



## **FACILITATION PANEL (FALP)**

### **SIXTH MEETING**

**Montréal, 10-14 May 2010**

#### **Agenda Item 4: Report of the PWD Working Group**

### **REPORT OF THE PERSONS WITH DISABILITIES WORKING GROUP**

(Presented by the Rapporteur of the PWD WG)

#### **SUMMARY**

The Persons with Disabilities Working Group (PWD WG) was established following the recommendation of the 2008 FALP/5 meeting to update ICAO Circular 274. The Secretariat developed a first draft revision and circulated it among the Working Group's participants for comments. A second draft was subsequently prepared for consideration by FALP/6.

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

The Panel is invited to:

- a) consider the Second Draft Revision of Circular 274, attached to this paper, and provide comments, if any;
- b) agree to expand the terms of reference of the PWD WG, in order to take into account other relevant multilateral or national or laws and regulations and other guidance material, as appropriate;
- c) agree that the PWD WG should consider any other relevant contributions that may be made by interested States and organizations;
- d) agree that the existing SARPs of Annex 9 on PWD should be reviewed and revised, as appropriate, taking into consideration any proposals made, in this regard; and,
- e) agree that the PWD WG should continue its work under the direction of the Rapporteur, who will present a report at the seventh meeting of the FAL Panel.

## **1. INTRODUCTION**

1.1 The Facilitation Panel agreed, at its fifth meeting (FALP/5, 31 March to 4 April 2008), that a Working Group be set up to consolidate and harmonize guidelines for persons with disabilities. Subsequently, the terms of reference for a FAL Panel Working Group on Persons with Disabilities (PWD WG) were developed.

1.2 These Terms of Reference call upon the PWD WG to: a) examine existing ICAO guidelines relating to persons with disabilities, found in ICAO Circular 274; b) consolidate and harmonize these guidelines, as appropriate, with any guidance material on the subject developed by ACI and ECAC; and, c) in accomplishing the tasks set out in paragraphs (a) and (b), take into consideration the proposals and comments presented during FALP/5 (i.e. the relevant FALP/5 working papers).

1.3 The following States and organizations have volunteered to participate in the work of the PWD WG: Australia, Canada, Cuba, the Czech Republic, Germany, Italy, the Netherlands, Switzerland, Turkey, the United States, ECAC, ACI and IATA. Ms. Jill Abramczyk (Canada) is the Rapporteur of the Group.

1.4 In November 2009, in order to initiate the work of the Group, the Secretariat developed and circulated a first draft revision of Circular 274 (“1st Draft”). This was an attempt to harmonize the existing text of Circular 274 with the proposals made in FALP/5-WP/22 and selected elements of the Appendix to FALP/5-WP/17, the “ECAC Code of Conduct of Ground Handling of Persons with Reduced Mobility”. A lack of time precluded a more detailed examination of the provisions of the ECAC document *vis-à-vis* Circular 274.

1.5 By-and-large, nearly all the proposals presented in WP/22, and the elements selected from the ECAC Code of Conduct, could be incorporated into the 1st Draft. One proposal from WP/17 could be added to the text of existing Standard 6.2 of Annex 9.

## **2. ISSUES LEADING UP TO THE 2ND DRAFT REVISION OF CIR. 274**

2.1 Input received on the first draft revision of Circular 274 included: a) suggestions to include new text into the circular; b) comments on: i) the existing provisions of the circular; and, ii) text taken from WP/22 or the ECAC Code and incorporated in the 1st Draft; c) proposals to include, in the circular, either specific references to, or specific provisions from, American and ECAC legislative or other materials not considered in the existing terms of reference of the Working Group and information received on the Turkish DGCA’s “unimpaired airports project”; and d) proposals to amend existing Annex 9 SARPs.

2.2 Consequently, the Secretariat prepared a second draft revision of Circular 274, in April 2010 (“2nd Draft”). This draft incorporates all suggestions made under para. 2.1 (a) above, i.e. additions of new text into the circular. This includes, for example, a proposal to amend the Circular so that reference is made, similar to Annex 9, to both aircraft and airport operators, instead of only to “operators” and other proposals for the inclusion of new paragraphs, sentences or words to the existing text. It also includes suggestions to improve language introduced into the Circular in the 1st Draft.

2.3 Also included in the 2nd Draft are the comments mentioned under para. 2.1 (b) above. However, these need to be considered by the WG or the Panel for a decision. One prime example under para. 2.1 (b) is the comment concerning a potential conflict between EU and US regulations on the provision of advance notice to aircraft/airport operators for requests for assistance by PWDs. (para. 8 of Circular 274 refers).

