

### Memorandum of Consultations

On November 12, 2025, delegations representing the United States and Costa Rica met in Punta Cana, Dominican Republic to discuss updates to the Air Transport Agreement between the Government of the United States of America and the Government of the Republic of Costa Rica, signed on May 8, 1997 ("ATA"). Members of the delegations are listed in **Attachment A**. The delegations reached consensus, *ad referendum*, on the text of an agreement amending the ATA (the "Agreement Amending the ATA"). The Agreement Amending the ATA is included as **Attachment B**.

The delegation of Costa Rica noted that Costa Rica is a signatory to the 2023 Memorandum of Understanding on Liberalization Of Exclusive Air Cargo Services Between The Civil Aviation Authorities Of The Member States Of The Latin American Civil Aviation Commission ("LACAC"). Both delegations recognized that the expansion of all-cargo rights, as provided by the Agreement Amending the ATA, will enhance the connectivity between the two countries and region.

With respect to Article 3 of the Agreement Amending the ATA, the delegation of Costa Rica noted the need to conduct external consultations on deleting Annex III ("Principles of Non-Discrimination Within and Competition among Computer Reservations Systems") and intends to provide a response to the United States delegation.

The delegations intend to submit the proposed Agreement Amending the ATA to their respective authorities for approval with the goal of signing it on a date and location to be mutually agreed.

The delegations further expressed the intent of their respective aeronautical authorities to permit operations consistent with the terms of the Agreement Amending the ATA on the basis of comity and reciprocity, from the date of signature of this Memorandum of Consultations, pending the signing and entry into force of the Agreement Amending the ATA.

Signed in duplicate in the English language on November 13, 2025 in Punta Cana, Dominican Republic.

FOR THE DELEGATION OF  
THE REPUBLIC OF COSTA RICA:



Marcos Castillo Masis  
Director General,  
General Directorate of Civil Aviation

FOR THE DELEGATION OF  
THE UNITED STATES OF AMERICA:



Harry R. Sullivan  
Office Director,  
Office of Aviation Negotiations,  
U.S. Department of State

**Attachment A**

**DELEGATION OF THE UNITED STATES OF AMERICA**

Harry Sullivan  
(head of delegation)

Director,  
Office of Aviation Negotiations,  
U.S. Department of State

Eugene Alford

Senior Air Services Negotiator,  
Office of International Aviation,  
U.S. Department of Transportation

Ladislav Beranek

International Aviation Officer,  
Office of Aviation Negotiations,  
U.S. Department of State

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Peter Guthrie

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Tricia Kubrin

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Senior Air Services Negotiator,  
Office of International Aviation,  
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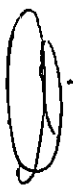
Multilateral Affairs Analyst,  
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**DELEGATION OF THE REPUBLIC OF COSTA RICA**

Marcos Castillo Masis	Director General General Directorate of Civil Aviation
Christian Chinchilla Montes	Head of Air Transport General Directorate of Civil Aviation
Ana Patricia Gamboa Venegas	Air Transport Unit General Directorate of Civil Aviation



Attachment B

**AGREEMENT AMENDING THE  
AIR TRANSPORT AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND  
THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA**

The Government of the United States of America and the Government of the Republic of Costa Rica (hereinafter, "the Parties");

Desiring to modernize and strengthen their bilateral aviation relationship and to expand all-cargo international air transport opportunities in order to facilitate increased and more efficient commerce and trade;

Have agreed to amend the Annexes to the Air Transport Agreement between the Government of the United States of America and the Government of the Republic of Costa Rica, signed at San José on May 8, 1997 ("the Agreement"), as follows:

**Article 1**

**Amendments to Annex I ("Scheduled Air Transportation")**

In Annex I to the Agreement:

1. Section 1, paragraph A shall be deleted and replaced with the following:
  - A. Routes for the airline or airlines designated by the Government of the United States:

From points behind the United States via the United States and intermediate points to any point or points in Costa Rica and beyond; and for all-cargo service, between Costa Rica and any point or points.

2. Section 1, paragraph B shall be deleted and replaced with the following:

B. Routes for the airline or airlines designated by the Government of Costa Rica:

From points behind Costa Rica via Costa Rica and intermediate points to any point or points in the United States and beyond; and for all-cargo service, between the United States and any point or points.

3. Section 2 shall be amended by deleting the final clause and replacing it with the following:

without directional or geographic limitation and without loss of any right to carry traffic otherwise permissible under this Agreement; provided that, with the exception of all-cargo services, the service serves a point in the territory of the Party designating the airline.

4. Section 3 shall be deleted and replaced with the following:

Section 3

Change of Gauge

On any segment or segments of the routes above, any designated airline may perform international air transportation without any limitation as to change, at any point on the route, in type or number of aircraft operated; provided that, with the exception of all-cargo services, in the outbound direction, the transportation beyond such point is a continuation of the transportation from the territory of the Party that has designated the airline and, in the inbound direction, the transportation to the territory of the Party that has designated the airline is a continuation of the transportation from beyond such point.

Article 2

**Amendments to Annex II ("Charter Air Transportation")**

Section 1 of Annex II to the Agreement shall be deleted and replaced with the following:

Section 1

Airlines of each Party designated under this Annex shall, in accordance with the terms of their designation, have the right to carry international charter traffic of

passengers (and their accompanying baggage) and/or cargo (including, but not limited to, freight forwarder, split, and combination (passenger/cargo) charters):

Between any point or points in the territory of the Party that has designated the airline and any point or points in the territory of the other Party; and

Between any point or points in the territory of the other Party and any point or points in a third country or countries, provided that, with the exception of all-cargo services, such service constitutes part of a continuous operation, with or without a change of aircraft, that includes service to the homeland for the purpose of carrying local traffic between the homeland and the territory of the other Party.

In the performance of services covered by this Annex, airlines of each Party designated under this Annex shall also have the right: (1) to make stopovers at any points whether within or outside of the territory of either Party; (2) to carry transit traffic through the other Party's territory; (3) to combine on the same aircraft traffic originating in one Party's territory, traffic originating in the other Party's territory, and traffic originating in third countries; and (4) to perform international air transportation without any limitation as to change, at any point on the route, in type or number of aircraft operated; provided that, with the exception of all-cargo services, in the outbound direction, the transportation beyond such point is a continuation of the transportation from the territory of the Party that has designated the airline and in the inbound direction, the transportation to the territory of the Party that has designated the airline is a continuation of the transportation from beyond such point.

Each Party shall extend favorable consideration to applications by airlines of the other Party to carry traffic not covered by this Annex on the basis of comity and reciprocity.

### [Article 3]

#### **Deletion of Annex III ("Principles of Non-Discrimination Within and Competition among Computer Reservations Systems")**

Annex III shall be deleted in its entirety.]



**Article 4****Entry into Force**

This agreement shall enter into force upon an exchange of notes following completion of all necessary internal procedures by the Parties.

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

DONE at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in two originals, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE  
REPUBLIC OF COSTA RICA:

