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Международная  
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гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
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Ref.: EC 6/3-2015/55

24 July 2015

**Subject:** Adoption of Amendment 25 to Annex 9

**Action Required:** a) Notify any disapproval before 25 October 2015; b) Notify any differences and compliance before 25 January 2016; c) Consider the use of the Electronic Filing of Differences (EFOD) System for notification of differences and compliance

Sir/Madam,

1. I have the honour to inform you that Amendment 25 to the *International Standards and Recommended Practices Facilitation* (Annex 9 to the Convention on International Civil Aviation) was adopted by the Council at the third meeting of its 205th Session on 12 June 2015. Copies of the Amendment and the Resolution of Adoption are available as attachments to the electronic version of this State letter on the ICAO-NET (<http://portal.icao.int>) where you can access all other relevant documentation.

2. When adopting the amendment, the Council prescribed 25 October 2015 as the date on which it will become effective, except for any part concerning which a majority of Member States may have registered their disapproval before that date. In addition, the Council resolved that Amendment 25, to the extent it becomes effective, will be applicable on 25 February 2016.

3. Amendment 25 relates to, inter alia, issues such as assistance to aircraft accident victims and their families, Machine Readable Travel Documents (MRTDs), cargo facilitation and INTERPOL's Stolen and Lost Travel Documents (SLTD) database.

4. At the fifth meeting of its 204th Session, the Council requested that States, when being advised of the adoption of an Annex amendment, be provided with information on implementation and available guidance material, as well as an impact assessment. This is presented for your information in Attachments A and B, respectively.

5. In conformity with the Resolution of Adoption, I request that:

- a) before 25 October 2015 you inform me if there is any part of Amendment 25 concerning which your State wishes to register disapproval, using the form at Attachment C for this purpose. Please note that only statements of disapproval need to be registered and that if no response is submitted, it will be assumed that your State does not disapprove of the amendment; and
- b) before 25 January 2016 you inform me of the following, using the form at Attachment D for this purpose:

- 1) any differences that will exist on 25 February 2016 between the national regulations or practices of your State and the provisions of the whole of Annex 9, as amended by all amendments up to and including Amendment 25 and thereafter of any further differences that may arise; and
- 2) the date or dates by which your State will have complied with the provisions of the whole of Annex 9, as amended by all amendments up to and including Amendment 25.

6. With reference to the request in paragraph 5 a) above, it should be noted that a registration of disapproval of Amendment 25 or any part thereof in accordance with Article 90 of the Convention does not constitute a notification of differences under Article 38 of the Convention. To comply with the latter provision, a separate statement is necessary if any differences do exist, as requested in paragraph 5 b)1). It is recalled in this respect that international Standards in Annexes have a conditional binding force, to the extent that the State or States concerned have not notified any differences thereto under Article 38 of the Convention.

7. With reference to the request in paragraph 5 b) above, it also should be noted that the ICAO Assembly, at its 38th Session (24 September – 4 October 2013) resolved that Member States should be encouraged to use the Electronic Filing of Differences (EFOD) System when notifying differences (Resolution A38-11, refers). EFOD is currently available on the Universal Safety Oversight Audit Programme (USOAP) restricted website (<http://www.icao.int/usoap>) which is accessible by all Member States. You are invited to consider using this for notification of compliance and differences.

8. Guidance on the determination and reporting of differences is given in the note on the notification of differences (Attachment E). Please note that a detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.

9. I would appreciate it if you would also send a copy of your notifications, referred to in paragraph 5 b) above, to the ICAO Regional Office accredited to your State.

10. As soon as practicable after the amendment becomes effective, on 25 October 2015, replacement pages incorporating Amendment 25 will be forwarded to you.

Accept, Sir/Madam, the assurances of my highest consideration.



Raymond Benjamin  
Secretary General

**Enclosures:**

- A — Implementation task list and outline of guidance material in relation to Amendment 25 to Annex 9
- B — Impact assessment form in relation to Amendment 25 to Annex 9
- C — Notification of disapproval of all or part of Amendment 25 to Annex 9
- D — Notification of compliance with or differences from Annex 9
- E — Note on the notification of differences to Annex 9 and form of notification