2.4 Proposals also to be considered, for decision, by the WG and/or the Panel include issues raised under paras. 2.1 (c) and (d) above.

2.5 The PWD WG has agreed that the 2nd Draft should be placed before the FALP/6 meeting for consideration and comments, if any.

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APPENDIX

**Draft Revision 2 of Circular 274, April 2010**

[Title omitted]

Shaded text	New text, resulting from comments provided on Rev. 1
<u>Underlined text</u>	Text inserted into Rev. 1 from FALP/5-WPs/17 & 22

**General Comments on Draft Rev. 1**

**Czech Republic:** Ensure that the terms “aircraft” and/or “airport” are associated with the word “operator” where appropriate, to harmonize the terminology with Annex 9 and WP/22.

**Secretariat:** Agree with this suggestion. The appropriate amendments are indicated in the text of Rev.2 below, and are reflected simply as “aircraft and airport operators”, instead of separate references to “aircraft operators” and “airport operators”.

**General Comments on Draft Rev. 1**

**Germany:** a) Even though the mandate for the Working Group only mentions explicitly the harmonization of the guidelines with guidance material developed by ACI and ECAC, it is absolutely necessary to also take into account other laws and regulations existing in this area, in particular EU Regulation 1107/2006 and the requirements of the U.S. DOT Air Carrier Access Act (ACAA) (14 CFR part 382);

**Secretariat:** a) Agree with the suggestion that the mandate (i.e. Terms of Reference) of the Working Group be expanded to take account of other laws and regulations existing in this area. However, this proposal would need to be placed before the Panel for consideration;

**Germany:** b) It is not clear on which criteria [the Secretariat’s] decision is based to incorporate the elements from the Appendix to FALP/5-WP/17 and WP/22. Nearly all the Canadian proposals were adopted, but only a few standards from the ECAC Guidance;

**Secretariat:** b) On this point, please see PWD-Memo/09-03 dated 2 December 2009, under “work plan” where it is explained why only selected elements of the ECAC document were included in Draft Rev. 1 of Cir. 274;

**Germany:** c) It is not adequate just to focus on the “ECAC Code of Good Conduct”. ECAC has revised the guidance for facilitation of the transport of persons with reduced mobility and has passed new annexes. New ICAO Guidance Material should be based on the updated existing standards and regulations;

**Secretariat:** c) Agree that the revised ECAC document also be taken into consideration, as part of the continuing work on this subject, subject to approval by the WG/Panel;

**Germany:** d) As a basis for our work, we need a draft by the Secretariat that either tries to consolidate the existing guidance and pieces of legislation, or at least provides a synopsis of the existing guidance in Cir 274 and other guidance and legislation that need to be harmonized or consolidated. It hardly makes any sense that each member of the Working Group puts forward its own proposals or working papers;

**Secretariat:** d) Draft Rev. 1 was based on the initial mandate of the WG. This proposal by Germany

would depend on the suggested expanded mandate and the subsequent decision of the WG as to how to proceed;

**Germany:** e) The most important elements that need to be incorporated in the revised guidance are: i) secure that travelling by air for PRMs works “seamless” and without complication; ii) non-discrimination on grounds of reduced mobility; iii) prevention of refusal to transport PRMs except for safety requirements; iv) right of assistance at the airport between arrival/departure at the airport and check-in-counter and during the security-check without additional charge for the PRM; v) airport or airline operator should alternatively be responsible in providing these services; vi) minimum standards for assistance; vii) training obligations for airports and airlines.

**Secretariat:** e) Agree that the seven elements listed need be incorporated in the revised guidelines. Some appear even to be basic principles on which the guidelines can be based, and therefore should be incorporated into the Annex either as Standards or RPs. To be included in Draft Rev. 3, subject to approval of the WG/Panel.

#### **General Comments on Draft Rev. 1**

**Italy:** a) Taking into account the fact that the present version of Circular 274 does not deal at all with “Operating principles”, we suggest adding a new paragraph in Circular 274 to include all the contents of the “Operating principles” found in ECAC WP/17; b) The issues dealt with by point 1.9 “Performance and Quality Monitoring” of ECAC WP/17 should be included in the revised version of Circular 274.

**Secretariat:** Agree that the ECAC material also be taken into consideration, as part of the continuing work on this subject. To be included in Draft Rev. 3, subject to approval of the WG/Panel.

