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Agenda Item 6: NAM/CAR Regional Aviation Security/Facilitation Implementation

DEVELOPMENTS IN THE FACILITATION PROGRAMMES

(Presented by the Secretariat)

EXECUTIVE SUMMARY

This paper presents recent developments in the ICAO Facilitation Programme, notably, developments pertaining to Amendment 29 to Annex 9 – *Facilitation*, ICAO Public Key Directory (PKD) and the ICAO Traveller Identification Programme (TRIP) Strategy. The paper also highlights the outcome of the Facilitation Stream of the High-Level Conference on COVID-19 (HLCC-2021), held from 12-22 October 2021, and the first ICAO Symposium on Assistance to Aircraft Accident Victims and their Families, held from 1-3 December 2021.

Action:	Action required is referred in paragraph 5
Strategic Objectives:	Security & Facilitation
References:	AT-WP/2196, <i>Report of the Twelfth Meeting of the Facilitation Panel (FALP/12)</i> Doc 10160, <i>High-level Conference on COVID-19 (Montréal, 12 to 22 October) Report</i> Doc 9303, <i>Machine Readable Travel Documents (8th Edition)</i> Annex 9 — <i>Facilitation (15th Edition)</i> Annex 9 — <i>Facilitation (15th Edition) Amendment 28</i> AT-WP/2211, <i>Proposed work Plan for the Task Force on Health Issues Outbreaks in Aviation</i> CWP-15323, <i>Adoption of Amendment 29 to Annex 9— Facilitation</i>

1. Introduction

1.1 Annex 9 — *Facilitation* is based on 10 articles of the *Convention on International Civil Aviation* (Chicago Convention) which require Member States to comply with laws governing the inspection of aircraft, cargo and passengers by authorities concerned with customs, immigration, agriculture and public health in order to minimize operational delays. As the means of carrying out this mandate, the ICAO Facilitation Programme builds on Standards and Recommended Practices (SARPs) as maintained in Annex 9 — *Facilitation*, designed to help States achieve maximum efficiency in their border clearance operations.

1.2 This paper presents recent developments in ICAO's Facilitation Programme, namely, developments pertaining to Annex 9 — *Facilitation*, the ICAO Public Key Directory (PKD), and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy. The paper also highlights the outcomes of the Facilitation Stream of the High-Level Conference on COVID-19 (HLCC-2021), held from 12-22 October 2021, and the first ICAO Symposium on Assistance to Aircraft Accident Victims and their Families, held from 1-3 December 2021.

2. DEVELOPMENTS PERTAINING TO ANNEX 9

2.1 From 13 to 22 July 2021, ICAO convened the Twelfth Meeting of the Facilitation Panel (FALP/12), which recommended, inter alia, new and revised health-related Standards and Recommended Practices developed by ICAO's ad hoc Task Force on Health Issues Outbreaks in Aviation (TF-HIOA) for inclusion in Amendment 29 to Annex 9. Documents pertaining to FALP/12 can be found on the ICAO Public website at: (<https://www.icao.int/Meetings/FALP/Pages/FALP12-2021.aspx>).

2.2 On 18 March 2022, the ICAO Council adopted Amendment 29 to Annex 9. This amendment includes new and/or revised provisions on public health emergencies, security of travel and health-proofs documents, relief and repatriation flights, air transport facilitation of persons with disabilities, assistance to aircraft accident victims and their families, and trafficking in persons. Amendment 29 will become effective on 18 July 2022 and applicable on 18 November 2022 (State letter 22/36 dated 1 April 2022 refers).

2.3 During FALP/12, the Panel established a dedicated Working Group on Annex 9 (WGA9). The WGA9 comprises experts from Member States, relevant international organizations and industry, supported by the ICAO Secretariat. The mandate of the WGA9 includes, inter alia, ensuring that the measures contained in Annex 9 are commensurate with the current and foreseeable global aviation facilitation environment for civil aviation. ICAO's Air Transport Committee approved the Terms of Reference of the WGA9 in September 2021.