**IMPLEMENTATION TASK LIST AND OUTLINE OF GUIDANCE  
MATERIAL IN RELATION TO AMENDMENT 25 TO ANNEX 9**

**1. IMPLEMENTATION TASK LIST**

**1.1 Essential steps to be followed by a State in order to implement proposed amendments**

*Stolen and Lost Documents*

1.1.1 For States that already report information about stolen, lost and revoked travel documents, issued by their States, to INTERPOL for inclusion in the Stolen and Lost Travel Documents (SLTD) database, no action is necessary. For those that do not, the essential steps are the following:

- a) submit travel information directly to the SLTD database by INTERPOL National Central Bureaus and law enforcement agencies via INTERPOL's "I-24/7" secure global police communication system;
- b) for ICAO Member States that are not INTERPOL member States, consider joining INTERPOL or explore with INTERPOL the establishment of administrative arrangements to enable the submission of information to the SLTD; and
- c) implement established procedures for the filing of a difference under Article 38 of the Chicago Convention, if appropriate.

*Travel documents for refugees and stateless persons*

1.1.2 As States are already required to issue passports that are machine readable, the necessary State-led infrastructure and processes are in place. However, the inclusion of Convention Travel Documents (CTDs) among those that are in accordance with Doc 9303 will involve the following essential steps:

- a) modification of national laws, as may be appropriate;
- b) modification of State-level CTD-issuance procedures and materials to comply with Doc 9303;
- c) training of staff to implement new procedures; and
- d) supervision by the State of provisions, as appropriate.

***Entry and departure of cargo***

1.1.3 The cargo-related amendments urge closer harmonization of aviation security and Customs programmes. States that aim to implement these Recommended Practices could take the following steps:

- a) assessment of compliance with Annex 17 air cargo security Standards and Recommended Practices, and compliance with the World Customs Organization SAFE Framework;
- b) gap analysis between amendments and State requirements and practices;
- c) consideration of whether to implement Annex 9 cargo-related amendments;
- d) if implementation is desired, prepare and implement a plan to assure alignment of aviation security and Customs programmes;
- e) modification of oversight framework; and
- f) supervision by the State of provisions, as appropriate.

***Assistance to aircraft accident victims and their families***

1.1.4 For States that have established legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families, and that are aligned with Doc 9998 and Doc 9973, no action may be required. For those that do not, the essential steps are the following:

- a) identify established legislation, regulations and/or policies;
- b) gap analysis between established legislation, regulations, and/policies, and Doc 9998 and Doc 9973;
- c) decisions on whether to introduce new provision to align with ICAO guidance material;
- d) modification and/or development of provision;
- e) official adoptions of provisions;
- f) implementation of newly adopted provisions by applicable entities;
- g) modification of an oversight framework; and
- h) supervision by the State of provisions, as appropriate.

**2. STANDARDIZATION PROCESS**

2.1 Effective date: 25 October 2015.

2.2 Applicability date: 25 February 2016.

### 3. SUPPORTING DOCUMENTATION

#### 3.1 ICAO documentation

| <b>Title</b>                                                                                                                                           | <b>Type</b>                                                                                                                          | <b>Publication date</b>                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| <i>Facilitation Manual</i> (Doc 9957)                                                                                                                  | Manual                                                                                                                               | 2011 edition (already published)            |
| <i>Machine Readable Travel Documents</i> , 7th Edition (Doc 9303)                                                                                      | Manual                                                                                                                               | 2015 (expected to be published by mid-2015) |
| <i>ICAO Policy on Assistance to Aircraft Accident Victims and their Families Assistance to Aircraft Accident Victims and their Families</i> (Doc 9998) | Manual                                                                                                                               | 2013 edition (already published)            |
| <i>Manual on Assistance to Aircraft Accident Victims and their Families</i> (Doc 9973)                                                                 | Manual                                                                                                                               | 2013 edition (already published)            |
| <i>ICAO-UNHCR Guide for Issuing Machine Readable Convention Travel Documents for Refugees and Stateless Persons</i>                                    | Guidance Material:<br><a href="http://www.icao.int/Security/mrtd/Pages/Guides.aspx">www.icao.int/Security/mrtd/Pages/Guides.aspx</a> | 2013 edition (already published)            |

#### 3.2 External documentation

| <b>Title</b>                                                                                  | <b>External Organization</b> | <b>Publication date</b> |
|-----------------------------------------------------------------------------------------------|------------------------------|-------------------------|
| <i>SAFE Framework of Standards</i>                                                            | World Customs Organization   | 2007                    |
| <i>International Convention on the Simplification and Harmonization of Customs Procedures</i> | World Customs Organization   | 2006                    |
| <i>Stolen and Lost Travel Documents database</i>                                              | INTERPOL                     | 2002                    |

### 4. IMPLEMENTATION ASSISTANCE TASKS

| <b>Type</b>           | <b>Global</b>                      | <b>Regional</b>             |
|-----------------------|------------------------------------|-----------------------------|
| Seminar               |                                    | FAL Regional Seminars       |
| Symposium and Seminar | MRTD/TRIP Symposium and Exhibition | MRTD/TRIP Regional Seminars |

### 5. UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)

No additional protocol questions required under USAP.

