



**WORKING PAPER**

**FACILITATION PANEL (FALP)**

**FOURTEENTH MEETING**

**Montréal, 20 to 24 April 2026**

**Agenda Item 4: Reports of the Facilitation Panel's Working Groups**

**REPORT OF THE ICAO FACILITATION PANEL WORKING GROUP ON ANNEX 9 (WGA9)**

(Presented by the Rapporteur on behalf of the ICAO Facilitation Panel WGA9)

**SUMMARY**

This paper summarizes the work done by the WGA9 in accordance with the Terms of Reference (ToR) and the work programme established by the Thirteenth Meeting of the Facilitation Panel (FALP/13) for the 2024-2026 period.

**Action by the FAL Panel is in paragraph 3.**

**1. INTRODUCTION**

1.1 The Twelfth Meeting of the ICAO Facilitation Panel (FALP/12) established the Working Group on Annex 9 (WGA9) in light of a need to maintain consistency of wording and structure, including preserving the clear concise nature of Facilitation Standards and Recommended Practices (SARPs) so that it remains relevant and applicable to all ICAO Contracting States.

1.2 The WGA9 is composed of experts from Austria, Belgium (Rapporteur), Brazil, Canada, France, Germany, Kenya, New Zealand, Singapore, Switzerland, United Kingdom, United States and Zambia, as well as representatives from the International Air Transport Association (IATA) and the International Federation of Air Line Pilots' Associations (IFALPA). The ICAO Secretariat provides advice and support at WGA9 meetings, as required.

1.3 The WGA9 met in Singapore from 12 to 14 February 2025 and in Brussels Belgium from 11 to 13 February 2026. A virtual intersessional meeting was also held on 15 May 2025. These meetings continued the work of the WGA9 in accordance with their mandate and with the work programme approved by FALP/13. This includes draft proposals to introduce two new Standards on the subject of crew treatment to Chapter 10 of Annex 9 and discussion of ongoing work and future direction.

1.4 The meeting in Brussels was the first under a new Rapporteur, who took the opportunity to reflect on the progress made by WGA9 and on the scope and focus of its future endeavours.

1.5 The review of Annex 9 is an ongoing process, and more States are encouraged to join the group to ensure a diversity of views and expertise that enables timely and thoughtful progress.

## 2. DISCUSSION

2.1 During the intersessional period, the WGA9 followed the work programme established at the beginning of the cycle, in particular, to continue its review of Annex 9 Standards and Recommended Practices (SARPs), which remains ongoing. This included prioritised work on a full review of Chapter 2, coordinated work with the group responsible for accessibility-related provisions in Chapter 8. The WGA9 also continued to coordinate work with other Panel working groups as required, including the ICAO Technical Advisory Group on Traveller Identification Programme (TAG/TRIP) Implementation and Capacity Building Working Group (ICBWG) on Chapter 3 issues, the outcomes of which will be addressed separately by the respective working groups. Initial reviews of Chapters 5 and 7 were also launched in line with the agreed prioritisation.

2.2 In addition, the WGA9 considered the matter of crew treatment SARPs, which had been referred to it by the Panel (FALP13). These discussions resulted in a set of two proposed Standards, now included in Appendix A (impact assessment in Appendix B), and recommended for consideration to the Panel to be placed in Chapter 10 under a dedicated subheading.

2.3 Members noted that there was no appetite for large-scale amendments to Annex 9 during this intersessional period, given the extensive changes introduced through Amendment 30. States require adequate time to implement these revisions before further substantial modifications are made. Combined with a change of Rapporteur during the cycle, this resulted in a slower pace of SARP's review but also created the opportunity for the WGA9 to take a strategic pause and conduct a reset of its objectives and working arrangements.

2.4 As part of this reset, the WGA9 undertook a review of its Terms of Reference (ToR), with the aim of clarifying the scope, responsibilities, working methods and procedural expectations of the Group. The members confirmed that the mandate approved by the Facilitation Panel remains valid and agreed to pursue clarifications to the ToR to improve procedural clarity without expanding its scope. These clarifications include amongst others defining how the WGA9 reviews provisions for clarity, consistency and implementability, how potential gaps identified through review may lead to proposed new provisions, and how subgroups operate and report back to the full Working Group. The WGA9 agreed a revised ToR will also formalize continuity arrangements, Secretariat support functions, subgroup transparency requirements, and practical working tools such as a Microsoft Teams collaboration environment, a living work programme, and improved access to reference materials. The updated ToR, reflecting these clarifications, are presented in Appendix C.