2.4 During the FALP/12, the Panel also approved a Comprehensive Strategy for Combatting Human Trafficking in the Aviation Sector (Doc 10171), developed by the Panel's Working Group on Human Trafficking. The aim of the Comprehensive Strategy is to equip States, Civil Aviation Authorities and organizations, aircraft operators, and airports with guidance and recommendations to inform their development of comprehensive counter-trafficking strategies in line with ICAO Assembly Resolution A40-16, *Consolidated statement of continuing ICAO policies related to facilitation*. In September 2021, the ATC approved the Comprehensive Strategy.

2.5 To assist Member States in efforts to improve coordination between public health and aviation authorities and other Facilitation stakeholders, including in responding to the pandemic, ICAO developed a Facilitation Implementation Package (iPack) on Strengthening National Air Transport Facilitation Committees for the Restart and the Resilience of Civil Aviation. The iPack aims to assist Member States to establish and operate a resilient and robust National Facilitation Committee that provides the necessary framework for effective coordination and collaboration. Additionally, ICAO developed two training courses entitled Annex 9 — *Facilitation*, and Assistance to Aircraft Accident Victims and their Families, for delivery in both virtual and classroom formats to assist Member States in implementing Annex 9 provisions.

2.6 From 12 to 22 October 2021, ICAO convened the High-level Conference on COVID-19 (HLCC 2021). The Conference discussed five agenda items under the Facilitation Stream, covering a wide range of subjects resulting in 79 recommendations that were endorsed by the Ministerial Plenary of the Conference. Of the 79 recommendations, 17 are addressed to ICAO. Documentation pertaining to HLCC 2021, including the Ministerial Declaration on COVID-19 can be found at: [High-level Conference on COVID-19 \(icao.int\)](https://www.icao.int/High-level%20Conference%20on%20COVID-19) and the report (Doc 10160) is available in all languages on the ICAO-Net.

2.7 From 1 to 3 December 2021, ICAO convened the first Symposium on Assistance to Aircraft Accident Victims and their Families (AAAVF 2021). The Symposium made 30 recommendations to States, industry stakeholders and ICAO. Notably, it recommended the elevation of Annex 9 Recommended Practice 8.46 to a Standard, subsequently adopted by the ICAO Council in Amendment 29 to Annex 9. The new Standard places an obligation on Member States to establish legislation, regulations, and/or policies in support of assistance to aircraft accident victims and their families. Amendment 29 also contains a new Recommended Practice addressed to aircraft and airport operators on the development of plans to provide timely assistance to aircraft accident victims and their families. Information pertaining to the Symposium on Assistance to Aircraft Accident Victims and their Families can be found at ICAO's public website at: <https://www.icao.int/Security/FAL/AAAVF/Pages/default.aspx>.

3. DEVELOPMENTS PERTAINING TO THE ICAO PUBLIC KEY DIRECTORY (PKD)

3.1 The ICAO Public Key Directory (PKD) is an integral component of international infrastructure supporting use of electronic Machine Readable Travel Documents (eMRTDs). By providing a central point for trusted dissemination, it facilitates the sharing of public keys necessary for ensuring full document authentication capabilities internationally, thereby enhancing aviation security and facilitation. It supports authentication of ePassports, eVisas, Digital Travel Credentials, Digital Travel Authorizations and Proofs of COVID-19 vaccination and test results.

3.2 Participation in the PKD continues to increase year-on-year as more States stand to benefit from the increasing use of eMRTDs globally. As participation has grown, annual fees payable have decreased. In 2021, 7 Member States, Ghana, Lesotho, Mexico, Mongolia, Nepal, Sudan and Viet Nam joined the ICAO PKD, bringing the total number of PKD participants to 82 (**Appendix** refers).

3.3 New ICAO PKD services continue to be made available to increase value for those joining. Following the introduction of the new ICAO Master List in 2020, a first ICAO Health Master List was published in January 2022 to make public key certificates needed for verification of health proofs (proofs

of vaccination/testing) available globally. Possible future use by private sector entities is also being explored in a pilot project launched with 15 companies in December 2021.

3.4 The PKD Board approved a new PKD capacity-building initiative — the PKD “Data Quality Coach” program in November 2020. The program pairs PKD participants with experienced coaches who will support their efforts to connect to and properly use the PKD in the context of their wider eMRTD implementation activities. The Board selected Mongolia as the first recipient of the coaching program and the coaching efforts began in December 2021. Barbados was recently selected as the second recipient of this program.

