



INTERNATIONAL CIVIL AVIATION ORGANIZATION

A United Nations Specialized Agency

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ICAO Facilitation Programme Evolution

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CONTACT DETAILS



JITU ["G-2"]THAKER

Technical Officer, Facilitation

Aviation Security & Facilitation Policy (SFP)

Section

Aviation Security Branch

Air Transport Bureau, ICAO

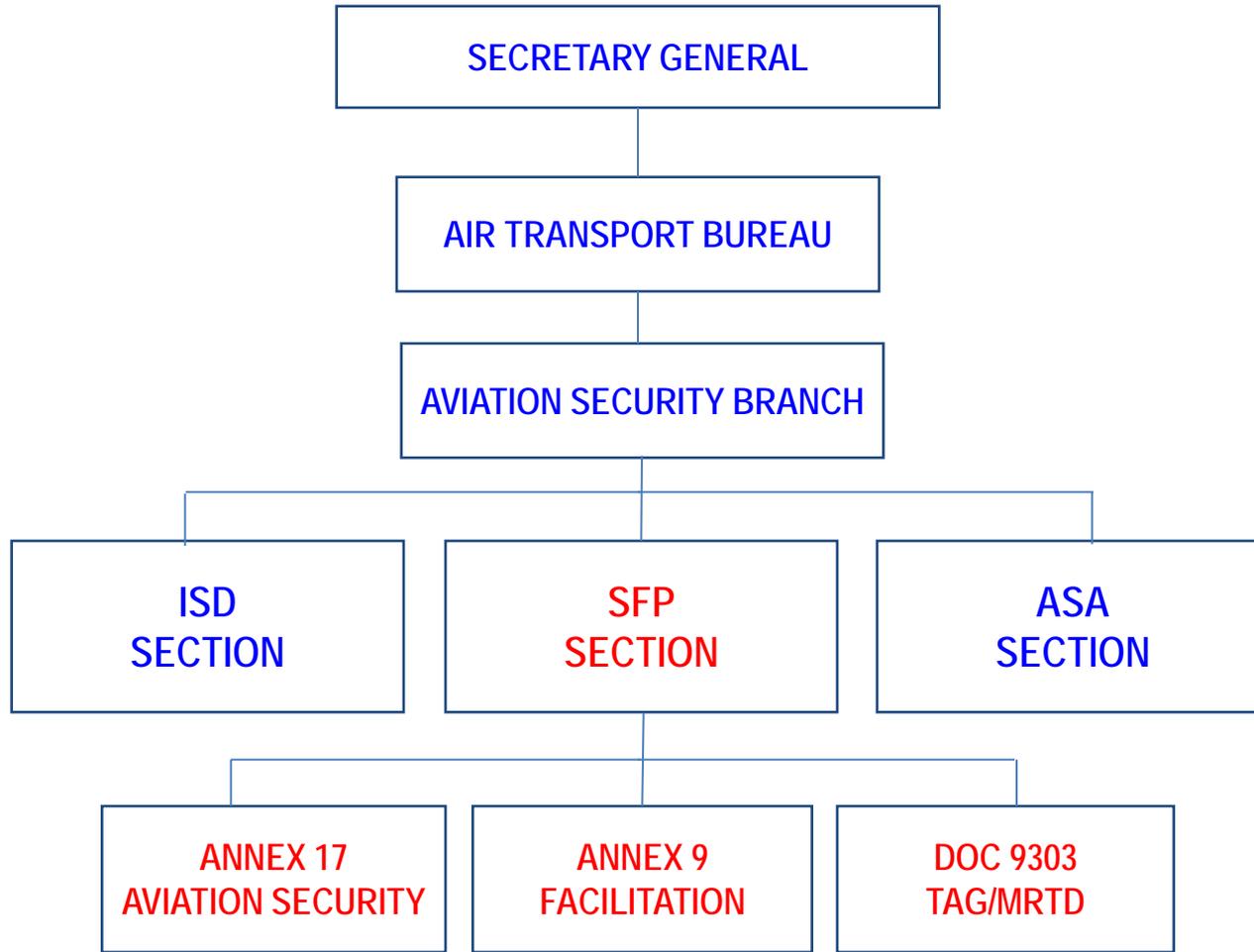
jthaker@icao.int ; sfp@icao.int

FAL PROGRAMME EVOLUTION

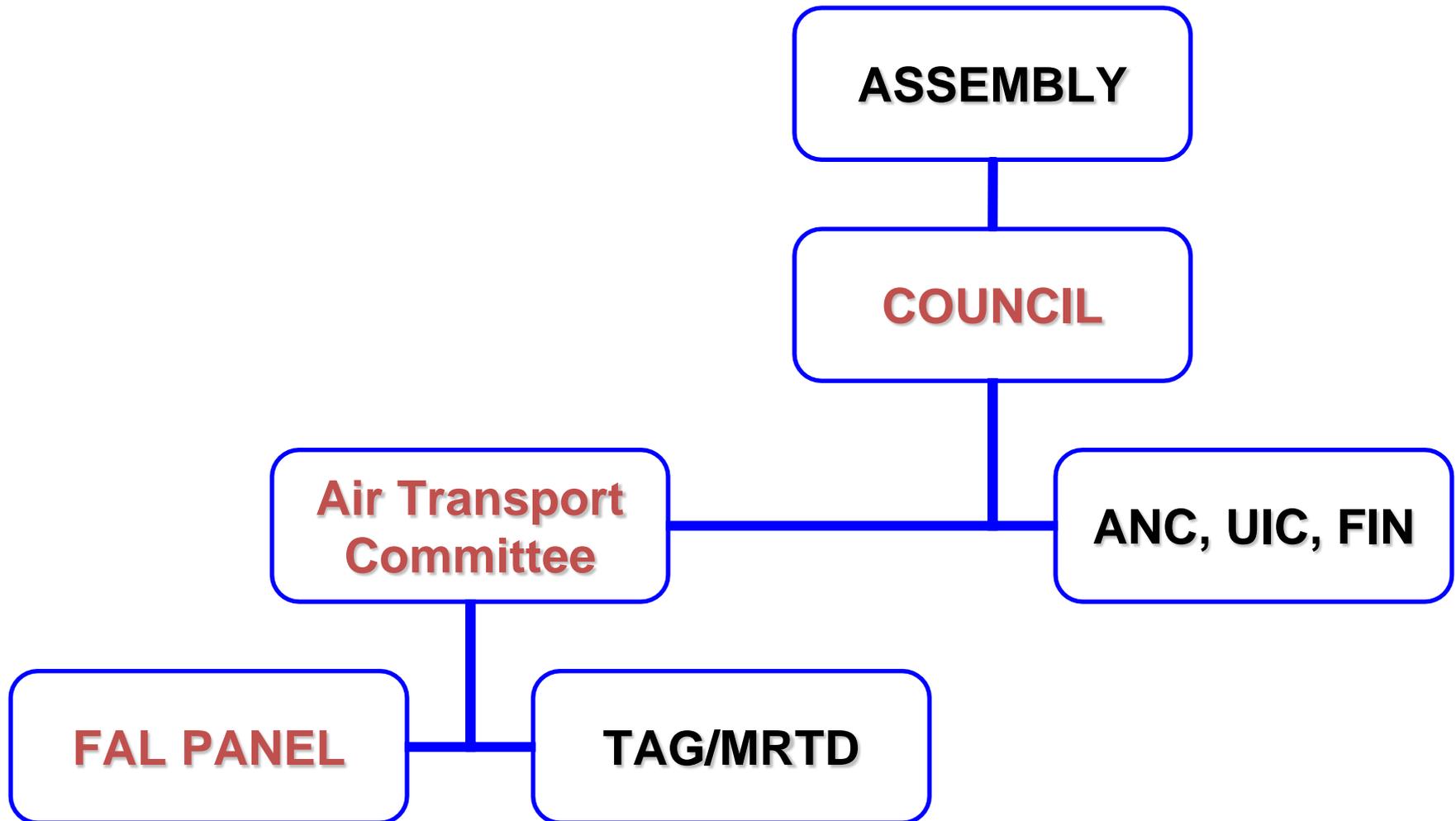


1. ICAO Structure
2. FAL Programme: Mandate
3. Annex 9: SARPs & Guidance Material
4. FAL Panel
5. Annex-amendment process
6. Differences with Amendments

1. ICAO STRUCTURE



1. ICAO STRUCTURE



FAL PROGRAMME EVOLUTION



1. ICAO Structure
2. **FAL Programme: Mandate**
3. Annex 9: SARPs & Guidance Material
4. FAL Panel
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6. Differences with Amendments



2. FAL PROGRAMME MANDATE

A. Chicago Convention

B. ICAO Assembly Resolutions

C. Council Decisions

D. Air Transport Committee Decisions

2. MANDATE: A. CHICAGO CONV.



- Convention on International Civil Aviation
- International treaty
- Conference, Chicago, 1944
- 191 Member States



2. MANDATE: A. CHICAGO CONV.

Article 10: Landing at customs airport

Article 11: Applicability of air regulations

Article 13: Entry and clearance regulations

Article 14: Prevention of spread of disease

Article 16: Search of aircraft

Article 22: Facilitation of formalities

Article 23: Customs and immigration procedures

Article 24: Customs duty

Article 29: Documents carried in aircraft

Article 35: Cargo restrictions

Article 37: Adoption of international standards and procedures

2. MANDATE: A. CHICAGO CONV.



Art. 10: Aircraft to land at designated *customs* airport for customs & other examination

Art. 11: *Aircraft* to comply with laws on *entry/departure & within* a State

Art. 13: Passengers, crew, cargo: compliance with laws on *entry, clearance, immigration, passports, customs, quarantine*

Art. 14: State to take measures to prevent the *spread of disease*

Art. 16: State can *search aircraft* & inspect *certificates* and other *documents* prescribed under Convention [► Art. 29]



2. MANDATE: A. CHICAGO CONV.

Art. 22: Each Contracting State agrees to adopt all practicable measures . . .