#### **General Comments on Draft Rev. 1**

**United States:** a) In general, we believe that Cir. 274 could benefit from a more thorough revision, to take into account laws and regulations regarding airline passengers with disabilities, particularly the recently revised U.S. Air Carrier Access Act regulations (14 CFR Part 382) and EU Regulation 1107/2006. The Panel will have to decide, during FALP/6, whether to mandate such a revision;

**Secretariat:** Agree. However, as pointed out, the Panel would need to mandate a revision of the Terms of Reference of the WG;

**United States:** b) For consistency with Part 382 and EU Regulation 1107/2006, the following aspects representing the common grounds shared by these two regulations should be added to Cir. 274: i) Include a general provision stating that airline operators may not refuse to transport persons with disabilities except for safety reasons; ii) Clarify that enplaning and deplaning assistance to persons with disabilities should be provided from the beginning to the end of the entire course of air transportation; iii) Provide that Contracting States should require that airline operators provide substantive responses to disability related complaints filed by persons with disabilities in a timely manner.

**Secretariat:** Agree that these common points be taken into consideration, as part of the continuing work on this subject. To be included in Draft Rev. 3, subject to approval of the WG/Panel.

## **I. CONTEXT**

1. This Circular provides general guidance on the key issues to be taken on board in meeting the needs of persons with disabilities in air travel. It should be read in conjunction with other key documents in this field which provide more detailed guidance and the legal frameworks which apply on various jurisdictions.

2. In particular careful note should be taken of ECAC Doc 30 and its relevant annexes (11<sup>th</sup> Edition, December 2009), EU Regulation 1107/2006 and US Air Carriers Access Act (14 CFR Part 382).

**[New Section I: Context]**

**ECAC's PRM Sub-group:** Insert a new first section "Context" establishing the relevant international regulations/requirements (EU/ECAC, US).

**Secretariat:** Perhaps there are other relevant documents/legislative materials that can be listed under paragraph 2 above. Full citation details would need to be provided by way of a footnote.

**I. GENERAL ISSUES**

1) Contracting States should encourage aircraft and airport operators, airports and travel agents to use common definitions of different categories of persons with disabilities. Such entities should follow the standard system of classification and codification developed by the International Air Transport Association (IATA) for this purpose.

2) Aircraft and airport Operators and airports should consult with organizations that represent persons with disabilities when developing services and training programmes or when finding solutions to better serve persons with disabilities.

3) Immigration, customs and security operational procedures should be adapted to the needs of persons with disabilities in order to facilitate their clearance in a dignified manner.

3bis Security personnel should use both audible and visual means to advise passengers when and how to proceed and when the security inspection is complete.

8ter The service provided to passengers with disabilities should be "seamless," i.e. there should be no points at which such a passenger is left stranded or without assistance between the responsibilities of ground handlers, airport staff and airline staff.

**[3bis & 8ter]**

**Czech Republic, Italy:** Transpose 3bis with 8ter because the original articles are not consistent with the parts of the Draft.

**Italy:** With regard to 3 bis: Point 3 already takes into account the necessity to adapt security procedures for PRMs. Moreover, to make reference only of special means of communication dedicated to blind and deaf passengers seems to be too specific compared with the general approach of this part on General issues.

**Secretariat:** Agree that the issue of "seamless" service fits under this section. Moved, but original number 8ter retained, for the time-being, following a consideration of Italy's comment above.

3ter Security personnel should offer a physical search in the place of metal detection screening, with the option of it being performed in a search area which is not open to public viewing.

**[3ter]**

**Canada:** Suggestion to insert new para. 3ter. Rationale: Some passengers may not be able to undergo screening using either walk-through and/or hand-held metal detection equipment. For example, mobility aids may be too wide for screening devices, or some passengers with disabilities may be travelling with service animals.

3quad. Contracting States should encourage aircraft and airport operators to provide the requested assistance without charge to persons with disabilities.

**[3quad]**

**Italy & the Czech Republic:** Insert an additional point requiring the provision of assistance without charge.

**Secretariat:** Agree, with minor changes made to the text suggested by Italy (“aircraft and airport operators” instead of “operators and airports”; “persons with disabilities” instead of “PRMs” as the former is the term normally used by the UN.

**Communication of information**

4) Contracting States should publish, or encourage aircraft and airport operators or interested organisations to publish, general information or guidance material relating to air travel by persons with disabilities. Such information should, where practicable, be made available in alternative media such as braille, cassettes, large print or computer diskettes.

