



**WORKING PAPER**

**FACILITATION PANEL (FALP)**

**FOURTEENTH MEETING**

**Montréal, 20 to 24 April 2026**

**Agenda Item 6: Other Facilitation matters**

**OUTCOMES OF A42 RELATING TO TRAFFICKING IN PERSONS  
AND IRREGULAR MIGRATION**

(Presented by the Secretariat)

**SUMMARY**

This paper presents the outcomes of the Forty-second Session of the ICAO Assembly (A2) relating to trafficking in persons and irregular migration in international civil aviation, based on working papers presented by Member States and international organizations<sup>1</sup>. It reflects the Assembly's commitment to strengthened international cooperation, coordinated action, and effective use of ICAO's facilitation framework to combat trafficking in persons.

The paper highlights the Assembly's decisions to refer to the Council, with contributions from relevant technical bodies and in consultation with United Nations agencies, proposals addressing the use of air transport for irregular migration, including potential updates to Annex 9 — *Facilitation* and ICAO guidance material, analysis of State practices, and enhanced capacity-building support. It also notes the endorsement of actions reinforcing implementation of existing instruments and recognition of upgraded Annex 9 — *Facilitation* provisions on trafficking in persons.

Additionally, the paper highlights the Assembly's adoption of Resolution A42-16: *Development and implementation of facilitation provisions — combatting human trafficking*, thereby strengthening ICAO's policy framework on combating trafficking in persons in air transport facilitation.

**Action by the FAL Panel:**

Actions by the Panel are presented at paragraph 3, below.

**1. INTRODUCTION**

1.1 Trafficking in persons and irregular migration represent serious transnational challenges that undermine human rights, border integrity, and the safe and orderly operation of international civil aviation. The misuse of transport systems and unsafe pathways by trafficking and migrant smuggling

<sup>1</sup> A42 Facilitation papers are accessible on the Assembly website at [Working Papers by Agenda Item](#)

networks continues to evolve, exploiting regulatory gaps, visa regimes, non-scheduled operations, and emerging travel patterns. Addressing these matters requires coordinated action by States, industry stakeholders, and international organizations, within a framework that respects international law and human rights obligations.

1.2 At A42, States, international organizations and regional groups presented working papers examining the role of aviation in preventing and responding to trafficking in persons and irregular migration. These papers highlighted the need for improved implementation of existing ICAO provisions and guidance, enhanced cooperation between States and industry and targeted capacity-building support.

1.3 This paper consolidates the outcomes of the Assembly's deliberations on these matters. It reflects decisions which led to the adoption of an updated Assembly Resolution, refer specific actions to the Council and relevant technical bodies for further study, and strengthen the overall ICAO policy framework, under the leadership of ICAO, to combat trafficking in persons and irregular migration in a consistent, effective, and cooperative manner.

## 2. DISCUSSION

2.1 In WP/185, Denmark on behalf of the European Union (EU) and its Member States and the European Civil Aviation Conference (ECAC) Member States, and co-sponsored by Australia, Japan, and the International Business Aviation Council (IBAC), highlighted the use of commercial air transport for irregular migration, including exploitation by migrant smuggling networks of visa-free regimes and apparent labour migration opportunities. It emphasized the need for stronger cooperation between States and industry, effective implementation of ICAO Doc 10171, *Manual on a Comprehensive Strategy for Combating Human Trafficking in the Aviation Sector*, and consideration of possible amendments to Annex 9 — *Facilitation* and ICAO Doc 10184, *Assembly Resolutions in Force (as of 7 October 2022)*. The Assembly recognized the importance of addressing trafficking in persons and reaffirmed its strong commitment to international cooperation. It also took note of concerns expressed regarding the complexity of linkages between human trafficking and migrant smuggling, the need for alignment with existing multilateral human rights and migration frameworks, and the potential implications for aircraft and airport operators. The requested actions were as follow:

- a) acknowledge the need for measures and cooperative mechanisms to be developed for State authorities, air transport operators, airport authorities and other aviation industry stakeholders to improve their capability to identify and report potential cases of irregular migration and smuggling of migrants, and enhance their mutual engagement;
- b) encourage States to recognize the links between trafficking in persons and irregular migration, and implement the measures contained in Doc 10171, *Manual on a Comprehensive Strategy for Combatting Trafficking in the Aviation Sector and other human trafficking measures in place*;
- c) recommend that the ICAO Facilitation Panel propose relevant amendments to Annex 9 — *Facilitation* and develop associated guidance on measures mentioned under a); and
- d) amend Appendix B of section A41-17 in Doc 10184 as set out in Appendix A to underline the importance of States, air transport operators, airports authorities and other aviation industry stakeholders in taking action to address the use of air transport for irregular migration.

2.2 The Assembly referred the actions contained in the paper to the Council, with contributions from relevant technical bodies and in consultation with appropriate United Nations agencies, for further study on the scope of ICAO and the development of a proposed way forward in a timely manner.

