

# **Memorandum of Understanding on the Aviation Partnership**

**Between**

**The Government of the United States of America and  
The Government of the Federative Republic of Brazil**

The Government of the United States of America, and the Government of the Federative Republic of Brazil, hereinafter referred to as “the Participants”,

RECOGNIZING the importance and significant contribution of civil aviation to the socioeconomic development of their States,

ACKNOWLEDGING the existing partnership between the two countries in different aspects of civil aviation,

ACKNOWLEDGING the mutual desire to strengthen and expand the cooperation between the two countries in the field of civil aviation,

DESIRING to establish an adequate framework to handle all cooperation initiatives between the two countries toward the development of an efficient, safe and sustainable civil aviation sector, and

RECALLING the Joint Statement issued on the occasion of the Second Meeting of the U.S.-Brazil Global Partnership Dialogue, which envisioned the creation of an Aviation Program and the joint recommendation made by the U.S.-Brazil CEO Forum calling for the establishment of a broader strategic cooperation on aviation between the United States and Brazil,

INTEND TO ESTABLISH THE U.S.-BRAZIL AVIATION PARTNERSHIP (AP) AS FOLLOWS:

## **Section 1 Objectives of Cooperation**

1. The Participants intend to expand and deepen the cooperation between the two countries on civil aviation on the basis of understanding and mutual benefits.
2. The Participants intend to facilitate the liaison between governmental agencies of both countries in order to develop mutually beneficial cooperation initiatives.
3. The Participants also intend to increase private sector cooperation and awareness, creating mutual economic opportunities and promoting investments. To this end, the Participants intend to promote private sector cooperation initiatives, especially those aimed at increasing efficiency, productivity and capabilities of the civil aviation sectors in each country.

## **Section 2 Fields of Cooperation**

4. Subjects of joint interest under this Memorandum of Understanding may include:
  - a) Infrastructure;
  - b) Air Transport, including the following significant areas:
    - i. Safety;
    - ii. Security; and
    - iii. Airworthiness.
  - c) Air Traffic;
  - d) Environment and Biofuels;
  - e) Aeronautical Industry; and
  - f) Other fields as mutually determined.
  
5. Bearing in mind the above mentioned fields, cooperation may include, but not be limited to:
  - a) Regulation and Public Policies;
  - b) Airport Planning and Development;
  - c) Safety and Security Management;
  - d) Air Navigation;
  - e) Research and Development;
  - f) Innovation and New Technologies;
  - g) Sustainability;
  - h) Logistics and Air Cargo;
  - i) Training and Education;
  - j) Knowledge sharing focused on the management of events generating high density air traffic;
  - k) Expert exchanges on best practices and information sharing; and
  - l) Any other matters mutually determined.

## **Section 3 Implementation and Coordination**

6. A Coordinating Committee intends to meet at least twice a year in order to prioritize upcoming activities, assess progress and measure results achieved under this Memorandum of Understanding. On the Brazilian side, the Coordinating Committee is to be led by the Ministry of Development, Industry and Foreign Trade, with participation by the Ministry of External Relations, the Secretariat of Civil Aviation (SAC), the Ministry of Defense, the Ministry of Science, Technology and Innovation, and the Ministry of Education among others. On the U.S. side, the Coordinating Committee is to be led by the U.S. Trade and Development Agency with participation by the U.S. Federal Aviation Administration, the Transportation Security Administration, the U.S. Department of Commerce and the U.S. Department of State.

7. Working groups are to be created to develop specific cooperation initiatives under this Memorandum of Understanding. The working groups should be encouraged to meet regularly, in an effort to advance issues of mutual interest.

8. The executive bodies responsible for the daily administration of this Memorandum of Understanding are to be, on the Brazilian side, the Ministry of External Relations and the Ministry of Development, Industry and Foreign Trade, and on the U.S. side, the U.S. Trade and Development Agency, in coordination with the U.S. Federal Aviation Administration and the Transportation Security Administration.

9. Representatives from the Brazilian and the U.S. private sectors would be invited, as appropriate, to participate in meetings and activities carried out under this Memorandum of Understanding. As needed, the private sector may meet to advance the topics of the Aviation Partnership and to report back to the two governments.

#### **Section 4 Forms of Cooperation**

10. The Participants should facilitate direct cooperation between governmental agencies of both countries in order to increase awareness of areas of mutual interest and to identify cooperation instruments to best advance the bilateral dialogue, based on mutual understanding, respect and benefit.

11. The Participants should also support interaction between the private and public sectors (including state-owned companies) of the United States and Brazil in order to stimulate mutual investment and other forms of economic cooperation, subject to the domestic laws and policies of the United States and Brazil.

12. The above mentioned cooperation may take the form of, *inter alia*, exchange of views and best practices, expertise and know-how; the provision of technical and managerial cooperation; capacity building; joint projects and facilitation of cooperation between enterprises and/or organizations of both countries. Such cooperation is to be subject to their respective national laws and other sector specific rules, regulations and guidelines.

#### **Section 5 Financing**

13. The Participants intend to decide on the methods of funding for each project in accordance with each country's internal laws and procedures. All activities under this Memorandum of Understanding are to be subject to the availability of funds and to further arrangements between appropriate institutions. This Memorandum of Understanding is not intended to entail a commitment or obligation of specific funds by either side.

#### **Section 6 Confidentiality of Information**

14. Neither Participant should make available any confidential information, documents and data derived from the cooperative activities under this Memorandum of Understanding to a third party without prior written permission from the other Participant.

**Section 7  
Modifications**

15. Modifications to this Memorandum of Understanding may be made at any time in writing by mutual consent of the Participants.

**Section 8  
Consultations**

16. Any issue arising out of the interpretations and/or implementation of this Memorandum of Understanding should be settled amicably by negotiation or consultation between the Participants.

**Section 9  
Commencement and Discontinuation**

17. This Memorandum of Understanding comes into effect on the date of its signature.

18. This Memorandum of Understanding may be discontinued at any time. The Participant discontinuing this Memorandum should endeavor to provide three months notice in writing prior to the intended date of discontinuation. The discontinuation should not affect the implementation of on-going activities or projects which have been decided prior to the date of its termination, unless the Participants decide otherwise.

19. This Memorandum of Understanding does not create any rights or obligations under international or domestic law.

Signed in duplicate in Washington, D.C., on the 9th of April 2012 in the Portuguese and English languages.

For the Government of the  
United States of America

For the Government of the  
Federative Republic of Brazil

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Department of State

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Minister of External Relations

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Federal Aviation Administration

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U.S. Trade and Development Agency

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Transportation Security Administration