5) Aircraft and airport Operators, airports, ground handling operators and travel agents should take necessary measures to inform those persons with disabilities planning to travel of the availability of accessible services and of how to access them.

5bis. At a minimum, information about the following should be made available to the public: hours of operation, location of designated parking areas, location of drop-off and pick-up areas, telephone numbers for accessibility information, wheelchair or electric cart service, location of relieving areas for service animals, accessible inter-terminal transportation, accessible ground transportation, complaint resolution services and escort passes.

**[5bis]**

**Canada:** Suggestion to insert a new para. 5bis.

6) Aircraft and airport Operators and airports should ensure they have the means to facilitate communication with travellers who have sensory (deaf or hard of hearing, blind or low vision) or cognitive disabilities and they should describe such facilities in the public information materials referred to above.

7) Contracting States should encourage aircraft and airport operators, airports and travel agents to integrate information for persons with disabilities into their general product literature or advertising.

8. Persons with disabilities requesting special assistance should be encouraged to inform the aircraft operator or the travel agent of their needs at the time of booking their flight. Aircraft Operators and/or travel agents should be encouraged to complete an information checklist when taking bookings.

**[Para. 8]**

**ECAC:** This paragraph cuts across both Reg 1107/2006 which requires advance notice and US Part 382 which does not!

**Secretariat:** For further consideration and decision by the WG/Panel.

8bis *Airport and aircraft operators should also provide a means for passengers to get information or assistance once they have arrived at the airport.*

**[8bis]**

**Australia:** This proposed clause relates to airport operators only. As information and assistance to passengers within Australian airport terminals is provided by both airline and airport operators, we suggest that the clause would have a more universal application if it was broadened accordingly.

**Secretariat:** 8bis amended accordingly.

**Training programmes**

9. In addition to general training, aircraft and airport operators ~~and airports~~ should ensure that their employees and contractors who interact with the public or make decisions respecting the carriage of persons with disabilities receive general sensitivity training to be able to identify and respond appropriately to the needs of persons with disabilities when they travel.
10. In addition to general training, aircraft and airport operators ~~and airports~~ should ensure that they properly train their employees and contractors who may be required to provide services to persons with disabilities, such as assist with special equipment, transfer individuals between and from wheelchairs, and guide, orient and assist them.
11. In addition to general training, aircraft and airport operators ~~and airports~~ should ensure that they properly train their employees and contractors who are required to handle different types of mobility aids. They should be required to be familiar with the procedures for securing, carrying and stowing mobility aids, including methods of dismantling, packaging, unpacking and assembling these aids.
12. Aircraft and airport Operators ~~and airports~~ should ensure their employees and contractors referred to in paragraphs 9, 10 and 11 complete initial training before their entry upon duty, followed by periodic, further training.
13. Cabin crew training should be geared to familiarizing persons with disabilities with their immediate environment and possible hazards within the cabin, and assisting them in the competent use of the facilities that are provided.
14. Training programmes and emergency procedures should include special provisions related to the evacuation of persons with disabilities.
15. Organizations that represent persons with disabilities should be consulted in the development and implementation of training programmes.
16. Aircraft and airport Operators ~~and airports~~ should include in their operations manuals instructions indicating the special assistance to be provided, according to the type of disability.

**II. AIRPORTS****Physical accessibility**

17. Contracting States should ensure that, from the first phase of planning, new plans for building or renovating airport facilities open to the public meet the accessibility standards for persons with

disabilities. In general, Contracting States should refer to the relevant manuals of ICAO<sup>1</sup> and Airport Council International (ACI) for guidance on the building and planning requirements which will ensure access by persons with disabilities.

17bis Airport operators should incorporate wayfinding methods which minimize reliance on directional signage e.g. pattern direction on floors and walls, arrangement of architectural features such as walls or columns etc.

**17bis**

**United States:** Clarification requested from Canada on “pattern direction on floors and walls”.

18. Airports should install volume-controlled public telephones for travellers who are hearing-impaired in both the public area and the arrival/departure areas. Some or all flight information systems should be installed at eye level.

18bis Airport and aircraft operators should ensure that public announcements about schedule or gate changes are provided in both audio and visual formats simultaneously.

**18bis**

**Australia:** a) The guidance in this proposed clause is also directed towards airport operators alone. In Australia, public announcements on schedule or gate changes are more often made by airline than airport operators. We suggest that the clause would have a more universal application if it was broadened accordingly;

**Secretariat:** a) Change made in 18bis;

**Australia:** b) We suggest the inclusion of a qualification indicating that visual forms of public announcements should be made available to passengers at the same time as an audible announcement is made;

**Secretariat:** Perhaps the addition of the word “simultaneously” at the end would suffice.

**Australia:** c) We note that the inclusion of this proposed clause would create a duplication of guidance already provided by existing Clause 42. One suggested solution is that Clause 42 and Proposed Clause 18bis be combined and moved under the heading *Communication of Information* commencing at Clause 4.