2.3 In WP/469, the Dominican Republic supported by 17 Member States of the Latin American Civil Aviation Commission (LACAC), highlighted trafficking in persons as a transnational crime affecting millions of victims and identified aviation as a key facilitator. While acknowledging the existence of relevant ICAO instruments, the paper noted uneven implementation due to their non-binding nature. The requested actions are as follow:

- a) take note of the information in this paper;
- b) recognize the importance of establishing a binding minimum standard that allows for a more effective, coherent and coordinated response across States;
- c) recommend that the ICAO Council evaluate the feasibility of raising provisions 8.49 and 8.50 of Annex 9 to the Chicago Convention, regarding the prevention and reporting of trafficking in persons, to the status of binding standards; and
- d) encourage States to harmonize their national legal frameworks in accordance with their international commitments under the Palermo Protocol, introducing specific measures in the field of civil aviation.

2.4 The Assembly endorsed the proposed actions and noted that Annex 9 provisions 8.49 and 8.50 had already been upgraded to Standards through Amendment 30 to Annex 9, applicable as of 11 July 2025.

2.5 In WP/276, Jamaica highlighted the increasing use of non-scheduled operators and general aviation for migrant smuggling activities, often in the absence of passenger data. The paper called for updates to Annex 9 — *Facilitation* and ICAO Doc 9626, *Manual on the Regulation of International Air Transport*, strengthened risk assessments, and consideration of extending Advance Passenger Information and Passenger Name Record requirements to general aviation. In action a), the paper invited A42 to consider requesting a collaborative multi-discipline task force with participation from experts from the Air Transport, Facilitation and Aviation Security Panels to review ICAO Doc 9626, *Manual on the Regulation of International Air Transport*, Annex 9 — *Facilitation* and any other relevant guidance material to strengthen the economic and regulatory framework regarding non-scheduled and general aviation in areas to include, but not limited to, the risk assessment and the expansion of Advanced Passenger Information/Passenger Name Record (API/PNR) requirements to include general aviation. The Assembly referred action (a) to the Council, with contributions from relevant technical bodies, for further study and the development of a proposed way forward.

2.6 With regard to actions b) and c), namely, b) encourage Member States to collaborate with other relevant Competent Authorities who are familiar with new and emerging threats related to human trafficking and irregular migration as part of their aviation security and border security risk assessments; and c) encourage increased collaboration among ICAO Member States regionally and globally to identify and tackle smuggling of migrants, the Assembly urged States to work closely with competent national authorities and encouraged enhanced regional and global cooperation to counter migrant smuggling.

2.7 In WP/449, Mexico highlighted the growing use of air transport for migrant smuggling and its impact on national security and migration systems. The paper called for recognition of migrant smuggling by air as a global issue and requested analysis by the Council of State practices, cooperation

mechanisms, and the possible development of guidance material or Standards and Recommended Practices, supported by capacity-building efforts under the No Country Left Behind initiative. The actions are detailed below:

- a) recognize migrant smuggling by air as a growing global problem with implications for both security and facilitation; and
- b) request the Council to include in its work programme, with the assistance of the relevant expert groups, the analysis of migrant smuggling by air with a view to:
  - 1) identifying current State practices to combat this phenomenon;
  - 2) promoting cooperation among international organizations and States at the regional and international levels, as well as the sharing of operational intelligence, in order to address migrant smuggling by air;
  - 3) considering the development of technical guidance and, if necessary, the future development of SARPs to strengthen civil aviation's response to this form of organized crime; and
  - 4) facilitating capacity-building under the No Country Left Behind initiative.

2.8 The Assembly referred the actions contained in the paper to the Council, with contributions of the relevant technical bodies, and in consultation with relevant United Nations agencies, for further study and a proposed way forward in a timely manner.

2.9 In WP/182, the United States emphasized human trafficking as a global crime affecting tens of millions of victims and underscored the role of aviation in prevention and mitigation efforts. Recalling Assembly Resolution A41-16, the Assembly noted that the issue of combating human trafficking was already addressed within the existing facilitation policy framework. The paper invited A42 to a) adopt the resolution found in the Appendix of WP/182, and to encourage ICAO continued efforts to assist States in their initiatives to combat human trafficking in aviation; and b) is urged to encourage industry and other aviation stakeholders to increase efforts to stop human trafficking. The Assembly endorsed incorporating the resolution proposed in the Appendix of the working paper into the existing framework, and adopted Resolution A42-16: *Development and implementation of facilitation provisions — combatting human trafficking* as presented in the Appendix of this paper, thereby superseding Resolution A41-16.

