



FACILITATION (FAL) DIVISION — TWELFTH SESSION

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Agenda Item 2: Facilitation and security of travel documents and border control formalities 2.3: Crew identity documentation

STANDARDIZATION OF CREW MEMBER DOCUMENTS OF IDENTITY FOR INTERNATIONAL TRAVEL ON DUTY

(Presented by the Secretariat)

1. INTRODUCTION

1.1 The requirement to obtain for their crew members the visas and other travel documents required for every country they might visit in a duty status, and to keep them up to date, presents a major logistical challenge for operators. Since the assignment of individual crew members to various flight operations is constrained by the documentation which each holds, operators serving many destinations may occasionally have to restrict their scheduled operations in the face of shortages of documented employees due to illness or other unforeseen circumstances. Hence issues of crew identity documentation for international travel on duty have arisen in the FAL Division commencing with the First Session in 1946, and Standards and Recommended Practices (SARPs) providing for standardized documents and procedures have been introduced in Annex 9 and amended over the years in an effort to address these issues more effectively. However, anecdotal evidence and “differences” notified to ICAO continue to suggest that these provisions may not be as widely supported among Contracting States as had been hoped.

1.2 The purpose of this paper is to review the issues related to issuance of crew member certificates and their acceptance as identification documents for temporary entry into foreign States, and to recommend appropriate amendments to the SARPs (Annex 9, paragraphs 3.73 to 3.76 inclusive).

1.3 An additional objective is to present minor amendments to paragraphs 3.78 to 3.81 concerning flight operations and cabin safety inspectors, for consideration by the Division.

2. BACKGROUND – CREW MEMBER DOCUMENTS OF IDENTITY AND FOR TRAVEL

2.1 The SARPs which were first introduced in the late 1940s reflected a consensus that a flight crew member’s license could be presented and accepted in lieu of a passport, visa or other travel document, and that crew members who were not licensed, e.g. flight attendants, could also be exempted from the requirement for a passport by carrying a “crew member certificate” (CMC) issued by the State in which the aircraft was registered. Upon the recommendation of the Eleventh Session of the Division, the SARPs were amended to distinguish the CMC as a document identifying an employed crew member from the license attesting to professional qualifications, and to apply the CMC to both flight deck crew and cabin attendants

as a document that could be presented in lieu of a passport and visa. At the same time, a Recommended Practice was introduced to encourage issuance of the CMC in machine readable form.

2.2 Since the late 1960s ICAO has been taking a lead role in developing specifications for machine readable travel documents, and in so doing has examined in depth the concepts and significance of identity documents and travel documents and the distinction between these and licenses/certificates of competency. It would be fair to say that the passport has gained prestige in ICAO over the years as an identity document which every person travelling abroad should have. Moreover, the thinking behind Annex 9 has changed with regard to the approach to facilitating border formalities, so that rather than eliminate passports and formal travel documents, the main objective now is to standardize them and make them more secure. The consensus now appears to be that a requirement that a crew member who works international flights have a passport may no longer be considered unduly onerous, and indeed is in the best interests of the member.

2.3 Existing Annex 9 SARPs encourage an expectation of exemption of the holder from passport or visa requirements. In practice there has also been an expectation of exemption from the airport security screening procedures applicable to passengers. However, at the present time, there appears to be virtually no standardization in the issuance of crew member certificates, and this factor could account in large part for the low level of official confidence in the document and hence a low level of support for the SARPs.

2.4 The 33rd Session of the Assembly (25 September to 5 October 2001) endorsed a number of proposals for the enhancement of aviation security, one of which called for standardization of airline and airport personnel identity documents in conformance with Doc 9303, Part 3, *Machine Readable Official Travel Documents*. Upon a recommendation of the AVSEC (Aviation Security) Panel in November 2001, the Council subsequently adopted the following Recommendation which was published in the Seventh Edition of Annex 17 in the context of measures relating to access control:

4.7.4 **Recommendation** — *Each Contracting State should ensure that identity documents issued to aircraft crew members conform to the relevant specifications set forth in Doc 9303, Machine Readable Travel Documents.*

2.5 Implied in this recommendation is the recognition that adoption of the specifications set forth in Doc 9303, Part 3 in the issuance of crew identity documents offers the benefits of worldwide standardization, global interoperability, and the high level of document security provided for in the specification for the TD-1 (wallet-size) card. In addition, standardization offers the following operational benefits:

- a) *Cross-utilization of resources.* Identity documents issued in accordance with these specifications can be verified, and the identity of the holders confirmed, with the use of the same equipment and systems which are used in the inspection of travel documents.
- b) *“Extra crew” assets.* A standardized identity document would facilitate an airline’s acceptance and utilization of crew members of other airlines as “jump seat” riders.

