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FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

Agenda Item 1: Developments since the Eleventh Session of the Division

DEVELOPMENTS WITHIN THE EUROPEAN CIVIL AVIATION CONFERENCE

(Presented by the European Civil Aviation Conference (ECAC)²)

SUMMARY

This information paper presents to the Division the main developments since the last session of the Division.

They are reflected in the Ninth Edition of ECAC/CEAC Doc 30, Part I (Facilitation) adopted by the 27th Triennial Session in July 2003.

1. The Member States of the European Civil Aviation Conference (ECAC), which actively participated in the eleventh session of the ICAO FAL Division, have developed since 1995 an ambitious work programme. This work has been achieved through its Working Group on Facilitation, and its specialized sub-groups on the transport of persons with reduced mobility, on immigration and on cargo. It has been included in the ECAC Doc 30, Part I, the ECAC Policy Statement in the field of facilitation. During that period, the FAL Working Group also contributed to the work undertaken by the ICAO FAL Panel, by designating members and providing for participation and follow-up. The implementation of Annex 9 to the Convention on international civil aviation has been one of its permanent concerns.

2. Since 1995, the facilitation of air transport, which has always been one of the major priorities of ECAC, has had to face the challenge of additional security requirements. It had also to cope with the problem of illegal immigration, which increased considerably. In the same period, it had to deal with new centres of interest such as Advance Passenger Information Systems, while enlarging the provisions facilitating the transport of persons with reduced mobility.

¹ French version provided by the European Civil Aviation Conference.

² Albania, Armenia, **Austria**, Azerbaijan, **Belgium**, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, **Denmark**, Estonia, **Finland**, **France**, **Germany**, **Greece**, Hungary, Iceland, **Ireland**, **Italy**, Latvia, Lithuania, **Luxembourg**, Malta, Moldova, Monaco, **Netherlands**, Norway, Poland, **Portugal**, Romania, Serbia and Montenegro, Slovakia, Slovenia, **Spain**, **Sweden**, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, **United Kingdom** (the 15 Member States of the European Union (EU) appear in bold).

3. The harmonization of the situation of facilitation within its Member States – 33 in 1995, 41 now – has progressed, allowing for better implementation of common provisions.

4. ECAC worked in close cooperation with the European Commission and the Presidency of the Schengen Agreement on the planning of airport infrastructures.

5. The following main realizations have been achieved since 1995:

- a) adoption of comprehensive provisions on immigration matters, in particular for the checking of travel documents, and return of inadmissible passengers and deportees;
- b) completion of these provisions by guidance material on deportation and escort, letter of information to the competent authorities of transit and destination States about inadmissible passengers, and guidelines for the removal of inadmissible passengers;
- c) development of the ECAC facilitation information system on illegal immigration (ECFALIS) for control authorities and operators, aiming at early warnings for potentially irregular migration movements through a computer-based information system; ECFALIS's operational phase was launched in early 2003;
- d) development of complementary provisions dealing with the facilitation of transport of persons with reduced mobility (PRMs), and elaboration of a Code of Good Conduct in ground handling of PRMs, covering the services and facilities that a disabled passenger should be able to expect. The key principles of the Code of Good Conduct are that:
 - 1) PRMs have the same rights as other citizens to freedom of movement and freedom of travel;
 - 2) PRMs must not be charged for the service provided to them;
 - 3) air carriers, ground handling companies and airports should work together at local level to organize assistance for PRMs; and
 - 4) arrangements must be in accordance with the European Ground Handling Directive.

Against this background, the Code sets out the minimum level of service that should be provided, from pre-booking information through to assistance in the event of delay. The Code stresses, in particular, that service provided to PRMs should be seamless, avoiding handing over responsibility from one service provider to another.

The Code also sets out performance targets for the level of service that should be provided for PRMs at each stage of the journey and calls on service providers to monitor their performance against these targets.

- e) complete redrafting of provisions on facilitation of air cargo, to take into account the implication of the entry into force of the revised Kyoto Convention, supplementing them with guidelines elaborated and agreed in a spirit of goodwill by all interested parties, in liaison with the European Commission, as follows:
 - 1) Existing provisions of section 3 of Doc 30, Part I, were updated or specified in greater depth, such as the pre-arrival provision of Annex 9. New concepts were

incorporated. The concept of single window, by which the information required by public authorities can be sent electronically to one point, was introduced. In a new provision, it was recommended that public authorities should participate in community systems for the electronic exchange of information. It covers the notion of the introduction of a centralised electronic system at an airport whereby all participants involved, including public authorities, can exchange the information relating to air cargo electronically. Also some new simplified Customs procedures were introduced. The new provisions were incorporated in Doc 30, Part I, after being unanimously adopted by ECAC Directors General.

- 2) Guidelines, which cast no formal obligation on ECAC Member States and include only explanations and examples of best practices to assist in implementing the recommendations, were also incorporated as an Annex in Doc 30.
- 3) The Commission of the European Community played an important and constructive role in the discussions on cargo within the framework of the work undertaken in the field of facilitation. Many of the matters discussed are covered by European Union legislation, such as the Community Customs Code.

6. A new edition (9th edition) of ECAC/CEAC Doc 30, Part I, was adopted by the 27th Triennial Session in July 2003. Intended to be widely disseminated to States, organisations and all partners from the industry, it is available on the ECAC web site: www.ecac-ceac.org.

7. The review of the status of implementation within ECAC Member States of the existing FAL recommendations, as well as those which will come from the 12th Division, will be one of the main objectives for the coming years. Ensuring compatibility between facilitation and security measures will be the main thrust. Furthermore, the world community has to closer cooperate in the future when introducing new measures or plans of action and implement them in a harmonized way.

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