2.5 In preparation for the next cycle, the WGA9 agreed to establish a structured, living work programme for 2026–2027/8 to integrate Panel tasking, outstanding work and interdependencies, and confirmed future meeting arrangements to maintain momentum. Collectively, these outcomes restore clarity in the WGA9's working framework while advancing targeted technical outputs and strengthening planning and coordination for the continued modernization of Annex 9.

2.6 As Annex 9 has evolved continuously since its first adoption in 1949, reflecting significant changes in international civil aviation. The WGA9 recognised that ensuring the continued relevance, clarity

and implementability of Annex 9 is an ongoing effort. Sustained review work is therefore required, guided both by Panel tasking and by systematic, consistent examination of the SARPs themselves. Prioritisation will remain essential to ensure that the most urgent and operationally relevant issues receive attention in each work cycle.

### 3. RECOMMENDATIONS

3.1 The Facilitation Panel is invited to:

- a. take note of the progress the WGA9 in undertaking its mandate;
- b. consider the draft proposals for amendment to Annex 9 — *Facilitation* (Appendix A) and Impact Assessment and Implementation Task List (Appendix B);
- c. endorse the proposed revision to the WGA9 Terms of Reference (Appendix C); and
- d. agree the WGA9 to prioritise and continue its ongoing review of Annex 9 — *Facilitation* and indicate any specific areas where the Panel and its Working Groups would wish to seek advice from the WGA9 over the coming period.

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**APPENDIX A**

**RECOMMENDATIONS FOR AMENDMENT TO ANNEX 9 — *FACILITATION***

**CHAPTER 10  
HEALTH-RELATED PROVISIONS**

**E. Crew Treatment**

10.xx

Contracting States shall facilitate, to the extent possible, expedited and simplified arrival and departure procedures for crew members when enhanced border control measures are applied during public health emergencies of international concern.

10.xx

Contracting States which prescribe temporary accommodation for crew members when enhanced border control measures are applied during public health emergencies of international concern shall ensure that those facilities, including access to regular meals, water, and emergency egress, are conducive to recuperation, which are imperative to carrying out air crew duties.

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**APPENDIX B**

**RECOMMENDATIONS FOR AMENDMENT TO ANNEX – FACILITATION**

**NEW STANDARD PROPOSALS: AMENDMENT 32, ANNEX 9, CHAPTER 10**

**Standards: 10.xx, 10.xx**

**IMPACT ASSESSMENT**

1. What is the problem that this proposal is designed to address?

*Please include specific details*

This proposal is designed to address inconsistent and unreasonable treatment of air crews across jurisdictions during public health emergencies of international concern. Differing national measures, including quarantine requirements, movement restrictions, onerous testing protocols, and limitations on access to suitable, safe accommodations, places undue burdens on crew members – who are essential to the aviation sector – that, in some cases, resulted in unsafe or inhumane conditions. These disparities have had disruptions to airlines’ operations at a time when supply chain continuity and the flow of medical supplies is critical. In response, the 41st Assembly of the International Civil Aviation Organization called for the development of harmonized Standards and Recommended Practices on crew treatment. This proposal seeks to amend Chapter 10 of Annex 9 to establish consistent, humane, and operationally sound standards that safeguard crew health and preserve international air connectivity during future public health emergencies of international concern.

2. What alternatives to SARPs were considered to solve the problem?

None	Circular	Manual	Policy	<i>Other (please explain)</i>
	X	X	X	

3a. What is the impact of this proposal on a **State**?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Implementing this proposal will enhance civil aviation safety		X			
<i>Rationale:</i>					
This proposal will enhance civil aviation safety by establishing harmonized, predictable standards for crew treatment during public health emergencies of international concern, ensuring that crew members can obtain adequate rest and operate safely while maintaining international air connectivity.					
Implementing this proposal will increase air navigation capacity and improve efficiency	X				
<i>Rationale:</i>					
Consistent global approaches will reduce disruptions, avoid unnecessary crew quarantines and extended layovers, and enable more predictable scheduling and route planning, thereby improving operational efficiency					
Implementing this proposal will enhance global civil aviation security and facilitation (taking into account impact on human rights, health and privacy, if any)	X				

<i>Rationale:</i>					
Implementing this proposal will foster the development of a sound and economically-viable civil aviation system					
<i>Rationale:</i>					
Harmonized crew treatment standards will enhance global civil aviation security and facilitation by promoting consistent, humane, and rights-respecting approaches to crew treatment during public health emergencies of international concern, while safeguarding crew health, supporting operational continuity, and reducing unnecessary restrictions that may adversely affect privacy and fundamental rights.					
Implementing this proposal will minimize the adverse environmental effects of civil aviation activities			X		
<i>Rationale:</i>					
Non-applicable					

3b. Do the benefits of this proposal justify the cost of its implementation?

