

**FACILITATION PANEL (FALP)**

(Third Meeting, Montreal, 12 to 16 February 2001)

**Agenda Item 4: Other matters**

**MODELS FOR NATIONAL FACILITATION (FAL) PROGRAMMES  
AND AIRPORT FAL PROGRAMMES**

(Presented by the Secretary)

1. The attachment to this paper sets forth draft guidance material, which has been requested by Contracting States to assist them in setting up FAL programmes at the national and airport levels. This material would be included in Annex 9 to replace existing Appendices 11 and 12.
2. **ACTION BY THE PANEL**
  - 2.1 Panel members are invited to note the attachment and advise the Secretariat of any comments they may have.

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## ATTACHMENT

### MODEL AIRPORT FACILITATION (FAL) PROGRAMME

#### 1. PURPOSE OF AN AIRPORT FAL PROGRAMME

1.1 The purpose of an airport FAL programme is to pursue the objectives of Annex 9 at the operational level, to facilitate the completion of border clearance formalities at the airport with respect to aircraft, crews, passengers and cargo.

#### 2. SCOPE OF AN AIRPORT FAL PROGRAMME

2.1 The airport FAL programme encompasses all of the provisions of Annex 9 concerning border clearance processes at the airport, as well as the planning for and management of those processes. A representative list of tasks to be performed and the Standard(s) or Recommended Practice(s) (SARPs) applicable to each one are provided in the table below.

Airport FAL programme task	Annex 9 (10th Edition) SARPs
Establish, review and amend, as necessary, procedures for entry and clearance of flights at the airport concerned.	Standard 6.1
Review regularly all parties' performance with respect to meeting the 45-minute goal for processing inbound passengers and the 60-minute goal for processing outbound passengers. Make necessary adjustments where feasible.	Recommended Practices 6.19 and 6.29
Establish modern systems for immigration and customs inspection, using applicable technology.	Standards 6.27 and 3.17.1, and Recommended Practice 3.14.1
Make necessary changes in traffic flows and checkpoints in the airport to cope with rising traffic volumes.	Standard 6.3
Improve the quality and quantity of signage in the inspection facilities in order to reduce customer confusion.	Recommended Practices 6.19 and 6.12.1
Review staffing of inspection stations – work shifts, overtime, etc. – and seek adjustments to meet traffic demands.	Recommended Practice 6.3.1
Provide input on behalf of resident airline operators and inspection agencies to the design of new airports or new inspection facilities.	Standards 6.2 and 6.7
Monitor and improve delivery of baggage to the customs inspection area.	Standard 6.30
Bring to the attention of appropriate authorities any service problems related to currency exchange.	Standards 6.65, 6.66 and 6.67

<b>Airport FAL programme task</b>	<b>Annex 9 (10th Edition) SARPs</b>
Coordinate facilitation, narcotics control, aviation security and dangerous goods handling procedures so that the objectives of all four programmes are met.	Standard 8.19

3. **ORGANIZATION AND MANAGEMENT**

3.1 The recommended vehicle to conduct the facilitation programme at the operational level is the Airport Facilitation Committee. Although such committees should be encouraged by the National FAL Committee and keep it informed of their problems and progress, they are not necessarily supervised by the national body. Their principal concern is day-to-day problem-solving and implementation of Annex 9.

3.2 It is recommended that the airport manager take charge of the committee and convene regular meetings. Membership should consist of the senior officers in charge of their respective inspection agencies at the airport, e.g. customs, immigration, quarantine, etc., as well as the station managers of the airlines with international operations at the airport concerned. The participation of all parties is necessary to make the airport FAL programme a success.

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**MODEL NATIONAL FAL PROGRAMME****1. PURPOSE OF A NATIONAL FAL PROGRAMME**

1.1 The purpose of a National FAL Programme is to implement the Chicago Convention mandate that Contracting States provide for and facilitate the border-crossing formalities which must be accomplished with respect to aircraft engaged international operations and their passengers, crews and cargo.