### 3. RECOMMENDATIONS

3.1 The Facilitation Panel is invited to:

- a) in coordination with other relevant ICAO technical bodies and in consultation with appropriate United Nations agencies, contribute to an analysis to determine the scope of ICAO's role in addressing the use of air transport for irregular migration, taking into account existing international human rights and migration frameworks;
- b) review existing ICAO facilitation provisions and guidance material, including Doc 10171, *Manual on a Comprehensive Strategy for Combating Human Trafficking in the Aviation Sector*, to identify facilitation-related areas requiring clarification or enhancement, consistent with ICAO's mandate;

- c) establish a multidisciplinary task force involving experts from the Air Transport, Facilitation, and Aviation Security Panels to review Annex 9 — *Facilitation*, Doc 9626, *Manual on the Regulation of International Air Transport*, and other relevant guidance material, with a view to strengthening the regulatory framework for non-scheduled operations and general aviation, including risk assessment and the possible expansion of API/PNR requirements;
  - d) develop technical guidance and, where appropriate, proposals for future Standards and Recommended Practices, together with facilitation-related capacity-building activities under the No Country Left Behind initiative, to strengthen the civil aviation response to migrant smuggling by air; and
  - e) reinstate the Facilitation Panel’s Working Group on Human Trafficking to examine issues related to human trafficking and irregular migration in the aviation context, ensuring coordinated consideration of facilitation-related measures, alignment with existing International legal instruments, ICAO policies, and consultation with relevant United Nations agencies.
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## APPENDIX

### **Resolution A42-16: Development and implementation of facilitation provisions — combatting human trafficking**

*Whereas* the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted in November 2000 by the United Nations General Assembly and entered into force on 25 December 2003, provides an international framework and is ratified by a majority of countries;

*Whereas* the joint ICAO and United Nations Human Rights Office of the High Commissioner Circular 352 on Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons released in May 2018 underscores the important role of international aviation in combatting human trafficking;

*Whereas* training customer-facing employees and other aviation personnel to identify and respond to suspected instances of human trafficking can help stop this crime;

*Whereas* Standard 8.45 in Annex 9 — *Facilitation* requires Contracting States to take measures to ensure that procedures in place to combat trafficking in persons, are based on a comprehensive strategy and include clear reporting systems and relevant competent authorities' points of contact for airport and aircraft operators;

*Whereas* Standard 8.46 in Annex 9 obliges Contracting States to take measures to ensure that airport and aircraft operators' personnel in direct contact with the travelling public are provided with awareness training on trafficking in persons;

*Whereas* conducting awareness campaigns among aviation personnel and the travelling public can help to increase recognition and reporting of suspected instances of human trafficking;

*Whereas* ICAO should foster the development of clear human trafficking guidelines for each State to implement, including model reporting protocols and a victim-centred and trauma-informed law enforcement response;

*Whereas* Doc 10171, *A Comprehensive Strategy for Combatting Human Trafficking in the Aviation Sector* approved by FALP in July 2021 and by the Air Transport Committee (ATC) in September 2021 enhances national counter-trafficking policies and procedure frameworks and equips States, Civil Aviation Authorities and organizations, aircraft operators and airports with guidance and recommendations to inform on their development of comprehensive counter-trafficking strategies in line with ICAO Assembly Resolution A42-17, *Consolidated statement of continuing ICAO policies related to facilitation*;

*Whereas* adopting a Comprehensive Strategy inclusive of laws, leadership, policies, reporting protocols and response mechanisms, partnerships, training, public awareness, data collection, information-sharing including trafficking survivor informed recommendations and perspectives, and victim and survivor support can help civil aviation authorities and organizations, aircraft operators and airports stop this crime;

*Whereas* ICAO Circular 362, *Guidelines for Combatting Trafficking in Persons in the Air Operator Supply Chain* equips Civil Aviation Authorities and air operators with guidance and recommendations to inform their development of policies to ensure due diligence and transparency in supply chain management;

*Whereas* adopting ICAO Circular 362, *Guidelines for Combatting Trafficking in Persons in the Air Operator Supply Chain* inclusive of policies, procedures, raising awareness, and employee training can help Civil Aviation Authorities and air operators stop this crime;

*The Assembly:*

1. *Urges* Member States to give attention to adopting and promptly implementing Amendment 30 to Annex 9's Standards 8.45 and 8.46;
2. *Calls* on Member States to give due regard to Circular 352, *Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons*, in their implementation of the relevant provisions of Annex 9;
3. *Requests* that the Council ensure that relevant guidance material related to the issue of combatting human trafficking is current and responsive to the needs of Member States;
4. *Calls* on Member States to give due regard to Doc 10171, *A Comprehensive Strategy for Combatting Human Trafficking in the Aviation Sector*, in their implementation of the relevant provisions of Annex 9;
5. *Urges* Member States to give due regard to Circular 362, *Guidelines for Combatting Trafficking in persons in the Air Operator Supply Chain*, in their implementation of the relevant provisions of Annex 9 — *Facilitation*; and
6. *Declares* that this Resolution supersedes Resolution A41-16.

— END —