2.6 The FAL Panel, at its fourth meeting (2 to 5 April 2002), concluded that the existing Annex 9 provisions relating to crew member certificates were out of date, in that there is a need to be forceful regarding document standardization and security in order to increase the value and credibility of a CMC, and to clarify its status and function as an identity document when used in international travel. A study group representing interested States and observer organizations was formed to consider these issues and to propose amendments to the SARPs.

2.7 Working by correspondence and telecommunications, the study group arrived at the following conclusions:

- a) although the extent to which member States issue CMCs is not known, ICAO should continue to require that governments issue such documents and not delegate or abdicate this function to private-sector entities;
- b) ICAO should insist that the CMC be issued in machine readable format in accordance with Doc 9303 as a condition of its acceptance by receiving States as an official identity document qualifying the holder for facilitated temporary entry;
- c) at the same time ICAO should strongly support standardization of private sector-issued crew identity cards with identity confirmation capability but not necessarily expect that these have an OCR-based machine readable zone;
- d) the CMC should be presented not as a travel document to replace a passport but as an identity document to signify exemption from a visa requirement;
- e) controls on issuance of CMCs are essential to building confidence among border inspection authorities;
- f) the CMC may be used for visa exemption only when the member is in a duty status; and
- g) the conditions under which a CMC may be presented in order to gain exemption from visa requirements for crew members in a duty status can be simplified, and distinctions among crew members of different types of operators eliminated.

2.8 These conclusions were the basis for the proposed amendments described below.

3. ACTION BY THE DIVISION

3.1 The Division is invited to consider the points made in this paper and to adopt amendments to the relevant SARPs in Chapter 3, Section M and update Section N, as presented in the appendix.

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APPENDIX

M. Identification and entry of crew and other operators' personnel

3.72 — ~~Contracting States shall ensure that when inspection of crew members and their baggage is required on arrival or departure, such inspection shall be carried out as expeditiously as possible.~~

3.72 **Contracting States shall establish measures, in cooperation with operators and airport authorities, to expedite the inspection of crew members and their baggage, as required at departure and upon arrival.**

3.73 ~~Contracting States shall provide facilities which will enable crew members of their airlines~~ **operators in their territories to obtain apply for and receive CMCs for their flight deck and cabin crew personnel** without delay and without charge. ~~crew members' certificates valid for the crew member's term of employment.~~

Note.— The CMC was developed as a card for use for identification purposes by both flight deck crew and cabin attendants, leaving the crew licences to serve their primary purpose of attesting to the professional qualifications of the flight crew.

3.73.1 **Recommended Practice.—**~~Contracting States should issue the certificates referred to in 3.73; 3.74 and 3.75 should be in the form of machine readable cards issued in accordance with the specifications in Doc 9303, Part 3 — Size 1 and Size 2 Machine Readable Official Travel Documents. Where this is not possible, the certificates should be issued in the format shown in Appendix 7;~~

3.74 **Recommended Practice.—***To the extent that operators or non-governmental organizations choose to issue crew identity cards, Contracting States should require the production of such identity documents in the format shown in Appendix 7 i.e. in the same layout as the visual zone of the machine readable crew member certificate and having the capability to support machine assisted identity confirmation and document security verification.*

3.75 **Adequate controls shall be placed on the issuance of CMCs and other official crew identity documents to prevent fraud, for example, a background check and certification of employment status of an applicant prior to issuance, controls on blank card stock, and accountability requirements for issuing personnel.**

3.74 — ~~In the case of airline flight crew and cabin attendants who retain their crew member certificates in their possession when embarking and disembarking, remain at the airport where the aircraft has stopped or within the confines of cities adjacent thereto, and depart on the same aircraft or their next regularly scheduled flight, each Contracting State shall accept such crew member certificates for temporary admission to the State and shall not require a passport or visa.~~