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**IMPACT ASSESSMENT FORM IN RELATION TO AMENDMENT 25  
TO ANNEX 9**

**1. INTRODUCTION**

1.1 Amendment 25 to Annex 9 is intended inter alia to: a) ensure that procedures are in place that address the needs of aircraft accident victims and their families in a timely manner; b) harmonize the cargo-related provisions of Annex 9 with relevant procedures of the Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) of the World Customs Organization; c) address the gap, in Annex 9, relating to the format of travel documents for refugees and Stateless persons “Convention Travel Documents” (CTDs); d) encourage more active participation and use of the ICAO Public Key Directory (PKD), in line with relevant Resolutions of the ICAO Assembly; and, e) increase participation, by States, in the INTERPOL Stolen and Lost Travel Document database (SLTD database).

**2. IMPACT ASSESSMENT**

2.1 The Annex 9 amendments resulting from Amendment 25 indicate a positive impact on the enhancement of aviation facilitation and security, as well as on the sustainable development of air transport.

2.2 *Impact on Aviation Facilitation and Security:*

With regard to support to aircraft accident victims and their families, implementing this Recommended Practice will enhance border clearance and the entry into States of aircraft accident victims and their families, as well as the representatives of the operator whose aircraft has met with an accident in order that assistance may be provided to accident victims and their families;

With regard to cargo facilitation, specific facilitative measures for Customs procedures and practices and security requirements have been developed to enable Customs, other State entities and trade organizations to adapt to the new security environment and to meet the need for harmonized procedures and practices;

With regard to Machine Readable CTDs, implementing this Standard will contribute to reducing counterfeit, handwritten CTDs, therefore contributing to aviation facilitation and security;

With regard to the ICAO PKD, implementing the Recommended Practices will enhance the security and integrity of eMRTDs, as well as national security, generally; and,

With regard to the SLTD database: implementing the provisions will lead to stolen and lost travel documents intercepted at borders, leading to enhanced civil aviation facilitation and security.

2.3 *Impact on Aviation Efficiency and Economy:*

With regard to the amendments concerning cargo facilitation, implementing the provisions will lead, for example, to faster clearance of goods by Customs and the prevention of delays in the logistical chain caused by administrative procedures. From the facilitation point-of-view, the other

Annex 9 amendments introduced by Amendment 25 will have little or no impact on aviation efficiency and economy.

2.4 *Impact on Aviation Safety and the Environment:*

From the facilitation point-of-view, the Annex 9 amendments introduced by Amendment 25 will have little or no impact on aviation safety and the environment.

2.5 *Expected Implementation Time:*

With regard to support to aircraft accident victims and their families, some States already have procedures in place. Others would need approximately two to five years to properly implement the provision;

With regard to cargo facilitation, some States already have procedures in place in this regard, while others would need approximately one to two years to properly implement the provisions;

With regard to machine-readable CTDs, some States already issue machine-readable CTDs, while others would need approximately two to five years to properly implement the Standard;

With regard to the ICAO PKD, implementation by States would depend on the capacity of each State. One long-term milestone (2020 and beyond) of the ICAO Travel Identification Programme (TRIP) Strategy is that participation in the PKD becomes comprehensive; and,

With regard to the SLTD database: some States already have procedures in place in this regard. With regard to others, implementation would depend on the capacity of each State.

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ATTACHMENT C to State letter EC 6/3-2015/55

NOTIFICATION OF DISAPPROVAL OF ALL OR PART OF  
AMENDMENT 25 TO ANNEX 9

To: The Secretary General  
International Civil Aviation Organization  
999 Robert-Bourassa Blvd.  
Montréal, Quebec  
Canada H3C 5H7

(State) \_\_\_\_\_ hereby wishes to disapprove the following parts  
of Amendment 25 to Annex 9 (please use extra sheets as required):

Signature \_\_\_\_\_ Date \_\_\_\_\_

- Notes.-
- 1) If you wish to disapprove all or part of Amendment 25 to Annex 9, please dispatch this notification of disapproval to reach ICAO Headquarters by 25 October 2015. If it has not been received by that date it will be assumed that you do not disapprove of the amendment. **If you approve of all parts of Amendment 25, it is not necessary to return this notification of disapproval.**
  - 2) This notification should not be considered a notification of compliance with or differences from Annex 9. Separate notifications on this are necessary. (see Attachment D).

