level of safety and environmental objectives with respect to aviation safety.

B. Each Contracting Party shall designate its civil aviation authority as the executive agent to implement this Agreement. For the United States of America, the executive agent shall be the Federal Aviation Administration (FAA) of the Department of Transportation. For the Government of Switzerland, the executive agent shall be the Federal Office of Civil Aviation.

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 Contracting Parties or that a 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 process by which technical inspections and evaluations of entities providing commercial air transportation of passengers and cargo are conducted by the civil aviation authority of a Contracting Party to standards agreed between the Contracting Parties, 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 Contracting Parties concerning noise and/or exhaust emissions. "Environmental testing" means a process by which a civil aeronautical product is evaluated for compliance with those standards, using procedures agreed between the Contracting Parties.

F. "Flight simulator qualification evaluations" means the process by which a flight simulator is assessed by comparison to the aircraft it simulates, in accordance with standards agreed between the Contracting Parties, or the finding that it complies with those standards.

G. "Maintenance" means the performance of inspection, overhaul, repair, preservation, and the replacement of parts, materials, appliances, or components of a product to assure the continued airworthiness of that product, but excludes alterations or modifications.

H. "Monitoring" means the periodic surveillance by a Contracting Party's civil aviation authority to determine continuing compliance with the appropriate standards.

ARTICLE III

A. The Contracting 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 of maintenance facilities, maintenance personnel, and airmen;

4. Approval of flight operations;

5. Evaluation and qualification of flight simulators; and

6. Approval of aviation training establishments for aircrews, cabin crews, and maintenance personnel.

B. When the civil aviation authorities of the Contracting Parties agree that the standards, rules, practices, procedures, and systems of both Contracting 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 Contracting Party for the other Contracting 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, 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 Contracting Parties or their civil aviation authorities, respectively.

ARTICLE V

This Agreement shall enter into force upon signature and shall remain in force until terminated by either Contracting Party. Such termination shall be effected by sixty days' written notification to the other Contracting Party. Such termination will also act to terminate all existing Implementation Procedures executed in accordance with this Agreement. This Agreement may be amended by the written agreement of the Contracting Parties. Individual Implementation Procedures may be terminated or amended by the civil aviation authorities.

ARTICLE VI

The Agreement on Certificates of Airworthiness for Imported Aircraft, effected by exchange of notes at Bern on October 13, 1961 and amended by exchange of notes at Washington on January 7, 1977, shall remain in force until terminated by an exchange of notes following completion by the Contracting Parties' civil aviation authorities of the technical assessments and Implementation Procedures concerning airworthiness certification, as described in Article III. In the event of any inconsistency between the Agreement of 1961, as amended in 1977, and the present Agreement, the Contracting Parties shall consult.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Washington, this 26th day of September, 1996, in duplicate, each in the English and German languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

John R. Byalay

FOR THE GOVERNMENT OF SWITZERLAND: