



WORKING PAPER

ASSEMBLY — 41ST SESSION

EXECUTIVE COMMITTEE

Agenda Item 13: Facilitation Programmes

**REVIEW AND STRENGTHENING OF THE VALUE OF CREW MEMBER CERTIFICATES
(CMC) IN THE FACILITATION PANEL**

(Presented by Panama, supported by Argentina, Paraguay, Uruguay and
Venezuela (Bolivarian Republic of))

EXECUTIVE SUMMARY

This working paper is presented with the intention of requesting that the Facilitation Panel (FALP) reassess the use of the Crew Member Certificate (CMC) mentioned in the Standards and Recommended Practices (SARPs) in Annex 9 — *Facilitation*, in Doc 9957, *The Facilitation Manual* and in Doc 9303, *Machine Readable Travel Documents, Part 5* which defines the features and specifications relating to the CMC and its issuance, in addition to the revised version of Doc 9957, which does not follow the numbering of the standards cited in Annex 9.

The CMC will be used as a visa for airline crews operating internationally in the different destinations of the various countries they visit, which will allow them to enter without the need for a visa in their passport, as long as they perform exclusively work functions in compliance with the flight schedules of the airline they represent.

It is necessary to know which countries in the NAM/CAR/SAM regions currently have agreements with one another authorizing the use of CMCs among them and to know if their governmental immigration and national security entities accept them without any restrictions whatsoever.

Action: The Assembly is invited to:

- a) promote the benefits of bringing this document back into use, so that crews can, with the necessary assurances, travel to and visit other States when using the CMC in accordance with Doc 9303;
- b) develop guidance material and provide complementary technical assistance for the resumed use of this document in all countries, as suggested by the Annex 9 SARPs; and
- c) update Doc 9957 to bring it into line with the current edition of Annex 9.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives <i>Safety and Security & Facilitation</i>
<i>Financial implications:</i>	
<i>References:</i>	Annex 9 — <i>Facilitation</i> Doc 9957, <i>The Facilitation Manual</i> Doc 9303, <i>Machine Readable Travel Documents</i>

¹ Spanish version provided by Panama.

1. INTRODUCTION

1.1 For years the use of CMCs has been considered as a facilitation tool for airline crew members to enter the countries where their airline makes stopovers in its operations. Consequently, with the aim of strengthening the value of such certificates, appropriate controls were established, such as certification of the applicant's employment status prior to issuance, controls of blank card stock and accountability requirements for issuing personnel.

1.2 A passport is an official document issued by a government that will recognize and accredit the holder as a citizen of that country and allow him/her to leave, while a visa is an official document issued by an embassy or consulate that will allow the holder to enter the country that he or she wishes to visit.

1.3 There are different types of visas and not all countries require them for entry. In addition, each State maintains a list of the countries for which the visa requirement exists and those for which it does not.

2. BACKGROUND

2.1 The Vienna Convention on Consular Relations of 24 April 1963, which entered into force on 19 March 1967, contains, in Chapter I, *Consular Relations in General*, Section I, *Establishment and conduct of consular relations*, Article 5, *Consular functions*, in subparagraph (d), the following:

“(d) issuing passports and travel documents to nationals of the sending State, and visas or appropriate documents to persons wishing to travel to the sending State;”.

2.2 Clearly the use of passports and visas is indispensable for visiting other States.

3. DISCUSSION

3.1 Doc 9957 states, with respect to entry, exit and re-entry visas, that the SARPs in Annex 9, Chapter 3, Section F: *Entry/re-entry visas* and Section E: *Exit visa*, provide that a visa is a document issued by national embassies and consulates permitting a duly identified person to enter into the national territory of the State issuing the visa.

3.2 The CMC is an official document that serves as evidence of employment and identification of flight crew and cabin attendants, and should not be confused with crew licences, which attest to the professional qualifications of the flight crew.

3.3 Establishing the CMC will enable airlines to make efficient use of their personnel. However, the full benefit to be gained from the use of this document cannot be achieved as long as some States are not implementing it.

3.4 In accordance with paragraph 3.13.9 of Doc 9957, *the objective of issuing a standardized Crew Member Certificate is to facilitate the international travel of airline crew members by exempting them from visa requirements, as well as by providing border control authorities with assurances on the authenticity of travel documents, identity and background of said crews*. Standard 3.66 of Annex 9 requires States to recognize the CMC as a satisfactory identity document for temporary entry. The intent

is that this should apply even if the holder is not a national of the State of Registry of the aircraft on which he/she serves.

3.5 The CMC referenced in Annex 9 establishes that Contracting States will accept such certificates provided that they are issued in accordance with the requirements for machine readable cards in conformity with the specifications contained in Doc 9303, Seventh Edition, Part 5, whereon the basis of the CMC crew members will be allowed to enter any State without a visa when arriving on active duty on an international flight and requesting temporary entry for the period permitted by the receiving State.

3.6 Visas do not guarantee entry; they are an individual control of aliens visiting a country and also limit the number and duration of their visits. Visas may entail different restrictions and have different features.

3.7 The visa depends on a number of factors, including security-related factors. Concerns that the country deems important to review are analyzed and clarified before the visa is stamped and attached to the passport of the person concerned. This visa should not be confused with the entry permit issued by the State to an individual at the point of entry.

3.8 There are States where a visa is not always necessary because of the difference in the threat level perceived by a receiving country with respect to another country, which makes the requirement applicable only to some visitors. Some States grant visa exemptions to certain nationalities for political or practical reasons, and may decide to do so on the principle of reciprocity. The most common political reason is the right of freedom of movement granted to nationals of Member States of regional or sub-regional integration pacts.

3.9 Owing to particular immigration control needs, some States require an exit and/or re-entry visa for their nationals or resident aliens. This document is not frequently issued or requested, and represents an additional burden that limits individual freedom and creates economic obstacles to international trade and travel. The obligation to eliminate such requirements has been imposed on States, and, in order to abolish all possible discrimination as called for in the United Nations International Bill of Human Rights, the elimination of exit and/or re-entry visa requirements for alien residents holding permanent resident permits is also recommended.

3.10 The validity of a visa is limited in terms of duration of stay, some visas being valid for a set period of time, generally the authorized stay for visitors, while others may be valid for longer than the authorized stay.

3.11 In the specifications for visas that are not machine readable, Annex 9 recommends that countries ensure that the personal and issuance data, as well as the format of the visual zone of such documents, conform to the specifications set forth in Doc 9303, Part 2. This recommendation is intended to maintain uniformity in the format of visas, regardless of whether they are machine readable or not.

4. **SUGGESTED ACTION**

4.1 The Assembly is invited to:

- a) take note of the content of this working paper, urging FALP to reassess the use of CMCs and update the information that is in the guidance materials, including the existing guidance in Doc 9957, 2011 edition, which does not follow the numbering of the standards cited in Annex 9,

2017 edition, with inconsistent numbering that creates confusion and results in the wrong application of the standard; and

- b) promote the benefits that would accrue from coordination between the aviation authorities of States and the immigration agencies to familiarize the latter with CMCs so that they accept them even if this document is not yet issued by their State, so that when the document is used, there are no obstacles to its recognition for the entry into other countries by flight crews in working status, and so that it is not rejected by immigration officials.

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