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ATTACHMENT D to State letter EC 6/3-2015/55

**NOTIFICATION OF COMPLIANCE WITH OR DIFFERENCES FROM  
ANNEX 9 (INCLUDING ALL AMENDMENTS UP TO AND INCLUDING  
AMENDMENT 25)**

To: The Secretary General  
International Civil Aviation Organization  
999 Robert-Bourassa Blvd.  
Montréal, Quebec  
Canada H3C 5H7

1. No differences will exist on \_\_\_\_\_ between the national regulations and/or practices of (State) \_\_\_\_\_ and the provisions of Annex 9, including all amendments up to and including Amendment 25.

2. The following differences will exist on \_\_\_\_\_ between the regulations and/or practices of (State) \_\_\_\_\_ and the provisions of Annex 9, including Amendment 25. (Please see Note 3 below.)

| <b>a) Annex Provision</b><br>(Please give exact paragraph reference) | <b>b) Difference Category</b><br>(Please indicate A, B, or C) | <b>c) Details of Difference</b><br>(Please describe the difference precisely) | <b>d) Remarks</b><br>(Please indicate reasons for the difference) |
|----------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------|
|----------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------|

(Please use extra sheets as required)

(cont'd)

3. By the dates indicated below, (State) \_\_\_\_\_ will have complied with the provisions of Annex 9, including all amendments up to and including Amendment 25 for which differences have been notified in 2 above.

a) **Annex Provision**

b) **Date**

c) **Comment**

(Please use extra sheets as required)

Signature \_\_\_\_\_ Date \_\_\_\_\_

Notes. -

- 1) If paragraph 1 above is applicable to you, please complete paragraph 1 and return this form to ICAO Headquarters. If paragraph 2 is applicable to you, please complete paragraphs 2 and 3 and return the form to ICAO Headquarters.
- 2) Please dispatch the form to reach ICAO Headquarters by 25 January 2016.
- 3) A detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.
- 4) Guidance on the notification of differences from Annex 9 is provided in the Note on Notification of Differences at Attachment E.
- 5) Please send a copy of this notification to the ICAO Regional Office accredited to your State.

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**ATTACHMENT E** to State letter EC 6/3-2015/55

**NOTE ON THE NOTIFICATION OF DIFFERENCES TO ANNEX 9  
AND FORM OF NOTIFICATION**

*(Prepared and issued in accordance with instructions of the Council)*

1. *Introduction*

1.1 The Assembly and the Council, when reviewing the notification of differences by States in compliance with Article 38 of the Convention, have repeatedly noted that the state of such reporting is not entirely satisfactory.

1.2 With a view to achieving a more comprehensive coverage, this note is issued to facilitate the determination and reporting of such differences and to state the primary purpose of such reporting.

1.3 The primary purpose of reporting of differences is to promote safety and efficiency in air navigation by ensuring that governmental and other agencies, including operators and service providers, concerned with international civil aviation are made aware of all national regulations and practices in so far as they differ from those prescribed in the ICAO Standards.

1.4 Contracting States are, therefore, requested to give particular attention to the notification before 25 January 2016 of differences with respect to Standards in Annex 9. The Council has also urged Contracting States to extend the above considerations to Recommended Practices.

1.5 Contracting States are asked to note further that it is necessary to make an explicit statement of intent to comply where such intent exists, or where such is not the intent, of the difference or differences that will exist. This statement should be made not only to the latest amendment but to the whole Annex, including the amendment.

1.6 If previous notifications have been made in respect of this Annex, detailed repetition may be avoided, if appropriate, by stating the current validity of the earlier notification. States are requested to provide updates of the differences previously notified after each amendment, as appropriate, until the difference no longer exists.

2. *Notification of differences to Annex 9, including Amendment 25*

2.1 Past experience has indicated that the reporting of differences to Annex 9 has in some instances been too extensive since some appear merely to be a different manner of expressing the same intent.

