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FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

**DRAFT REPORT OF COMMITTEE 2
ON AGENDA ITEM 2.3**

The attached draft report on Agenda Item 2.3 is presented for approval by Committee 2 for submission to the Plenary.

Agenda Item 2: Facilitation and security of travel documents and border control formalities
2.3: Crew identity documentation

2.3.1 In WP/23, the Secretariat noted that a requirement that a crew member who works international flights have a passport may no longer be considered unduly onerous. At the present time, there appears to be virtually no standardization in the issuance of crew member certificates. The Division reviewed the issues related to issuance of crew member certificates and their acceptance as identification documents for temporary entry into foreign States and recommended amendments to the relevant SARPs in Chapter 3, Section M and N.

2.3.2 In WP/39, Canada described Canada's initiative to develop the Restricted Area Identification Card (RAIC) which will be a significant enhancement to the security measures in place at Canadian airports. The Division noted the content of the paper and agreed that ICAO include it as appropriate in ICAO guidance material.

2.3.3 In WP/76, India suggested that States should not be encouraged to permit the use of other identity documents than passports and Crew Member Certificates (CMCs) for the security of international air travel. The Division adopted the proposed revision with respect to paragraph 3.76.

2.3.4 In WP/51, IATA called for the standardization of crew member identity documents for international travel. It proposed that where States issue CMCs, these should be in the form of Machine Readable cards in accordance with the specifications in Doc 9303 and that States should keep ICAO informed of the issuance and acceptance of such machine readable CMCs. The Division considered this recommendation within the content of discussion of WP/23 by the Secretariat.

2.3.5 The Division considered WP/44 presented by IAOPA which addressed the inclusion of a Standard of 15 minutes total time period in aggregate for completion of required formalities inclusive of aviation security measures for crew. Although the Division felt that 15 minutes seemed unrealistic, the objective was acceptable and it therefore recommended its inclusion as guidance material in the appropriate manual.

2.3.6 In WP/58, ITF supported the standardization of the procedures for the issuance of CMCs and their acceptance as identification documents, however it indicated that this must be achieved by means that respect the protection of individual data and rights to privacy. The Division adopted the proposed measures by ITF to be used as ICAO guidance material and within Annex 9 to protect data relating to CMCs. It also decided to include as a Recommended practice in Chapter 3 measures related to the storing of crew member's identity and procedures for reviewing the validity of the data.

2.3.7 The Division also noted Ips/16 and 31 submitted by the United States on transportation security administration and transportation worker identification credential and US requirements for crew members arriving in or transiting the United States, as well as IP/11 by IBAC on the IBAC aircrew identification card. It also noted Handout No. 1 presented by Turkey on the crew member certificate.

2.3.8 Accordingly, the Division adopted the following recommendation:

Recommendation A/XX —**Amend** Chapter 3, Section M and N as follows:

M. Identification and entry of crew and other operators' personnel

~~3.72 — Contracting States shall ensure that when inspection of crew members and their baggage is required on arrival or departure, such inspection shall be carried out as expeditiously as possible.~~

3.72 Contracting States shall establish measures, in cooperation with operators and airport authorities, to expedite the inspection of crew members and their baggage, as required at departure and upon arrival.

3.73 Contracting States shall provide facilities which will enable crew members of their airlines operators based in their territories to obtain apply for and receive CMCs for their crew personnel without delay, and without charge, crew members' certificates valid for the crew member's term of employment.

Note.— The CMC was developed as a card for use for identification purposes by both flight deck and cabin crew and cabin attendants, leaving the crew licences to serve their primary purpose of attesting to the professional qualifications of the flight crew.

3.73.1 **Recommended Practice.**— Contracting States should issue the certificates referred to in 3.73; ~~3.74 and 3.75 should be~~ in the form of machine readable cards issued in accordance with the specifications in Doc 9303, Part 3 — Size 1 and Size 2 Machine Readable Official Travel Documents. ~~Where this is not possible, the certificates should be issued in the format shown in Appendix 7,~~

3.73.2 **Recommended Practice.**— Contracting States should put in place procedures which will enable any crew member issued with a Crew Member Certificate to examine and review the validity of the data held, and to provide for correction if necessary, at no cost to the crew member.

3.74 **Recommended Practice.**— To the extent that operators issue crew identity cards, Contracting States should require the production of such identity documents in the format shown in Appendix 7 i.e. in the same layout as the visual zone of the machine readable crew member certificate and having the capability to support machine assisted identity confirmation and document security verification.

3.74.1 **Recommended Practice.**— Contracting States should ensure that a record of each crew member's identity document issued, suspended or withdrawn, is stored in an electronic database, secure from interference and unauthorized access. All information stored in the electronic database and crew member certificate should be restricted to details which are essential for the purpose of verifying a crew member's identity.