Yes	No	Not sure	Not applicable
X			

4a. What is the impact of this proposal on **Industry**?

	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neutral</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Implementing this proposal will enhance civil aviation safety		X			
<i>Rationale:</i>					
Harmonized crew treatment standards during public health emergencies of international concern will help ensure adequate crew rest, reduce operational uncertainty, and support safe and reliable flight operations.					
Implementing this proposal will increase air navigation capacity and improve efficiency		X			
<i>Rationale:</i>					
Consistent global approaches will reduce disruptions, avoid unnecessary crew quarantines and extended layovers, and enable more predictable scheduling and route planning, thereby improving operational efficiency.					
Implementing this proposal will enhance global civil aviation security and facilitation (taking into account impact on human rights, health and privacy, if any)	X				
<i>Rationale:</i>					
The proposal promotes balanced, rights-respecting measures that safeguard crew health while facilitating international operations, strengthening coordination and reducing fragmented or overly restrictive practices.					
Implementing this proposal will foster the development of a sound and economically-viable civil aviation system		X			
<i>Rationale:</i>					
By reducing disproportionate costs, preventing competitive distortions, and preserving international connectivity during emergencies, the proposal supports fair competition and long-term industry sustainability.					

Implementing this proposal will minimize the adverse environmental effects of civil aviation activities			X		
<i>Rationale:</i> Non-applicable.					

4b. Do the benefits of this proposal justify the cost of its implementation?

Yes	No	Not sure	Not applicable
X			

5. How long would it take for States and Industry to implement this proposal?

Already implemented	0-1 years	1-2 years	2-5 years	5-10 years	More than 10 years
	X				

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**IMPLEMENTATION TASK LIST AND OUTLINE OF GUIDANCE MATERIAL**

**1. IMPLEMENTATION TASK LIST**

**1.1 Essential steps to be followed by a State in order to implement proposed amendments<sup>1</sup>**

**[SARP/TOPIC]**

1.1.1 For States that already [implement the SARP or take action on the TOPIC], no action is necessary. For those that do not, the essential steps are the following:

- a) Conduct a review of existing national legislation, regulations, and public health emergency frameworks to identify gaps or inconsistencies with the proposed amendments to Annex 9.
- b) Decide if amendments or updates to relevant laws, regulations, policies, and guidance material to align with the new Standards are required.
- c) Establish or strengthen coordination mechanisms among civil aviation, public health, border control, and immigration authorities to ensure harmonized and consistent application.
- d) Develop or revise operational procedures and contingency plans addressing crew movement, testing, quarantine exemptions, rest, and accommodation arrangements in line with the new standards.
- e) Provide training, guidance, and outreach to relevant authorities and industry stakeholders to promote consistent understanding and implementation of the new provisions.

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<sup>1</sup> Amendment of a format or clarification nature are not allowed in this Appendix.

Legislation, regulations, policies, procedures, training, implementation, modification, supervision, assessment, compliance, gap analysis, consideration,

**2. STANDARDIZATION PROCESS**

2.1 Effective date: [ ] [Month/Year]: to be completed by Secretariat

2.2 Applicability date: [ ] [Month/Year]: to be completed by Secretariat

**3. SUPPORTING DOCUMENTATION:**

3.1 ICAO documentation:

Title	Type	Publication date
Annex 9 to the Convention on International Civil Aviation Facilitation, Seventeenth Edition, March 2025	Manual	

3.2 External documentation:

Title	External Organization	Publication date

**4. IMPLEMENTATION ASSISTANCE TASKS**

Type	Global	Regional
[Seminar/Symposium/Workshop/etc.]		

**5. UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)  
OR UNIVERSAL SAFETY OVERSIGHT PROGRAMME  
(USOAP)**

5.1 [No] [additional] protocol questions required under USAP [USOAP].

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## APPENDIX C

### DRAFT TERMS OF REFERENCE ICAO FACILITATION PANEL WORKING GROUP ON ANNEX 9 ESTABLISHED BY FALP/12 IN 2021

#### 1. Mandate

1.1 The Working Group on Annex 9 (WGA9), established by the Twelfth Meeting of the ICAO Facilitation Panel (FALP/12), shall review Annex 9 — *Facilitation* in order to maintain consistency of wording and structure and to preserve the clear and concise nature of the Standards and Recommended Practices (SARPs).