3.5 Standard 3.9.2 was added to Annex 9 - *Facilitation* as part of Amendment 28 to the Annex which became effective on 28 February 2021. It requires States that participate in the ICAO PKD to upload all public key data necessary for authentication of all electronic passports that they issue to the PKD. The standard is being actively audited.

4. DEVELOPMENTS PERTAINING TO ICAO TRAVELLER IDENTIFICATION PROGRAMME STRATEGY

4.1 The ICAO Traveller Identification Programme (ICAO TRIP) Strategy establishes a comprehensive framework for Member States to build a robust traveller identification process. It composes five elements related to identification management, namely: Evidence of Identity (EOI); Machine Readable Travel Documents (MRTDs); Document Issuance and Control (DIC); Inspection Systems and Tools (IST), including the ICAO Public Key Directory (PKD); and Interoperable Applications (IA), such as Advance Passenger Information (API) and Passenger Name Record (PNR) data.

4.2 The development of ICAO specifications for travel-related health proofs – the ICAO Visible Digital Seal for non-constrained environments (VDS-NC) – leveraged existing trust models and verification systems established globally for ePassports, but applied for the COVID-19 health certificate use case. The VDS-NC specification is designed to provide a globally interoperable framework for the validation of vaccination, testing and recovery certificates. The use of the VDS- NC is considered the most suitable to present reliable and secure COVID-19 health proofs at border crossings.

4.3 The COVID-19 pandemic has had enormous negative impacts on global aviation. The ICAO TRIP Strategy has been recognized as a key component in efforts to maintain business continuity through the crisis and to stimulate the restart of aviation and an effective and sustainable recovery post-COVID. In response, ICAO in collaboration with the International Standards Organization (ISO), actively contributed in developing a global framework with the aim of supporting States and industry to cope with the challenges resulting from the COVID-19 pandemic in the immediate, near and longer terms.

4.4 To assist Member States in their implementation of ICAO TRIP Strategy, ICAO developed a dedicated course entitled ICAO Traveller Identification Programme (TRIP) Strategy course. The aim is to inter alia, enable staff from Civil Aviation Authorities and all relevant border stakeholders to deal collectively with the provisions of Annex 9 and support the implementation of the 5 elements of the ICAO TRIP Strategy. The course builds upon the base of documents and guidance material pertaining to the ICAO TRIP Strategy already available on the ICAO public website at: <https://www.icao.int/Security/FAL/TRIP/Pages/Publications.aspx>. As part of the support provided to States, the 8th edition of Doc 9303, *Machine Readable Travel Documents*, composed of 13 parts, was published in all ICAO languages in 2021 on the ICAO public website, accessible to States, industry and the public at: <https://www.icao.int/publications/pages/publication.aspx?docnum=9303> .

4.5 In terms of innovative developments, the ICAO Technical Advisory Group on Traveller Identification Programme (TAG/TRIP) endorsed, inter alia, the ICAO Guiding Core Principles for the Development of Digital Travel Credentials (DTC), as well as the technical specifications of VDS for Non-Constrained environments (VDS-NC). The DTC specifications will enable an ICAO compliant passport to be extended to a passenger's mobile device, allowing a seamless traveller journey with less passenger touchpoints at the airports, resulting in a healthier and safer travel experience. Development of guidance material on how States might create and use vaccine certificates for the travel context, using the VDS-NC specifications is in progress and a dedicated VDS-NC Implementation Package (iPack) is being developed. The objectives and proposed contents of the VDS-NC iPack is to support the fast roll-out implementation of the specifications of the VDS-NC for both issuance and inspection either under the existing eMRTD Public Key Infrastructure (PKI) or under any newly-established health PKI as decided by States.