2.2 Guidance to Contracting States in the reporting of differences to Annex 9 can only be given in very general terms. Where the national regulations of States call for compliance with procedures that are not identical but essentially similar to those contained in the Annex, no difference should be reported since the details of the procedures existing are the subject of notification through the medium of aeronautical information publications. Although differences to Recommended Practices are not notifiable under Article 38 of the Convention, Contracting States are urged to notify the Organization of the differences between their national regulations and practices and any corresponding Recommended Practices contained in an Annex. States should categorize each difference notified on the basis of whether the corresponding national regulation is:

- a) ***More exacting or exceeds the ICAO Standard or Recommended Practice (SARP) (Category A).*** This category applies when the national regulation is more demanding than the corresponding SARP, or imposes an obligation within the scope of the Annex which is not covered by a SARP. This is of particular importance where a State requires a higher standard which affects the operation of aircraft of other Contracting States in and above its territory;
- b) ***Different in character or other means of compliance (Category B).*** This category applies when the national regulation is different in character from the corresponding ICAO SARP, or when the national regulation differs in principle, type or system from the corresponding SARP, without necessarily imposing an additional obligation. This category would be applied to a national regulation which achieves, by other means, the same objective as that of the corresponding ICAO SARPs and so cannot be classified under a) or c).
- c) ***Less protective or partially implemented/not implemented (Category C).*** This category applies when the national regulation is less protective than the corresponding SARP; or when no national regulation has been promulgated to address the corresponding SARP, in whole or in part.

2.3 For States that have already fully reported differences from Annex 9 or have reported that no differences exist, the reporting of any further differences occasioned by the amendment should be relatively straightforward; however, attention is called to paragraph 1.5 wherein it is indicated that this statement should be not only to the latest amendment but to the whole Annex, including the amendment.

### 3. *Form of notification of differences*

3.1 Differences should be notified in the following form:

- a) *Reference:* the number of the paragraph or subparagraph in Annex 9 as amended which contains the Standard or Recommended Practice to which the difference relates;
- b) *Category:* the category of the difference as A, B or C in accordance with paragraph 2.2 above;
- c) *Description of the difference:* clear and concise description of the difference and its effect; and
- d) *Remarks:* the reasons for the difference and intentions, including any planned date for implementation.

3.2 The differences notified will be recorded in a Supplement to the Annex, normally in the terms used by the Contracting State when making the notification. In the interest of making the Supplement as useful as possible, please make statements as clear and concise as possible and confine remarks to essential points. Comments on implementation, in accordance with paragraph 5 b) 2) of the Resolution of Adoption, should not be combined with those concerning differences. The provision of extracts from national regulations cannot be considered as sufficient to satisfy the obligation to notify differences. General comments that do not relate to specific differences will not be published in Supplements.

**AMENDMENT No. 25**

**TO THE**

**INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

# **FACILITATION**

**ANNEX 9**

**TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

The amendment to Annex 9 contained in this document was adopted by the Council of ICAO on **12 June 2015**. Such parts of this amendment as have not been disapproved by more than half of the total number of Contracting States on or before **25 October 2015** will become effective on that date and will become applicable on **25 February 2016** as specified in the Resolution of Adoption. (State letter EC 6/3-2015/55 refers.)

**June 2015**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

**AMENDMENT 25 TO THE INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

**ANNEX 9 – FACILITATION**

**RESOLUTION OF ADOPTION**

*The Council*

Acting in accordance with the Convention on International Civil Aviation, and particularly with the provisions of Articles 37, 54 and 90 thereof,

1. *Hereby adopts* on 12 June 2015 Amendment 25 to the International Standards and Recommended Practices contained in the document entitled *International Standards and Recommended Practices, Facilitation* which for convenience is designated Annex 9 to the Convention;
2. *Prescribes* 25 October 2015 as the date upon which the said Amendment shall become effective, except for any part thereof in respect of which a majority of the Contracting States have registered their disapproval with the Council before that date;
3. *Resolves* that the said Amendment or such parts thereof as have become effective shall become applicable on 25 January 2016;
4. *Requests the Secretary General:*
  - a) to notify each Contracting State immediately of the above action and immediately after 25 October 2015 of those parts of the Amendment which have become effective;
  - b) to request each Contracting State:
    - 1) to notify the Organization (in accordance with the obligation imposed by Article 38 of the Convention) of the differences that will exist on 25 February 2016 between its national regulations or practices and the provisions of the Standards in the Annex as hereby amended, such notification to be made before 25 January 2016, and thereafter to notify the Organization of any further differences that arise;
    - 2) to notify the Organization before 25 January 2016 of the date or dates by which it will have complied with the provisions of the Standards in the Annex as hereby amended;
  - c) to invite each Contracting State to notify additionally any differences between its own practices and those established by the Recommended Practices contained in the Annex as hereby amended, following the procedure specified in sub-paragraph b) above with respect to differences from Standards.