**Secretariat:** Agree. There appears to be some duplication. However, keep the text as is, for the time-being, the suggested change to be made after consideration by the WG.

**United States:** Clarification requested from Canada about its proposal in 18bis.

**18bis**

**Australia:** We consider it appropriate that the ICAO framework encourages airline and airport operators to communicate public announcements in alternative (e.g. visual) forms of communication at the same time as the more standard audio format of announcement. Without this simultaneous communication, further inconvenience is often brought upon the passenger with a disability.

**Secretariat:** See above, at (b).

19. Passenger walkways, including crossings to the terminal building, should be accessible to persons with disabilities.

19bis Airport operators should have an accessible route of travel for boarding and disembarking aircraft.

<sup>1</sup> Doc 9184 — *Airport Planning Manual - Part 1, Master Planning* (2nd Edition, 1987).

20. All areas in the terminal building that are open to the travelling public should include facilities designed in such a way that persons with disabilities can reach and use them without difficulty, in particular:

- a) lavatories;
- b) restaurants;
- c) shops;
- d) communication equipment; and
- e) information and check-in counters.

21. Facilities which are reserved or designed for persons with disabilities should be appropriately signed in accordance with internationally-agreed standards. All other signs should take account of the needs of persons with disabilities. Airport operators should also ensure that, where signage is within reach, tactile signs are used where possible.

22. Contracting States should encourage the provision at airports of a special handling service for persons with disabilities comprising:

- a) staff trained and qualified to meet their needs, from arrival until they are seated on board the aircraft, and vice versa; and
- b) the appropriate equipment to assist them.

22bis Airport operators should also provide specially designated seating along the circulation path at regular intervals, for example in long corridors or passages to boarding areas, where possible.

**22bis**

**Canada:** Amend 22bis so that it reads, “. . . regular intervals, for example in long corridors or passages to boarding areas, where possible.

22ter Airport operators should ensure that there is an area available for service animals to relieve themselves. Airports should ensure that staff and volunteers are made aware of the relieving areas so they know how to facilitate passage for travellers from secure areas to a relieving area and re-entry to make connections.

**22ter**

**Canada:** a) Change “shall” to “should”; b) Add: Airports should ensure that staff and volunteers are made aware of the relieving areas so they know how to facilitate passage for travellers from secure areas to a relieving area and re-entry to make connections. (Rationale: People travelling with service animals need to relieve their animals regularly, particularly during long trips. If passengers have limited connecting time between flights, leaving and re-entering the secured area can be a big challenge. To avoid unnecessary delays, staff and volunteers should be ready to direct travellers along a safe path of travel to the location of the nearest suitable relieving area.)

22quad. Airport operators should provide seating in passenger service areas where there may be long waiting lines or times, including at ticket sales counters, check-in counters, secured screening and customs areas, and baggage retrieval areas.

**[New para. 22quad]**

**Canada:** Suggestion to insert a new para. 22quad. Rationale: Some people have difficulty standing for

long periods of walking long distances and a terminal can be problematic if seating is not provided. It is particularly relevant in larger terminals. Adding chairs and benches to long corridors, or areas where there are queuing systems is a low-cost solution to this problem.

### Ground transportation

23. Aircraft and Airports operators, as appropriate, and airports should provide vehicles or equipment for the transport of persons with disabilities within the airport.
24. Aircraft or airport Operators, as appropriate, and airports should be encouraged to organize means of transport between airports so as to enable persons with disabilities to be transported at the same cost and in the same conditions of comfort and safety as those available to other passengers.
25. Airports operators should provide signage, in accordance with internationally-agreed standards, indicating the availability of accessible ground transportation services.
26. Airports operators should encourage rental vehicle companies on their premises to make available car rentals with hand controls for persons with disabilities.

### III. ACCESS TO AIR SERVICES

26bis Aircraft and airport operators should be encouraged to provide written captions, whenever televisions, within the terminal or onboard the aircraft, provide information or entertainment.

#### **[New para. 26bis]**

**Australia:** We suggest that the Circular should encourage airport and airline operators to ensure that written captions are being provided whenever televisions, within the terminal or onboard the aircraft, provide information or entertainment.