**2. SCOPE OF A NATIONAL FAL PROGRAMME**

2.1 The applicable articles of the Chicago Convention and the tasks involved in implementing each one are presented in the table below. Activities aimed at accomplishing these and related tasks in a State constitute the National FAL Programme.<sup>1</sup>

<b>Chicago Convention mandate</b>	<b>Implementing tasks</b>
<p><b>Article 10 – Landing at customs airport</b> ... every aircraft which enters the territory of a contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a contracting State, such aircraft shall depart from a similarly designated customs airport. ...</p>	<ul style="list-style-type: none"> <li>- Establish customs airports and open new ones as appropriate.</li> <li>- Develop procedures by which operators of scheduled and non-scheduled services may request permission to land or depart from customs airports.</li> <li>- Arrange for border inspection services at customs airports.</li> </ul>
<p><b>Article 13 – Entry and clearance regulations</b> The laws and regulations of a contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such a regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.</p>	<ul style="list-style-type: none"> <li>- Support the interested border control agencies in the establishment and maintenance of effective inspection systems at airports, and in their efforts to rationalize their respective procedures.</li> <li>- Develop programmes for control of security problems such as document fraud, illegal migration and smuggling.</li> <li>- Coordinate preparations for clearing large numbers of international visitors for special events, e.g. international athletics competitions.</li> </ul>

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A group of smaller States with similar needs and goals may decide to establish a sub-regional FAL programme in the interest of achieving economies of scale.

Chicago Convention mandate	Implementing tasks
<p><b>Article 14 – Prevention of spread of disease</b> Each contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the contracting States shall from time to time decide to designate,...</p>	<ul style="list-style-type: none"> <li>- Establish, review and amend as necessary the national policies regarding prevention of the spread of contagious diseases by air, for example, aircraft disinsection, disinfection and public health-related quarantine programmes.</li> </ul>
<p><b>Article 22 – Facilitation of formalities</b> Each contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.</p>	<ul style="list-style-type: none"> <li>- Establish, review and amend as necessary the national regulations which implement the State's customs, immigration and quarantine laws in the air transport environment.</li> </ul>
<p><b>Article 23 – Customs and immigration procedures</b> Each contracting States undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. ...</p>	<ul style="list-style-type: none"> <li>- Establish and amend as appropriate, customs and immigration procedures carried out at airports, to ensure their harmonization with the standards and recommended practices set forth in Annex 9.</li> <li>- Support and advocate the national issuance of passports and other travel documents in accordance with ICAO specifications in Doc 9303 – <i>Machine Readable Travel Documents</i>.</li> </ul>
<p><b>Article 37 – Adoption of international standards and procedures</b> Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation. ... (f) Customs and immigration procedures ...</p>	<ul style="list-style-type: none"> <li>- Participate in ICAO development of Annex 9.</li> <li>- Review national procedures periodically in order to ensure harmonization with the provisions of Annex 9.</li> </ul>

Chicago Convention mandate	Implementing tasks
<p><b>Article 38</b> – <i>Departures from international standards and procedures</i></p> <p>Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established in the international standard. ...</p>	<p>- Periodically review conformity by all relevant agencies with the provisions of Annex 9 and notify ICAO of differences between national practices and the relevant standards.</p>

### 3. ORGANIZATION AND MANAGEMENT

3.1 The primary responsibility for the National FAL Programme rests with the Civil Aviation Authority (CAA) and/or the Ministry of Transport. However, success of the programme requires the active participation of other ministries or agencies, such as:

Customs	Immigration
Foreign Affairs	Passport/visa issuing authorities
Agriculture/environment	Public Health

3.2 In addition, the active participation of airport authorities (public or private) and resident international airlines or their representative organizations is essential.

3.3 Other entities which may play an advisory role include the governmental agencies or non-governmental organizations which promote international tourism and trade.

3.4 The recommended vehicle for carrying out the National FAL Programme is the **National FAL Committee**, which is composed of the heads of the government agencies involved and the chief executive officers of the national organizations representing the airlines and airport authorities. The chairman should be a top-management official in the CAA or Ministry of Transport.

3.5 For the purpose of carrying out the work of the committee, the members may designate one or more middle-management persons in their respective organizations to represent them in meetings at the staff level (working groups). These officials should be given sufficient authority to speak on behalf of their respective organizations and to initiate necessary action in support of the committee's work. The chairman should designate a middle-management official in his department or agency to chair and convene the staff-level meetings.

3.6 The decision to convene meetings of the National FAL Committee or the members' designated representatives, and the frequency and venue of such meetings, are matters of the chairman's discretion.

Working arrangements for accomplishment of the various implementing tasks would depend on the nature of the task and the issue at hand.

4. **ESTABLISHMENT OF A NATIONAL FAL PROGRAMME**

4.1 It is advisable that the authority for a National FAL Programme and the membership of the National FAL Committee be established through legislation, regulation, or executive action from the head of State, in order to ensure the participation of the various agencies and industry groups involved and to make provision for continuity. The Director General of Civil Aviation (DGCA) or head of the Ministry of Transport should initiate the process to obtain such a mandate through the national political system.

**S E N D S**