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**NOTES ON THE PRESENTATION OF THE PROPOSED AMENDMENT**

The text of the Amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading. The following illustrates the various amending methods:

~~text to be deleted is shown with a line through it~~  
followed by the new text which is highlighted with grey shading

new text to replace existing text

new text to be inserted is highlighted with grey shading

new text to be inserted

~~text to be deleted is shown with a line through it~~

existing text to be deleted

**TEXT OF AMENDMENT 25 TO THE  
INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

**FACILITATION**

**ANNEX 9  
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

**CHAPTER 1. DEFINITIONS AND GENERAL PRINCIPLES**

*Amend* Annex 9, Chapter 1 as follows:

**A. Definitions**

.....

***Authorised Economic Operator.*** AEO is a party involved in the international movement of goods in whatever function that has been approved by or on behalf of a national Customs administration as complying with WCO or equivalent supply chain security standards. AEOs may include manufacturers, importers, exporters, brokers, carriers, consolidators, intermediaries, ports, airports, terminal operators, integrated operators, warehouses, distributors and freight forwarders.

*Note.— The definition is aligned with that found in the World Customs Organization’s “SAFE Framework of Standards to secure and facilitate global trade.”*

.....

***Necessary precautions:*** Verifications carried out by adequately trained staff members of the aircraft operator or the company operating on behalf of the aircraft operator, at the point of embarkation, in order to ensure that every person holds a valid travel document and, where applicable, the visa or residence permit required to enter the State of transit and/or receiving State. These verifications are designed to ensure that irregularities (e.g. obvious document alteration) are detected.

.....

***Single Window.*** A facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfil all import, export, and transit-related regulatory requirements. If information is electronic then individual data elements should only be submitted once.

.....

**CHAPTER 3. ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE**

*Amend* Annex 9, Chapter 3 as follows:

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**B. Documents required for travel**

3.5 Contracting States shall ensure that no ~~no~~ documents other than those provided for in this Chapter shall be required of visitors by Contracting States for the entry into and departure from their territories of visitors.

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### C. Security of travel documents

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**3.9.1 Recommended Practice.**— *Contracting States ~~(a)~~ issuing or intending to issue eMRTDs ePassports; and/or ~~(b)~~ implementing at border controls automated checks on ePassports should join the ICAO Public Key Directory (PKD); and upload their information to the PKD.*

**3.9.2 Recommended Practice.**— *Contracting States implementing checks on eMRTDs at border controls should join the ICAO Public Key Directory (PKD) and use the information available from the PKD to validate eMRTDs at border controls.*

**3.X1** Contracting States shall promptly report accurate information about stolen, lost, and revoked travel documents, issued by their State, to INTERPOL for inclusion in the Stolen and Lost Travel Documents (SLTD) database.

**3.X2 Recommended Practice.**— *Each Contracting State should, as far as practicable, query at entry and departure border control points the travel documents of individuals travelling internationally against the INTERPOL Stolen and Lost Travel Documents (SLTD) database.*

### D. Travel documents

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**3.X3** Contracting States shall ensure that travel documents for refugees and stateless persons (“Convention Travel Documents”) are machine readable, in accordance with the specifications of Doc 9303.

*Note.*— “Convention Travel Documents” are provided for in the 1951 Convention Relating to the Status of Refugees and the 1954 Convention Relating to the Status of Stateless Persons (cf. respective Article 28 of both Conventions).

.....

**3.14.1 Recommended Practice.**— *If any fee is charged for the issue, ~~or~~ renewal or replacement of a ~~passport~~ travel document, the amount of such fee should not exceed the cost of the operation.*

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### I. Inspection of travel documents

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

.....