27. Aircraft Operator and travel agent offices should have information and service desks that are suitable for use by persons in wheelchairs.

27bis Airport operators should ensure that automated dispensing machines and information kiosks are accessible and identified with the international symbol of access. If the machines and kiosks cannot be made accessible, then an equivalent level of service should be provided to those persons who are unable to use them independently.

#### **27bis:**

**Australia:** The descriptor, 'automated dispensing machines' does not, within the Australian aviation context, clearly indicate a machine with a particular purpose. We assume that this phrase relates to machines which dispense boarding passes, baggage tags, etc. We suggest that these machines be described in less general terms in order to promote more universal understanding.

**Secretariat:** Some suggested text would be welcome!

**Canada:** Add the following sentence to 27bis: If the machines and kiosks cannot be made accessible, then an equivalent level of service should be provided to those persons who are unable to use them independently.

27ter Airport operators should ensure that boarding equipment that provides safe and dignified boarding and disembarking of passengers with disabilities is available for use at their terminal.

27quad Airport operators should ensure that a means is available to securely transfer mobility aids to or from the boarding level in preparation for carriage, without hand carrying such aids, to minimize the risk of damage.

**27quad:**

**United States:** Clarification requested from Canada as to why it is desirable to prohibit hand-lifting of mobility aids. Is it out of the concern of potential damage to the mobility aids from hand-lifting, or harm to the personnel who hand-lifts the device, or both?

**Physical accessibility of aircraft**

28. Operators are encouraged to require new aircraft or those undergoing major refurbishment to meet the needs of persons with disabilities. For example:

- a) Signage should be positioned to avoid shadow areas and glare.

Aircraft should have tactile directional signage to assist the movement of vision-impaired passengers around the cabin.

**Para. 28:**

**Australia:** We suggest that this paragraph be extended to call for aircraft to have tactile directional signage to assist the movement of vision-impaired passengers around the cabin (e.g. to the lavatories, emergency exits, etc.). While this is referred to, in general terms, in Recommended Practice 8.35 of Annex 9, the Recommended Practice is directed at Contracting States rather than operators.

- b) Lighting on an aircraft, except reading and other lighting under the control of a passenger, should be directed and controlled so as not to create glare or shadows. Lighting should not result in any sharp contrasts in intensity in the passenger cabin.
- c) Integrated boarding stairs on an aircraft should have uniform riser height and uniform tread depths, and a first step on and a last step off of a height that does not exceed the uniform riser height; tread surfaces should be firm and non-slippery and should not create glare; the top outer edge of each step should be marked by a contrasting colour strip; and handrails should be provided on both sides.
- d) Handrails should be sturdy, rounded, smooth and slip-resistant; be colour contrasted from their surrounding area; have an exterior diameter that permits easy grasping and not have any obstructions that could break a handhold; and return to the wall or the head and foot of the stairs in a smooth curve.
- e) Floor surfaces on an aircraft should be glare-free and slip-resistant.
- f) Movable aisle armrests should be installed on a substantial number of seat rows.

- g) Aircraft with more than one aisle should have at least one on-board wheelchair that can be moved about the passenger cabin.
- h) An on-board wheelchair should have a design that permits easy transfer of an occupant and easy manoeuvring of the chair with assistance in the aircraft. It should have footrests, armrests that are movable or removable, safety belt and wheel locks.
- i) On aircraft with lavatories at least one lavatory should be accessible to persons with disabilities.

Accessible lavatories should include tactile indicators within the cubicle.

**Para. 28 i):**

**Australia:** We suggest that this paragraph be expanded to specify that accessible lavatories include tactile indicators within the cubicle. This will indicate to operators that the reference to the lavatory being ‘accessible’ is not limited to physical access for those with mobility restrictions.

**Services**

29. Aircraft or airport Operators should ensure that services are provided to persons with disabilities when a request is made at least 48 hours prior to departure, and make reasonable efforts to accommodate requests not made within this time limit. Services to be provided as required include:

**Para. 29:**

**United States:** In contrast to para. 29, Part 382 prohibits the operators from requiring advanced notice as a condition to receiving the listed accommodations. We propose that the advanced notice requirement be eliminated from that paragraph and it simply state that: “Operators should ensure that services are provided to persons with disabilities when a request for such services is made. Services to be provided include: . . .”

**Secretariat:** Reference is made to ECAC’s comment under Para. 8 above. Requires consideration by the WG/Panel.

- pre-booking services that would enable the passenger to notify his/her specific needs in accordance with the current IATA codes;

**Para. 29:**

**United States:** Clarification requested with regard to the reference to “current IATA codes” in relation to a passenger’s specific needs.

