

FACILITATION PANEL (FALP)

(Third Meeting, Montreal, 12 to 16 February 2001)

Agenda Item 2: Cargo facilitation – Chapters 1 and 4 of Annex 9

REPORT OF THE CARGO DRAFTING GROUP (CDG)

(Montreal, 6 to 10 November 2000)

(Presented by the Secretary)

1. INTRODUCTION

1.1 Background

1.1.1 The Facilitation Panel, at its Second Meeting (11 to 15 January 1999), began a thorough review, through its Cargo Working Group (CWG), of all the cargo-related SARPs of the Annex.

1.1.2 The CWG agreed, in principle, that:

- a) statements of policy should be retained, although they might be redrafted. For the time-being, they would remain in Chapter 4, but they could be moved to a separate chapter later on, if commonality were to be established with similar statements in other chapters;
- b) the provisions of Chapter 4 fall roughly into the following broad categories: some are essential in nature (States "must" follow), others are less prescriptive in nature (States "should" follow), whilst the rest are merely instructive or explanatory in nature (and these could form part of the planned FAL Manual);
- c) it is necessary to simplify the texts of many provisions, to delete obsolete provisions and consolidate others;
- d) the cargo-related SARPs need to be updated in order to reflect contemporary practices of government authorities, operators, and other users of international civil aviation, and to align them, where appropriate, with the revised Kyoto Convention of the World Customs Organization (WCO);
- e) the revised chapter concerning cargo facilitation should take account of modern and harmonized information technology concepts; and

- f) the Secretariat would prepare a new draft of Chapter 4 for consideration at the Third Panel Meeting, taking into account the views expressed during the discussions at FALP/2, and during inter-sessional correspondence with Panel members and observers.

1.1.3 Following the FALP/2, the Secretariat prepared a draft text containing suggested revisions to the cargo-related SARPs of Annex 9, and forwarded these to the members and observers of the FAL Panel, including the members of the Cargo Drafting Group (CDG) that had been established by the Panel.

1.1.4 A second draft text was prepared, based on the comments received on the first draft. The second draft consisted of FALP/3-WPs/2, Attachment and 3.

1.2 A special meeting of the CDG was held in Montreal from 6 to 10 November 2000 to discuss these documents.

1.3 The following persons attended the meeting:

Mr. A.M. Abdel-Rahma	Egypt
Mr. Y.-Y. Chung	ICAO
Mr. R. Davidson	IATA
Mr. A.-R. M. El-Shimy	Egypt
Mr. B. Frei	Switzerland
Mr. S. Gerber	IATA
Ms. M.K. McMunn	ICAO
Mr. M. Parsons	ICAO
Mr. R. Struthers	Canada
Mr. J. Thaker	ICAO
Mr. A. Veillard	France

1.4 Australia, the Czech Republic and the United States submitted comments, in writing.

1.5 On the basis of the recommendations made by the CDG, the Secretariat revised FALP/3-WP/2, Attachment. This paper has been re-issued as FALP/3-WP/2, Attachment (Revised). The Secretariat also revised FALP/3-WP/3, which has been re-issued as FALP/3-WP/3 (Revised).

1.5.1 Please note that these revised versions of WPs/2 and 3 supercede the original documents, and will be taken up for discussion at the Third Meeting of the FAL Panel, in February 2001.

RECOMMENDATIONS MADE WITH REGARD TO FALP/3-WP/2 (ANNEX 9 — CHAPTER 1)

2. DEFINITIONS

2.1 The Cargo Drafting Group amended seven definitions and added a new one to the text.

3. GENERAL PRINCIPLES

3.1 The CDG agreed that this section on "General Principles" in Chapter 1 should only contain principles that could be applied generally to all Standards and Recommended Practices (SARPs) of the Annex. Cargo-related principles should be moved to Chapter 4.

RECOMMENDATIONS MADE WITH REGARD TO FALP/3-WP/3 (ANNEX 9 — CHAPTER 4)

4. DEFINITIONS

4.1 The Group amended two definitions and deleted one.

5. GENERAL PRINCIPLES

5.1 The CDG decided to create a new heading, "General Principles relating to Chapter 4", under which would be included all cargo-specific principles of a general nature.

6. STANDARDS & RECOMMENDED PRACTICES

6.1 The CDG amended most SARPs, *inter alia*, to make them clearer, to align their texts with either other SARPs in the Chapter or with the Kyoto Convention, to make them easier to implement, to amalgamate them or to make succeeding provisions flow more logically. The Group also deleted some SARPs they found redundant.

7. ACTION REQUIRED BY FALP/3

7.1 The FAL Panel is requested to consider FALP/3-WP/2, Attachment (Revised) and FALP/3-WP/3 (Revised) which have been re-drafted along the lines of the recommendations of the CDG.

7.2 The Panel is also requested to approve the revised documents with the aim of finalizing the recommendations of the CDG for consideration by the Air Transport Committee and subsequent forwarding to Contracting States.

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