3.75 Adequate controls shall be placed on the issuance of CMCs and other official crew identity documents to prevent fraud, for example, a background check and certification of employment status of an applicant prior to issuance, controls on blank card stock, and accountability requirements for issuing personnel.

~~3.74 — In the case of airline flight crew and cabin attendants who retain their crew member certificates in their possession when embarking and disembarking, remain at the airport where the aircraft has stopped or within the confines of cities adjacent thereto, and depart on the same aircraft or their next regularly scheduled flight, each Contracting State shall accept such crew member certificates for temporary admission to the State and shall not require a passport or visa.~~

~~————— Note 1.— It is the intent of this provision that a crew member certificate shall be recognized as a satisfactory identity document even if the holder is not a national of the State of Registry of the aircraft on which he serves. It is not desired to discourage Contracting States from issuing such crew member certificates to resident alien crew members if they are willing to do so.~~

~~————— Note 2.— The implementation of 3.74 permits rapid and efficient disposition of personnel by airlines. The full benefit cannot be derived from these provisions while some States withhold acceptance of them.~~

~~3.74.1 — Each Contracting State shall extend privileges of temporary admission similar to those provided under 3.74 to flight crew and cabin attendants of an aircraft operated for remuneration or hire but not engaged in scheduled international air services, subject to the requirement that such flight crew and cabin attendants must depart on the aircraft on its first flight out of the territory of the State.~~

~~3.75 — When it is necessary for an airline crew member, in the exercise of his duties, to travel to another State as a passenger by any means of transportation in order to join an aircraft, each State shall accept from that crew member, in lieu of a passport and visa for temporary admission and for the necessary freedom of movement within its territory to join such aircraft, a crew member certificate as specified in 3.73.1 and 3.74 together, where required, with a document from the crew member's employer certifying the purpose of the journey.~~

~~3.75.1 — **Recommended Practice.**— Each Contracting State should extend privileges of temporary admission similar to those provided under 3.75 and on the same conditions, to a crew member of an aircraft operated for remuneration or hire but not engaged in scheduled international air services.~~

3.76 Contracting States shall waive the visa requirement for arriving crew members presenting CMCs, when arriving in a duty status on an international flight and seeking temporary entry for the period allowed by the receiving State before joining their next assigned flight in a duty status.

3.76.1 **Recommended Practice.**— Contracting States should waive the visa requirement for arriving crew members presenting CMCs, when arriving on another operator or another mode of transport as passengers and seeking temporary entry for the period allowed by the receiving State before joining their assigned flight in a duty status.

~~3.76 — **Recommended Practice.**— Contracting States should make arrangements to expedite the admission, for residence in their territories, of ground and flight personnel of foreign airlines operating to or through such territories, to the extent that such personnel are necessary to perform supervisory and technical duties directly connected with the operation of the international air services being performed by such airlines.~~

[Note. — The above is believed to be no longer needed in Annex 9, as it is now a very common provision in bilateral agreements.]

3.77 Contracting States shall ~~make arrangements to ensure~~ establish measures to provide for the temporary entry without delay into their territories on a temporary basis, of technical personnel of foreign airlines operators operating to or through such territories who are urgently required for the purpose of converting to an airworthy condition any aircraft which is, for technical reasons, unable to continue its journey. In the event of States requiring Should a State require a guarantee of, for instance, the such persons' subsistence in, and/or return from, such State, this shall be negotiated without delaying the their immediate admission of such personnel.

**N. Civil aviation flight operations and
cabin safety personnel ~~inspectors~~**

3.78 **Recommended Practice.**— *Contracting States should ~~ensure~~ provide that flight operations and cabin safety inspectors of another Contracting State, when engaged on inspections duties, ~~are~~ be treated*

in the same manner as crew members **when proceeding through departure or arrival formalities**, ~~as specified in 3.72.~~

3.79 **Recommended Practice.**— Contracting States should provide their flight operations and cabin safety inspectors with ~~a certificate containing the material~~ **an identity document in the format** set forth in Appendix 8 and valid for the inspector's term of employment.

3.80 **Recommended Practice.**— Flight operations inspectors and cabin safety inspectors should carry the ~~certificate~~ **identity document** specified in 3.79, a copy of the ~~flight~~ inspector's itinerary ~~which has been approved~~ **issued** by the State that employs the inspector, and a valid passport.

3.81 **Recommended Practice.**— Contracting States should extend the privileges of temporary admission, as described in ~~3.74~~ **3.76 for crew members**, to flight operations and cabin safety inspectors of another Contracting State, ~~who are engaged on their inspection duties and~~ **presenting the documents listed in 3.80**, provided that the departure ~~on~~ **of** the next flight inspection ~~of~~ **on** the inspector's itinerary is after not more than a normal period of rest.

— END —