



FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

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

WORK OF THE FACILITATION PANEL

(Presented by the Secretariat)

1. INTRODUCTION

1.1 This paper presents a brief account of the activities of the Facilitation Panel, since its establishment in 1996 by the Air Transport Committee (ATC) of the Council, pursuant to a recommendation by the Eleventh Session of the Facilitation Division (FAL/11, 1995).

1.2 The Panel was set up to formulate recommendations for new Standards and Recommended Practices (SARPs) for Annex 9, contribute information that could be used by the Secretariat in developing management tools (e.g. a manual) and guidance material, assist States with the implementation of Annex 9, develop proposals for consideration at FAL Division sessions and perform other tasks as assigned by the ATC.

1.3 There are twenty-six members of the Panel, representing the following Contracting States: Angola, Argentina, Australia, Belgium, Brazil, Canada, Cuba, Czech Republic, Egypt, France, Germany, Ghana, India, Italy, Kenya, New Zealand, Pakistan, Panama, Portugal, Russian Federation, Saudi Arabia, Senegal, Switzerland, Thailand, United Kingdom and United States.

1.4 Other interested States are able to participate in the Panel's work as observers. A limited number of international organizations, such as Airports Council International (ACI), the International Air Transport Association (IATA), the International Federation of Air Line Pilots' Associations (IFALPA), INTERPOL and the World Customs Organization (WCO), are also invited to observe Panel meetings. To date, the Panel has had four meetings.

2. ANNEX 9 STREAMLINED

2.1 The establishment of the Facilitation Panel gave the Organization an opportunity to review the Annex as a whole and investigate how it might be updated and simplified. The result is that Chapters 1 to 4 have been streamlined.

2.2 Wherever possible, duplicative SARPs have been combined, and inconsistencies removed. Many SARPs have been shortened, and their language and syntax simplified. Out-dated SARPs — especially those adopted in the formative years of Annex 9 and which no longer support a contemporary objective — have been deleted. Statements of general policy guidance have been placed in a separate section, in Chapter 1,

in order to distinguish them from action-oriented SARPs. Provisions which were of an explanatory nature, which provided guidance on implementation or contained detailed technical specifications, have been removed from the Annex, for placement in the planned Facilitation Manual.

2.2 The intent of this revision is that the Annex may be easier to understand and hence that States may more easily identify and notify “differences” to ICAO.

3. **AMENDMENT 17**

3.1 The Panel, at its first meeting in 1997, revised, updated and enhanced those SARPs of Chapter 3 of Annex 9 relating to the prevention of the transport by air of improperly documented persons and the management of the border control problems which result from such transport. The ICAO Council later adopted these recommendations, which were incorporated into the Annex through Amendment 17, updating the 10th Edition.

3.2 The first Panel meeting also worked on guidance material to complement the SARPs concerning access to air services by persons with disabilities. The guidance material was later finalized by the Secretariat, by correspondence with Panel members, and published as ICAO Circular No. 274.

4. **AMENDMENT 18**

4.1 During its second and third meetings the Panel reviewed the first five chapters¹ of the Annex and, at the conclusion of its third meeting in February 2001, recommended substantial changes.

4.2 One major change was the introduction of the “one person per passport” concept into Chapter 3. FAL/11 had asked the Panel to determine if procedures to include children in the passport of a primary holder could be standardized. Concluding from its study that it was highly unlikely that such standardization would be achieved, the Panel recommended a Standard requiring all Contracting States to issue a separate passport to each person, regardless of age.

4.3 The Panel updated and simplified other SARPs pertaining to documents required for travel. These provisions now promote the use of ICAO Doc 9303 specifications, as called for by FAL/11. The Panel revised Appendix 5 to Annex 9, on Embarkation/Disembarkation cards, conforming information requirements in these cards to the machine readable data in passports. Relevant SARPs on controls on passengers in transit (formerly in Chapter 5), were imported into Chapter 3.

4.4 With regard to SARPs concerning the Customs treatment of goods, the Panel particularly ensured that the cargo facilitation provisions of Annex 9 were aligned, to the extent possible, with the provisions of the revised Kyoto Convention of the World Customs Organization (WCO).² The entire text of Chapter 4 was replaced with newly drafted SARPs. In addition, SARPs of Chapter 5 applicable to controls on cargo in transit were updated and imported into Chapter 4.

4.5 In Chapter 2 (Entry and departure of aircraft), the Panel consolidated, re-arranged and simplified documentation requirements for clearance of aircraft and SARPs concerning general aviation and

¹ Definitions and applicability; Entry and departure of aircraft; Entry and departure of persons and their baggage; Entry and departure of cargo and other articles; and Traffic passing through a Contracting State.

² *International Convention on the Simplification and Harmonization of Customs Procedures*, 1973 (amended 1999).

other non-scheduled flights. It extensively revised the disinsection provisions of Chapter 2, a report of which is being presented under agenda item 6.1.

4.6 Finally, the Panel updated the definitions in Chapter 1, and added new SARPs reflecting general principles applicable to the “operative” Chapters of the Annex.

4.7 The ICAO Council adopted these recommendations, which were incorporated into the Annex through Amendment 18, and published in the Eleventh Edition (July 2002).

5. ACTION BY THE DIVISION

5.1 The Division is invited to note the information presented above.

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