1.2 The Working Group shall identify and propose language for existing and/or new SARPs to ensure that the provisions of Annex 9 remain relevant and applicable to all ICAO Contracting States and commensurate with the current and foreseeable global aviation facilitation environment.

1.3 In fulfilling its mandate, the Working Group shall, inter alia:

- review for consistency existing SARPs of Annex 9 and propose amendments or removal where appropriate;
- propose language for new SARPs as instructed by the Facilitation Panel;
- consider relevant Assembly Resolutions, Facilitation Strategic Objectives, and proposals submitted by States, the ICAO Secretariat and the Facilitation Panel;

1.4 For each SARP, the Working Group shall assess whether it:

- a) contributes to the objectives and principles of Annex 9; and
- b) can be commonly interpreted and effectively implemented by States.

1.5 The Working Group shall serve as the focal point of the Facilitation Panel for all matters related to Annex 9 and shall coordinate, as appropriate, with relevant ICAO and external bodies.

#### 2. Membership

2.1 Membership of the Working Group shall be open to members of the ICAO Facilitation Panel and observers from States, international organizations and industry.

2.2 Subject matter experts may be co-opted to support the work of the Working Group on specific issues, including but not limited to public health, immigration, customs and border control.

2.3 Members of the Working Group are expected to actively contribute technical and policy expertise in support of the Group's mandate. All ICAO regions are encouraged to participate, with a view to ensuring, as far as practicable, broad regional representation in support of the development and review of Annex 9.

2.4 A list of current members of the Working Group shall be maintained and attached as an annex.

### **3. Rapporteur**

3.1 The Facilitation Panel shall appoint a Rapporteur and vice-Rapporteur for the Working Group from among its members.

3.2 The Rapporteur shall, inter alia:

- facilitate and coordinate the work of the Working Group;
- convene and chair meetings of the Working Group;
- circulate draft agendas and relevant working material in advance of meetings, normally at least two weeks prior to the meeting;
- coordinate inputs and draft proposals;
- report on behalf of the Working Group to the Facilitation Panel;
- coordinate, as appropriate, with the ICAO Secretariat, Task Forces, other UN agencies and ICAO Panels, Committees and working groups.

3.3 In the absence of the Rapporteur, the vice-Rapporteur shall perform in his place the tasks foreseen in paragraph 3.2.

### **4. Secretariat Support**

4.1 The ICAO Secretariat shall provide operational and administrative support to the Working Group, including participation in meetings, provision of relevant documentation, and updates on broader ICAO developments relevant to Annex 9.

4.2 The Secretariat shall draft the meeting report and submit it for approval to the Rapporteur. It shall also provide support for the preparation of the meeting and the drafting of new proposals, as appropriate.

4.3 The Secretariat shall maintain a dedicated section on the ICAO secure portal for the Working Group, including current working documents and reference material.

### **5. Working Methods**

5.1 The Working Group shall conduct its work in a collaborative manner and seek to reach consensus on its proposals.

5.2 The Working Group shall meet as necessary, as determined by the Rapporteur, including through virtual meetings where appropriate.

5.3 Between meetings, members of the Working Group may use ICAO approved platforms to exchange information and collaborate on draft proposals.

### **6. Sub-groups of the Working Group**

6.1 The Working Group may establish sub-groups as necessary for the performance of its functions. Each sub-group shall be established with a clearly defined mandate and for a period not exceeding one year, unless its mandate is renewed by the Rapporteur.

6.2 The Rapporteur shall appoint a focal point for each sub-group so established. The focal point is responsible for organizing meetings and producing meeting notes for the sub-group as it may not be supported by the Secretariat.

6.3 Sub-groups may invite subject matter experts or other relevant contributors to support their work. Such individuals may attend meetings of the Working Group only with the prior agreement of the Rapporteur.

## **7. Deliverables, Work Programme and Reporting**

7.1 The Working Group shall submit draft proposals for the amendment, introduction or removal of SARPs, together with supporting rationale, to the Facilitation Panel for consideration and approval where applicable.

7.2 The Working Group shall develop a work programme in support of its mandate and objectives and submit it as an appendix to its report.

7.3 In exceptional circumstances, the Rapporteur may propose amendments to an approved work programme. Any such amendments shall be agreed by the Working Group and communicated to the Facilitation Panel through the Secretariat

## **8. Duration and Review**

8.1 The Working Group shall continue its activities as directed by the Facilitation Panel.

8.2 These Terms of Reference may be reviewed and amended by the Facilitation Panel as necessary.

— END —