5. ACTION BY THE TENTH MEETING OF THE NORTH AMERICAN, CENTRAL AMERICAN AND CARIBBEAN DIRECTORS OF CIVIL AVIATION (NACC/DCA/10)

5.1 The Meeting is invited to:

- a) note the information in the paper;
- b) urge States to implement the provisions of Annex 9 – *Facilitation*;
- c) urge States to consider deployment of the iPacks, and participate in the Facilitation-related courses;
- d) urge States to join the ICAO Public Key Directory (PKD) and ensure that participating States actively upload necessary data;
- e) urge States to action the HLCC 2021 FAL Stream recommendations addressed to them; and
- f) encourage States, industry and other stakeholders to increase their efforts in implementing the AAASF 2021 recommendations addressed to them.

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APPENDIX/APÉNDICE
LIST OF ICAO PKD PARTICIPATING STATES AND ENTITIES

PKD Participant Number	PKD Participating States and Entities	Joining Date		PKD Participant Number	PKD Participating States and Entities	Joining Date
1	Australia (PKD Board Member)	19/03/2007		42	Seychelles	14/03/2014
2	New Zealand (PKD Board Member)	19/03/2007		43	Uzbekistan	19/03/2014
3	Singapore (PKD Board Member)	19/03/2007		44	Philippines	21/03/2014
4	United Kingdom (PKD Board Member)	19/03/2007		45	Iran (Islamic Republic of)	18/05/2014
5	Japan (PKD Board Member)	19/03/2007		46	Colombia	19/05/2015
6	Canada (PKD Board Member)	19/03/2007		47	Romania	03/02/2016
7	United States of America (PKD Board Member)	02/11/2007		48	Finland	26/02/2016
8	Germany	01/11/2007		49	Benin	03/03/2016
9	Republic of Korea	28/03/2008		50	Botswana	05/04/2016
10	France (PKD Board Member)	19/06/2008		51	Kuwait	20/04/2016
11	People's Republic of China (PKD Board Member)	26/11/2008		52	Georgia	25/05/2016
12	Republic of Kazakhstan	19/12/2008		53	Turkey	30/09/2016
13	India	12/02/2009		54	Iceland	30/09/2016
14	Nigeria (PKD Board Member)	13/04/2009		55	Oman	22/12/2016
15	Switzerland (PKD Board Member)	10/07/2009		56	Turkmenistan	13/02/2017
16	Ukraine	30/10/2009		57	Peru	28/02/2017
17	Latvia	28/06/2010		58	Barbados	29/03/2017
18	Czechia	30/06/2010		59	Panama	19/10/2017
19	Macao SAR, China	28/09/2010		60	European Union	07/11/2017
20	United Arab Emirates	25/10/2010		61	Mali	28/06/2018
21	Hong Kong SAR, China	26/10/2010		62	Côte d'Ivoire	19/07/2018
22	Slovakia	23/11/2010		63	Serbia	28/12/2018
23	The Netherlands (PKD Board Member)	08/12/2010		64	Italy	26/03/2019
24	Kingdom of Morocco (PKD Board Member)	29/12/2010		65	Croatia	01/04/2019
25	Austria	31/12/2010		66	Uganda	12/06/2019

26	Hungary	15/02/2011		67	Bosnia & Herzegovina	08/07/2019
27	Norway	20/06/2011		68	Egypt	09/08/2019
28	Bulgaria	12/10/2011		69	Indonesia	30/08/2019
29	Luxembourg (Chairperson of PKD Board)	30/11/2011		70	Belarus	01/10/2019
30	Sweden	01/12/2011		71	United Republic of Tanzania	20/11/2019
31	United Nations	14/06/2012		72	Bangladesh	29/06/2020
32	Spain (PKD Board Member)	10/07/2012		73	Togo	02/07/2020
33	Russian Federation	31/08/2012		74	Ecuador	17/07/2020
34	Malaysia	09/11/2012		75	Rwanda	23/07/2020
35	Argentina	13/12/2012		76	Sudan	12/01/2021
36	Thailand	05/03/2013		77	Lesotho	21/04/2021
37	Ireland	08/03/2013		78	Mexico	14/06/2021
38	Republic of Moldova	11/06/2013		79	Ghana	13/10/2021
39	Belgium	31/10/2013		80	Nepal	18/10/2021
40	Brazil	03/01/2014		81	Viet Nam	17/12/2021
41	Qatar	10/03/2014		82	Mongolia	29/12/2021