- pre-booking services that utilize all aspects of all common and modern media (Web sites, e-mail, telephone text etc. both nationally and locally), for all those passengers requiring assistance;

**Para. 29:**

**Australia:** The end of this proposed dot point refers to ‘passengers requiring assistance on departure and arrival’. To cover all passengers requiring assistance because of a disability, it is suggested that this be amended to read ‘passengers requiring assistance on departure, during flight and on arrival’ or simply ‘passengers requiring assistance.’

**Secretariat:** Simpler to use second proposal!

- assistance with immigration and customs processes;
- assistance from / to connecting flights both for landside and airside, inter and intra terminal connections;
- assistance up to the first point of onward travel;
- assistance to use the airport facilities as requested, subject to sufficient time being available.
- providing a wheelchair only service (non-assisted) as requested by passengers.
- assistance, as appropriate, in case of (long) delays and/or cancellation of flights

**Para. 29:**

**Australia:** We suggest that this dot point be amended to prompt recognition by operators that the inconvenience experienced by passengers with a disability is often much more significant than that experienced by a passenger without a disability. We suggest that such a point would be more meaningful if the words ‘covering the momentary needs of the person with a disability’ are deleted.

**Secretariat:** Words deleted, as suggested.

- assisting with registration at the check-in counter;
- assisting in proceeding to the boarding area;
- assisting in boarding and deplaning, including the provision of a suitable service for passengers who require special access to/from the aircraft (in accordance with local or national regulatory requirements);
- assisting in stowing and retrieving baggage;
- assisting in moving to and from an aircraft lavatory;
- assisting in proceeding to the general public area or, in some cases, to a representative of another operator;
- transferring a person between the person’s own mobility aid and a mobility aid provided by the operator;
- transferring a person between a mobility aid and the person’s passenger seat;
- providing limited assistance with meals and enquiring periodically during a flight about a person's needs; and
- individually briefing passengers with disabilities and their escorts on emergency procedures and layout of cabin.

**Para. 29:**

**Canada:** The services listed are a mixture of those provided by both air carriers and airport operators. We should make clear where the responsibility lies.

**Secretariat:** Perhaps Para. 29 could be divided into two separate paragraphs, one listing the services to be provided by the aircraft operator, and the second listing the services to be provided by the airport operator.

**Germany:** Point 29 of the guidance should be incorporated into Section H of Chapter 8, thus making it a Recommended Practice. The details of assistance as set out in para. 29 are the essential quintessence of making air transport accessible for PRMs.

**Secretariat:** Perhaps this suggestion could be taken up when the Annex 9 provisions are being reviewed, for possible revision.

29bis Service Standards must be set for the requested assistance. These must be mutually agreed on by the local Airlines Operators Committee and the Airport Authority Service as well as all other stakeholders

including airlines which self-handle. Service level targets and standards should be included in the contract.

**29bis:**

**Czech Republic:** Incorporate a new article 29bis from ECAC WP/17 into the Draft.

30. Whenever possible, operators should indicate in the record of a person's reservation any services that the operator will provide to the person and should provide a written confirmation of such services.

31. Where a person in a wheelchair who is not independently mobile awaits boarding, operator, airport or ground handling staff should inquire periodically about his or her needs.

32. Operators should ensure that instructions relating to special handling requests by persons with disabilities are passed on to the cabin crew with other special instructions. They should also transmit to the appropriate personnel handling the person requiring the services mentioned above, a list of the services that the operator has undertaken to provide at the time of reservation.

33. Where a person identifies the nature of his or her disability, an operator should, before assigning that passenger a seat, inform the passenger of those available seats that are most accessible and then establish with that passenger an appropriate seat assignment.

34. Operators should provide appropriate seating for persons with disabilities. Such seating must not, however, be in an emergency exit row, defined as a row which provides direct access to an exit without going into an aisle.

35. Persons with disabilities and their escorts should, at their request, be seated beside each other or in other seating arrangements of their choice. A passenger with a disability and his/her escort may be required to sit next to one another if such a seating arrangement is necessary for safety reasons.

**Para. 35:**

**United States:** Part 382 provides that in situations where an operator requires a passenger to travel with a safety assistant the operator may insist that the safety assistant sit in an adjoining seat. We recommend that para. 35 be revised to add: "A passenger with a disability and his/her escort may be required to sit next to one another if such a seating arrangement is necessary for safety reasons."