## CHAPTER 4. ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

*Amend* Annex 9, Chapter 4 as follows:

### A. General

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**4.9.1 Recommended Practice.**— *Contracting States should consider the introduction of programmes for Authorised Economic Operators that enhance security, thus creating an environment for facilitative Customs control measures.*

*Note.—Facilitative Customs control measures may include a reduced level of physical inspections and examinations, the submission of a limited set of data elements, a notification of an intended inspection before the arrival of the goods and other facilitative measures. The control measures should be based on the required information provided in advance to Customs and by using risk assessment procedures.*

**4.9.2 Recommended Practice.**— *Contracting States should encourage the establishment of agreements or arrangements for the mutual recognition of their respective Authorised Economic Operator or equivalent programs with other countries.*

## **B. Information required by the public authorities**

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**4.11.1 Recommended Practice.**— *Contracting States should consider, for facilitation purposes, where feasible, the use of the available advance cargo information in subsequent import, export and/or transit customs procedures for the release / clearance of the goods.*

.....

**4.17.1 Recommended Practice.**— *Contracting States should consider the introduction of arrangements to enable all parties involved in air cargo operations to submit all the information required by public authorities, in connection with arrival, stay and departure of an aircraft and air cargo, to a single entry point (Single Window).*

**4.17.2 Recommended Practice.**— *Contracting States should encourage all participants in the transport, handling and clearance of air cargo to simplify relevant procedures and documents and to cooperate or participate directly in the development of electronic air cargo community systems using internationally agreed standards with a view to enhance the exchange of information relating to such traffic and assuring interoperability between the systems of all participants.*

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## **C. Release and clearance of export and import cargo.**

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### **D.—Release and clearance of import cargo**

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~~**4.30 Recommended Practice.** — *For authorized importers who meet specified criteria, including an appropriate record of compliance with official requirements and a satisfactory system for managing their commercial records, Contracting States should establish special procedures, based on the advance supply of information, which provide for the immediate release of goods.*~~

*Contracting States should establish special procedures, which provide for the expedited release of goods on arrival or departure for authorised persons. These authorised persons should meet specified criteria, which may include an appropriate record of compliance with official requirements and a satisfactory system for managing their commercial records.*

**4.30.1 Recommended Practice.** — *Special procedures for authorised persons may include, but not be limited to:*

- a) *release of the goods for import or export on the provision of the minimum information necessary to identify the goods and permit the subsequent completion of the final goods declaration;*
- b) *clearance of the import or export goods at the authorised person's premises or at an another place authorised by Customs;*

- c) lodgement of a goods declaration for import or export, based on the entry into the records of the authorised person;
- d) lodgement of a single goods declaration for all imports or exports in a given period where goods are imported or exported frequently by the same person.

*Note.— With regard to the term “authorised persons” (Recommended Practices 4.30 and 4.30.1 above, refer), attention is drawn to Transitional Standard 3.32 of WCO’s International Convention on the Simplification and Harmonization of Customs procedures as revised in 1999, which entered into force in 2006 (“the revised Kyoto Convention”).*

**4.31 Recommended Practice.**— *Goods not afforded the simplified or special procedures referred to in provisions 4.27 to ~~4.30~~ 4.30.1 should be released or cleared promptly on arrival, subject to compliance with customs and other requirements. Contracting States should establish as a goal the release of all goods that do not need any examination, within three hours of their arrival and the submission of the correct documentation. Public authorities, and aircraft operators and importers or their authorized agents, should coordinate their respective functions to ensure that this goal is met.*

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## **CHAPTER 5. INADMISSIBLE PERSONS AND DEPORTEES**

**Amend** Annex 9, Chapter 5 as follows:

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5.14 Contracting States shall not fine aircraft operators in the event that arriving and in-transit persons are found to be improperly documented where aircraft operators can demonstrate that they have taken ~~adequate~~ necessary precautions to ensure that these persons had complied with the documentary requirements for entry into the receiving State.

*Note.— Attention is drawn to the relevant text in Doc 9303, Machine Readable Travel Documents and related guidance material and in Doc 9957, The Facilitation Manual, wherein explanations may be found on irregularities in, and the examination and authentication of, travel documents.*

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## **CHAPTER 8. OTHER FACILITATION PROVISIONS**

**Amend** Annex 9, Chapter 8 as follows:

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### **I. Assistance to aircraft accident victims and their families**

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**8.46 Recommended Practice.**— *Contracting States should establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families.*

*Note.— Attention is drawn to Doc 9998, ICAO Policy on Assistance to Aircraft Accident Victims and their Families and Doc 9973, Manual on Assistance to Aircraft Accident Victims and their Families.*

— END —