



FACILITATION PANEL (FALP)

EIGHTH MEETING

Montréal, 24-28 November 2014

Agenda Item 4: Other Matters

ANNEX 9 AUDITS

(Presented by the Secretariat)

SUMMARY

Security-related provisions and communicable disease processes of Annex 9 are being audited both under the auspices of either the ICAO Universal Security Audit Programme (USAP) or the Universal Safety Oversight Audit Programme (USOAP). The Council has requested that relevant ICAO Panels consider the feasibility of expanding the scope of the USAP to encompass all of the Standards contained in Annex 9.

Action by the FAL Panel:

The FAL Panel is invited to establish an Annex 9 Audit Working Group to consider the feasibility of expanding the scope of the USAP to encompass all of the Standards of Annex 9, and to submit its recommendations at the FALP/9 meeting planned for the 1st quarter of 2016.

1. INTRODUCTION

1.1 The ICAO Universal Security Audit Programme (USAP) was launched in November 2002 and provides for the conduct of regular, mandatory, systematic and harmonized audits of the aviation security and oversight system in each ICAO Member State. The objective of the Programme is to promote global aviation security by identifying deficiencies in States' aviation security and oversight systems and providing recommendations for their resolution. The Aviation Security Audit (ASA) Section of ICAO's Air Transport Bureau is responsible for the management and administration of USAP.

1.2 In 2007, the 36th Session of the ICAO Assembly (A36/20 refers) directed that security-related provisions of Annex 9 be incorporated into future aviation security audits. Consequently, following the completion of a first cycle of USAP audits in 2007, a second cycle of audits was launched in January 2008. This cycle of audits, completed in 2013, covered the Standards contained in Annex 17 – *Security*, as well as relevant **security-related provisions of Annex 9**. These are also now included in the upcoming Continuous Monitoring Approach (CMA) to the USAP, or USAP-CMA endorsed by the 38th Assembly Session in 2013. These provisions are reproduced in the Appendix.

1.3 Furthermore, in 2012, the Universal Safety Oversight Audit Programme (USOAP) developed proposals addressing Annex 9-related **communicable disease processes** for safety-related audits conducted by the Safety and Air Navigation Audit Section of the Air Navigation Bureau. This was in response to Assembly Resolution A37-13 on the “Prevention of spread of communicable disease through air travel” that urges States to ensure that the aviation sector collaborate with the public health sector to develop a national preparedness plan for aviation and for States to establish requirements for the involvement, in the preparation of this plan, of stakeholders such as airport operators, aircraft operators and air navigation service providers. Consequently, Standards 8.15 and 8.16 (reproduced in the Appendix) are currently being audited under the USOAP-CMA.

2. DISCUSSION

2.1 On 24 October 2014, at a joint sitting, the Unlawful Interference Committee (UIC) and the Air Transport Committee (ATC) considered a working paper that presented a proposal for the establishment of an ICAO AFI Security/Facilitation (SECFAL) Initiative, calling for intensified collaboration and coordination for the enhancement of aviation security and facilitation in Africa. During the discussions, some Committee Members expressed their view that the implementation of all Annex 9 Standards should be audited by ICAO.

2.2 On 29 October 2014, the Council, while considering the report of the joint UIC-ATC meeting, requested that the relevant panels consider the feasibility of expanding the scope of the ICAO Universal Security Audit Programme (USAP) to encompass all of the Standards contained in Annex 9 – Facilitation (as opposed to the current practice of auditing only the security-related Standards thereof) and to report thereon through the pertinent Committee(s).

3. RECOMMENDATIONS

3.1 As a result of the Council’s request (paragraph 2.2 above, refers), the Secretariat recommends that an Annex 9 Audit Working Group be established to consider the feasibility of expanding the USAP to encompass all of the Standards of Annex 9, and submit its recommendations at the FALP/9 meeting planned for the first quarter of 2016. Such working group should consist of Members of both the FAL and AVSEC Panels and relevant Secretariat staff members from Aviation Security and Facilitation and from Monitoring and Oversight.

APPENDIX

PROVISIONS OF ANNEX 9 INCLUDED IN THE

USAP AND USOAP CMA AUDITS

3.7 Contracting States shall regularly update security features in new versions of their travel documents, to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued.

3.8 Contracting States shall establish controls to safeguard against the theft of their blank travel documents and the misappropriation of newly issued travel documents.

3.8.1 Contracting States shall establish appropriate controls over the entire travel document application, adjudication and issuance processes to ensure a high level of integrity and security.

3.10 All passports issued by Contracting States shall be machine readable in accordance with the specifications of Doc 9303, Part 1.

3.31 Contracting States shall assist aircraft operators in the evaluation of travel documents presented by passengers, in order to deter fraud and abuse.

3.33 Aircraft operators shall take necessary precautions at the point of embarkation to ensure that passengers are in possession of the documents prescribed by the States of transit and destination for control purposes as described in this chapter.

3.33.1 The public authorities of each Contracting State shall seize fraudulent, falsified or counterfeit travel documents. The public authorities shall also seize the travel documents of a person impersonating the rightful holder of the travel document. Such documents shall be removed from circulation immediately and returned to the appropriate authorities of the State named as issuer or to the resident Diplomatic Mission of that State.

3.46 Each Contracting State that introduces an Advance Passenger Information (API) system under its national legislation shall adhere to international recognized standards for the transmission of Advance Passenger Information.

3.64 If Contracting States issue Crew Member Certificates, then these shall be issued only in the form of machine readable cards in accordance with the specifications of Doc 9303, Part 3.

3.66 CMCs shall be issued only after a background check has been carried out by or on behalf of the relevant public authority. In addition, adequate controls such as a certification of employment status of an applicant prior to issuance, controls on blank card stock, and accountability requirements for issuing personnel, shall be placed on the issuance of CMCs.

8.15 The pilot-in-command of an aircraft shall ensure that a suspected communicable disease is reported promptly to air traffic control, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for the management of public health risks on arrival.

8.16 A Contracting State shall establish a national aviation plan in preparation for an outbreak of a communicable disease posing a public health risk or public health emergency of international concern.

8.17 Each Contracting State shall establish a national air transport facilitation programme based on the facilitation requirements of the Convention and of Annex 9 thereto.

8.19 Each Contracting State shall establish a National Air Transport Facilitation Committee, and Airport Facilitation Committees as required, or similar coordinating bodies, for the purpose of coordinating facilitation activities between departments, agencies, and other organizations of the State concerned with, or responsible for, various aspects of international civil aviation as well as with airport and aircraft operators.

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