35bis Where government security regulations allow, airport operators should have a process in place to provide temporary passes to non-travelling escorts, so that persons with disabilities can be escorted by someone of their choosing, in addition to carrier or terminal staff, through secured areas to boarding areas.

**Australia:** It is suggested that this clause begin with the qualification 'Where government security regulations allow, ...'

36. Service animals carried in the cabin should be accommodated on the floor at the feet of the person with the disability, if space permits.

37. Persons with disabilities needing assistance should be boarded separately (normally prior to all other passengers) and disembarked separately (normally after all other passengers). If requested, operators

and airports should make arrangements for assisting persons with disabilities with outbound/inbound governmental clearance and with baggage delivery.

38. Operators, airports and ground handling operators should co-operate to ensure, where practical, that people who use wheelchairs may use their own wheelchairs to move to and from the aircraft door.

39. Operators should allow the carriage, where stowage space permits, of manually operated folding wheelchairs and small aids in the passenger cabin.

40. Where wheelchairs cannot be carried in the passenger cabin, operators should fold them for carriage in the hold and promptly unfold and return them at the passenger's destination.

41. Wheelchairs and mobility aids should be the last items to be stowed in the aircraft hold and the first items to be removed.

42. Announcements to passengers concerning stops, delays, schedule changes, connections, onboard services and claiming of baggage should be made visually and verbally to persons with disabilities who request such a service.

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#### Proposals to amend Annex 9

1. **[From Rev. 1]** 6.2 Each Contracting State shall require that, in the planning of new facilities or major modifications to existing facilities, including cargo facilities, at international airports, the entity or entities responsible for such planning consult with public authorities, aircraft operators and appropriate bodies representing airport users, including bodies representing persons with disabilities, at the earliest stages of planning, as required.

2. **Australia:** If there will be a process through which Annex 9 will be amended, we recommend that the opportunity be taken to amend **Recommended Practice 8.29**, so that the current text concludes with 'at the same time as passengers without disability'.

3. **United States:**

3.1 Annex 9 should be reviewed and, as appropriate, updated to reflect the issuance of new laws and regulations, including Part 382 and EU Regulation 1107/2006;

3.2 Provisions in Annex 9 that are in direct conflict with Part 382 should be revised. Two aspects in 8.37 are of particular concern:

a) 8.37 provides that advance notice from passengers with disabilities should be mandatory in order to obtain "assistance or lifting services." In contrast, Part 382 encourages passengers to provide advance notice but generally prohibits airlines from requiring such notice as a condition for passengers receiving services.

b) 8.37 also provides that airlines may request an escort to travel with a passenger with a disability if, among other conditions, that passenger is not "self-reliant". We disagree with the "self-reliance" standard, as it significantly differs from the standards set forth in Part 382. Under Part 382, a concern that a passenger with a disability may need personal care services (e.g, assistance in using

lavatory facilities or with eating) is not a basis for requiring the passenger to travel with an escort. Airlines should request an escort to travel with a passenger with a disability only if there is a safety-related reason (e.g. a passenger who, because of a mental disability, is unable to comprehend or respond appropriately to safety instructions from carrier personnel).

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**Information provided by Turkey on the  
“Unimpaired Airport Project” of the Turkish DGCA**

DGCA Turkey started a project called “Unimpaired” Airport for the purpose of encouraging agencies which provide services directly to disabled persons at airports, such as airport operators, terminal operators, airline companies and ground handling companies, to take necessary measures and to provide necessary facilities for these persons in order not to victimize them and to provide services to disabled persons to travel in the equal conditions with other passengers without requiring any additional charge.

Within the frame of the project, once the agencies in airports fulfil the necessary conditions determined by DGCA, the airport in question will be named “Unimpaired” Airport by DGCA, various stimuli and discounts for licence, certificate, permission, authorization, approval and renewal fees in DGCA Tariff will be applied to these agencies. For instance, if a company which was authorized by DGCA fulfils the necessary conditions, then 10% discount in the fees of renewal of licence, approval certificate, permission, etc. in DGCA Service Tariff will apply for this company. If all the agencies in an airport fulfil the necessary conditions, then this airport will be entitled “Unimpaired” Airport, and 25% discount in the fees of renewal of licence, approval certificate, permission, etc. in DGCA Service Tariff will apply for all agencies serving in this airport including airport operator.

This project will be a motivation and determinant for airports to become “accessible” for everyone and at the same time it will provide significant contribution to the agencies involved in this project.

— END —