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**Mexico
and
Switzerland**

Agreement between the United Mexican States and the Swiss Confederation relating to scheduled air services (with annex). Mexico City, 4 November 2016

Entry into force: 22 July 2018, in accordance with article 23

Authentic texts: English, German and Spanish

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**Mexique
et
Suisse**

Accord entre les États-Unis du Mexique et la Confédération suisse relatif aux services aériens réguliers (avec annexe). Mexico, 4 novembre 2016

Entrée en vigueur : 22 juillet 2018, conformément à l'article 23

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**AGREEMENT BETWEEN THE UNITED MEXICAN STATES AND
THE SWISS CONFEDERATION RELATING TO SCHEDULED AIR SERVICES**

The United Mexican States and the Swiss Confederation (hereinafter,
“the Contracting Parties”);

DESIRING to facilitate the expansion of international air services
opportunities;

DESIRING to ensure the highest degree of safety and security in
international air services and reaffirming their grave concern about acts or threats
against the security of aircraft, which jeopardise the safety of persons or property,
adversely affect the operation of air services, and undermine public confidence in
the safety of civil aviation; and

BEING Parties to the Convention on International Civil Aviation
opened for signature at Chicago on December 7, 1944;

Have agreed as follows:

ARTICLE 1

Definitions

1. For the purpose of the present Agreement and its Annex, unless
otherwise agreed:

- a) The term “*the Convention*” means the Convention on International
Civil Aviation, opened for signature at Chicago on the seventh day of
December 1944, and includes any annex adopted under Article 90 of
the Convention and any amendment of the annexes or Convention
under articles 90 and 94 thereof, so far as those annexes and
amendments are applicable for both Contracting Parties;

- b) The term "*aeronautical authorities*" means in the case of the United Mexican States, the Secretariat of Communications and Transports, through the Directorate General of Civil Aviation, in the case of Switzerland, the Federal Office of Civil Aviation, or, in both cases, any person or body, authorised to exercise the functions presently assigned to the said authorities;
- c) The term "*designated airlines*" means an airline or airlines which one Contracting Party has designated, in accordance with Article 5 of the present Agreement, for the operation of the agreed air services;
- d) The term "*agreed services*" means air services on the specified routes for the carriage of passengers, cargo and mail, separately or in combination;
- e) The terms "*air service*", "*international air service*", "*airline*" and "*stop for non-traffic purposes*" have the meaning assigned to them in Article 96 of the Convention;
- f) The term "*territory*" in relation to a State shall have the meaning assigned to it in the Article 2 of the Convention;
- g) The term "*tariff*" means the price charged for the transportation of passengers, baggage and cargo, as well as the conditions and rules that regulate the application of the transportation cost depending on the characteristics of the service rendered, under which that amount shall be applied, excluding the remuneration and other conditions relative to the carriage of mail.

2. The Annex forms an integral part of the Agreement. All references to the Agreement shall include the Annex unless explicitly agreed otherwise.

ARTICLE 2

Grant of Traffic Rights

1. Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of operating international air services on the routes specified in the schedules of the Annex. Such services and routes are hereafter called "*agreed services*" and "*specified routes*" respectively.

2. Subject to the provisions of the present Agreement the airlines designated by each Contracting Party shall enjoy, while operating international air services:

- a. the right to fly without landing across the territory of the other Contracting Party;
- b. the right to make stops in the said territory for non-traffic purposes;
- c. the right to embark and disembark in the said territory at the points specified in the Annex of the present Agreement passengers, baggage, cargo and mail destined for or coming from points in the territory of the other Contracting Party;

3. Nothing in this Article shall be deemed to confer on the designated airlines of one Contracting Party the privilege of embarking, in the territory of the other Contracting Party, passengers, baggage, cargo and mail carried for remuneration or hire and destined for another point in the territory of that Contracting Party.

4. If because of armed conflict, political disturbances or developments, or special and unusual circumstances, the designated airlines of one Contracting Party are unable to operate a service on its normal routing, the other Contracting Party shall use its best efforts to facilitate the continued operation of such service through appropriate arrangements of such routes, including the grant of rights for such time as may be necessary to facilitate viable operations.

ARTICLE 3

Exercise of Rights

1. The designated airlines shall enjoy fair and equal opportunities to compete in providing the agreed services covered by the present Agreement.

2. The designated airlines of each Contracting Party shall take into consideration the interests of the designated airlines of the other Contracting Party so as not to affect unduly the agreed services of the latter airlines operated over the whole or part of the same routes.

3. Each Contracting Party shall allow the designated airlines to determine the frequency and capacity of the international air services it offers based upon commercial considerations in the marketplace. Consistent with this right, neither Contracting Party shall unilaterally limit the volume of traffic, frequency, number of destinations or regularity of service, or the aircraft type or types operated by the designated airlines of the other Contracting Party, except as may be required for customs, technical, operational, or environmental reasons under uniform conditions consistent with Article 15 of the Convention.

4. Neither Contracting Party shall unilaterally restrict the operations of the designated airlines of the other Contracting Party, except according to the terms of the present Agreement or by such uniform conditions as may be contemplated by the Convention.

ARTICLE 4

Application of Laws and Regulations

1. The laws and regulations of one Contracting Party governing entry into and departure from its territory of aircraft engaged in international air navigation or flights of such aircraft over that territory shall apply to the designated airlines of the other Contracting Party.

2. The laws and regulations of one Contracting Party governing entry into, sojourn in, and departure from its territory of passengers, crew, baggage, cargo or mail, such as formalities regarding entry, exit, emigration and immigration, as well as customs and sanitary measures shall apply to passengers, crew, baggage, cargo or mail carried by the aircraft of the designated airlines of the other Contracting Party while they are within the said territory.