——— *Note 1.— It is the intent of this provision that a crew member certificate shall be recognized as a satisfactory identity document even if the holder is not a national of the State of Registry of the aircraft on which he serves. It is not desired to discourage Contracting States from issuing such crew member certificates to resident alien crew members if they are willing to do so.*

——— *Note 2.— The implementation of 3.74 permits rapid and efficient disposition of personnel by airlines. The full benefit cannot be derived from these provisions while some States withhold acceptance of them.*

3.74.1 ~~Each Contracting State shall extend privileges of temporary admission similar to those provided under 3.74 to flight crew and cabin attendants of an aircraft operated for remuneration or hire but not~~

~~engaged in scheduled international air services, subject to the requirement that such flight crew and cabin attendants must depart on the aircraft on its first flight out of the territory of the State.~~

~~3.75 — When it is necessary for an airline crew member, in the exercise of his duties, to travel to another State as a passenger by any means of transportation in order to join an aircraft, each State shall accept from that crew member, in lieu of a passport and visa for temporary admission and for the necessary freedom of movement within its territory to join such aircraft, a crew member certificate as specified in 3.73.1 and 3.74 together, where required, with a document from the crew member's employer certifying the purpose of the journey.~~

~~3.75.1 **Recommended Practice.**— Each Contracting State should extend privileges of temporary admission similar to those provided under 3.75 and on the same conditions, to a crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services.~~

3.76 Subject to a requirement to present a valid passport, Contracting States shall waive the visa requirement for arriving crew members presenting CMCs or other official crew identity documents issued in machine readable format, when:

- a) arriving in a duty status on an international flight and seeking temporary entry for the period allowed by the receiving State before joining their next assigned flight in a duty status; and/or
- b) arriving on another operator or another mode of transport as passengers and seeking temporary entry for the period allowed by the receiving State before joining their assigned flight in a duty status.

~~3.76 — **Recommended Practice.**— Contracting States should make arrangements to expedite the admission, for residence in their territories, of ground and flight personnel of foreign airlines operating to or through such territories, to the extent that such personnel are necessary to perform supervisory and technical duties directly connected with the operation of the international air services being performed by such airlines.~~

[Note: The above is believed to be no longer needed in Annex 9, as it is now a very common provision in bilateral agreements.]

3.77 Contracting States shall ~~make arrangements to ensure~~ **establish measures to provide for the temporary** entry without delay into their territories ~~on a temporary basis~~, of technical personnel of foreign ~~airlines operators~~ operating to or through such territories who are urgently required for the purpose of converting to an airworthy condition any aircraft which is, for technical reasons, unable to continue its journey. ~~In the event of States requiring~~ **Should a State require** a guarantee of, ~~for instance, the such persons' subsistence in, and/or return from, such State, this shall be negotiated without delaying the their immediate admission of such personnel.~~

N. Civil aviation flight operations and cabin safety personnel **inspectors**

3.78 **Recommended Practice.**— Contracting States should ~~ensure~~ **provide** that flight operations and cabin safety inspectors of another Contracting State, when engaged on inspections duties, ~~are be~~ treated in the same manner as crew members **when proceeding through departure or arrival formalities**, ~~as specified in 3.72.~~

3.79 **Recommended Practice.**— *Contracting States should provide their flight operations and cabin safety inspectors with ~~a certificate containing the material~~ an identity document in the format set forth in Appendix 8 and valid for the inspector's term of employment.*

3.80 **Recommended Practice.**— *Flight operations inspectors and cabin safety inspectors should carry the ~~certificate~~ identity document specified in 3.79, a copy of the ~~flight~~ inspector's itinerary ~~which has been approved~~ issued by the State that employs the inspector, and a valid passport.*

3.81 **Recommended Practice.**— *Contracting States should extend the privileges of temporary admission, as described in ~~3.74~~ 3.76 for crew members, to flight operations and cabin safety inspectors of another Contracting State, ~~who are engaged on their inspection duties and~~ presenting the documents listed in 3.80, provided that the departure ~~on~~ of the next flight ~~inspection of~~ on the inspector's itinerary is after not more than a normal period of rest.*

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