



## **FACILITATION PANEL (FALP)**

### **TWELFTH MEETING**

**(13 to 23 July 2021, Virtual)**

#### **Agenda Item 3: Policy and Regulatory Issues**

#### **TAKING ACCESSIBILITY TO THE NEXT LEVEL**

(Presented by Airports Council International (ACI) and  
the International Air Transport Association(IATA))

#### **SUMMARY**

The air transport industry is taking action to make airports and aircraft more accessible to persons with disabilities. Air travel must keep pace with societal changes as more and more sectors and services embrace a socially responsible approach, of which inclusion and inclusiveness are key elements. The International Civil Aviation Organization (ICAO) framework should also keep pace with such changes, and this involves amending the relevant Annex 9 provisions in a holistic manner and based on thorough technical and policy discussions to reflect new terminologies and new processes.

#### **Action by the FAL Panel:**

The Facilitation Panel is invited to recommend that proposals for a holistic review of Annex 9 provisions related to accessibility, for presentation to the Thirteenth Meeting of the Facilitation Panel, be developed by the relevant ICAO Facilitation Panel working group on accessibility in aviation and ensure representation of relevant Contracting States and industry stakeholders.

### **1. INTRODUCTION**

1.1 According to the World Health Organization (WHO), persons with disabilities are the world's largest minority, constituting 15% of the global population. This figure is increasing due to population growth, medical advances and the ageing process. In countries with life expectancies over 70 years, one can expect to spend an average of 8 years living with disabilities. There is a growing expectation of the need to ensure the full and equal participation of persons with disabilities in all spheres of society, including air transport. This is in line with the United Nations (U.N.) Convention on the Rights of Persons with Disabilities (CRPD) which guarantees the full and effective participation and inclusion in society of all individuals, including freedom of movement and freedom of choice.

1.2 The ICAO Consolidated Statement of Continuing Policies related to Facilitation (A40-16) adopted at the 40<sup>th</sup> Assembly requests the Council to develop a work programme on accessibility for passengers with disability in order to reach for a disability-inclusive air transport system.

## 2. INDUSTRY INITIATIVES ON ACCESSIBILITY

2.1 The industry continues to take proactive steps towards an accessible, inclusive air transport system. IATA initiatives include:

- Reaffirming airlines commitment to supporting safe and dignified air travels for passengers with disabilities in its [Resolution](#) adopted during the Annual General Meeting in 2019; and
- Providing a [Passenger Accessibility Operations Manual](#), a central reference of airlines' operational practices to join up airlines' efforts to promote dignified and seamless travels to passengers with disabilities

2.2 ACI initiatives include:

- Reaffirming airports' commitment to the accessibility of their facilities, in [a Resolution](#) adopted at the Twenty-ninth ACI World Annual General Assembly, Hong Kong SAR in April 2019;
- Drawing together best practices for the inclusion of persons with disabilities at airports in [a Handbook](#) published in 2018. This guidance document is available in English, French and Spanish; and
- Offering a three-day [Professional Certificate Course](#) on Accommodating Passengers with Disabilities, as well as an online [Certificate in Airport Accessibility](#).

## 3. HOLISTIC REVIEW OF ANNEX 9 PROVISIONS ON ACCESSIBILITY

3.1 Industry guidelines and assistance address a large part of the industry by raising the bar and encouraging change, but they may not address all parts of the air travel experience. The ICAO framework can provide a useful complementary layer to make air transport accessible to persons with disabilities.

3.2 IATA and ACI recall the 40<sup>th</sup> Assembly's request that the Council develops a work programme on accessibility for passengers with disability. We believe such a programme should be holistic and supported by a multi-layered (e.g. policy, process, outreach and communication) and long-term strategy and thus not be limited to a review of Annex 9 in isolation.

3.3 Other ICAO tools should be taken into account, including a review of the ICAO guidance such as the *Facilitation Manual* (Doc 9957), the *Manual on Access to Air Transport by Persons with Disabilities* (Doc 9984), and possibilities for capacity building and assistance to States.

3.4 As new ICAO Standards may lead to reviews in national regulation, they need to be carefully considered. Prescriptive regulation may be perceived as a benchmark to meet instead of a baseline – which would be counter-productive to existing industry efforts to raise the bar. Therefore, global

Standards should be supported by sound policy and worded in such a way as to encourage national discussions towards a regulatory framework that incentivises action instead of being a mere tick-box exercise.

3.5 The outcomes of the work of the ICAO Facilitation Panel working group on accessibility in aviation will provide useful insights on the current practices of Contracting States and where additional attention is required to address accessibility across the globe. The development of a compendium of regulations, statutes and policies relating to accessibility in aviation, based on the results of the Survey on Advancing Accessibility in Aviation (ICAO State Letter EC 6/3 – 21/25, 1 June 2021) can lead to further developing Annex 9 framework in a sound manner.

3.6 The provisions in Annex 9 on the transport of persons with disabilities (in Chapter 8, Section H) were last amended eight years ago in 2013, and much has changed since then. A review of these provisions would be timely, including consideration for new Standards and/or an upgrade of certain Recommended Practices to Standards. However, instead of piecemeal amendments focusing on the current text, upgrades should be comprehensive and rely on building blocks and be part of a sound strategic approach.

3.7 This review should be carried out by the ICAO Facilitation Panel working group on accessibility in aviation based on the survey findings and compendium material. Consideration should be made to inviting groups representing persons with disabilities to provide input to the working group. The Facilitation Panel should request that the group provide its recommendations to the Thirteenth Meeting of the Facilitation Panel. It could guide the group's work by providing a number of basic principles for a review of Annex 9. We suggest that these principles include:

- Proposals to review Annex 9 provisions should be outcomes-focused rather than prescriptive, as national regulation may differ greatly from State to State;
- The terminology used in Annex 9, Chapter 8 as well as the definitions should be in line with recent developments in the field of accessibility;
- Consideration should be given to including new provisions in Annex 9 on areas not currently covered, including assisting passengers with hidden or temporary disabilities and the need to address various types of barriers; and
- Revisions to Annex 9, Chapter 8 on the subject of accessibility should be incremental: proposals should be accompanied by timeframes so that certain SARPs are revised before others, giving States and industry operators the time to plan, implement and incorporate them.

3.8 In parallel to regulatory enhancement, the value of updating ICAO Guidance Material such as Doc 9957 and Doc 9984 in addition to assistance to States and capacity building should be acknowledged. The ICAO Facilitation Panel working group on advancements of accessibility should consider whether reviewed Annex 9 provisions may be complemented by capacity building mechanisms so that no country is left behind. This may include the organization of ICAO workshops, webinars, regional conferences or new training packages to help ensure the full and equal participation in civil aviation of persons with disabilities.

4. **ACTION BY THE FAL PANEL**

The Facilitation Panel is invited to recommend that proposals for a holistic review of Annex 9 provisions related to accessibility, for presentation to the Thirteenth Meeting of the Facilitation Panel, be developed by the relevant ICAO Facilitation Panel working group on accessibility in aviation and ensure representation of relevant Contracting States and industry stakeholders.

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