- to facilitate & expedite navigation by aircraft . . . & to prevent unnecessary delays to aircraft, crews, passengers and cargo
 - especially in the administration of the laws relating to *immigration, quarantine, customs & clearance.*

→ “Facilitation of formalities”

2. MANDATE: A. CHICAGO CONV.



Question: What is “Facilitation”?

▶ **Formalities** relating to border control (I-C-H-Q)

→ (Less) documentary requirements

→ (More) facilities for passenger convenience, for traffic passing through, etc.

▶ **Formalities** relating to “special/problem” situations (inadmissible persons/deportees) *

2. MANDATE: A. CHICAGO CONV.



Question: “What is facilitation”?

Facilitation is the **efficient** management of **border control processes** to expedite clearance (of aircraft, passengers/crew, baggage, cargo) and prevent unnecessary delays.

✓ Immigration, Customs, Health, Quarantine

2. MANDATE: A. CHICAGO CONV.



- Art. 23: State to establish C & I procedures in accordance with practices recommended (by ICAO)
[▶ **Art. 37**]
- Art. 24: (a) Aircraft admitted free of duty; Fuel, oils, spare parts, regular equipment and stores exempted from customs duty, etc.; (b) Spare parts . . . used on aircraft of another State . . .

2. MANDATE: A. CHICAGO CONV.

- Art. 29: Documents carried in aircraft: (f) passenger manifest; (g) cargo manifest
- [(d) journey log book [▶ **Art. 34**]: Gen Dec acceptable]
- Art. 35: Cargo restrictions: (a) Implements of war; (b) Other restrictions for public order or safety
- **Art. 37**
- **Art. 38 [Compliance]; Art. 90 [Amendment]**

2. MANDATE: A. CHICAGO CONV.



Article 37

(Adoption of International Standards and Procedures)

1. Each State undertakes to collaborate in securing . . . uniformity . . . regulations, standards . . . facilitate & improve air navigation.

2. ICAO required to adopt SARPs . . .

– (j) Customs & immigration procedures . . .

& such other matters concerned with the . . . regularity & efficiency of air navigation . . .

2. FAL PROGRAMME MANDATE



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D. Air Transport Committee Decisions

2. MANDATE: B. ASSEMBLY RES.



A37-20

Consolidated statement of continuing policies in the air transport field

- Appendix A: Economic regulation of international air transport
- Appendix B: Statistics
- Appendix C: Forecasting, planning and economic analysis
- Appendix D: Facilitation**
- Appendix E: Taxation
- Appendix F: Airports and air navigation systems
- Appendix G: Air carrier economics
- Appendix H: Air mail

2. MANDATE: B. ASSEMBLY RES.



Appendix D: Facilitation

Section I: Development and implementation of facilitation provisions

- States: increase efforts to implement Annex 9 SARPs
- Council: ensure Annex 9 is current
- Council: ensure Doc 9303 remains up to date
- Council: ensure that Doc 9636 (International Signs to Provide Guidance to Persons at Airports and Marine Terminals) is current

2. MANDATE: B. ASSEMBLY RES.



Section II: International cooperation in protecting the security and integrity of passports

- States: safeguard security & integrity of “breeder documents”
- States: safeguard security & integrity of passports
- States: issue MRPs per Doc 9303, Part I
- States: ensure non-MRP expiration date falls before 24/11/2015 *
- ePassport-issuing States urged to join ICAO PKD
- Interpol’s Stolen & Lost Travel Document Database

2. MANDATE: B. ASSEMBLY RES.



Section III: National and international action and cooperation on facilitation matters

- States: establish national facilitation committees
 - work together to solve problems
- Participation in electronic data interchange systems
- Use by States of EDI: passenger data requirements conform to international standards
- Handling & clearance of air cargo; security of the international supply chain

2. MANDATE: B. ASSEMBLY RES.

- A36-21: Preventing the introduction of invasive alien species
- A35-12: Protection of the health of passengers and crews and prevention of the spread of communicable disease through international air travel [▶ Amd. 20, 2007]
- A37-13: Prevention of spread of communicable disease through air travel [▶ CAPSCA]
- A37-14: Non-chemical disinsection of the aircraft cabin and flight deck for international flights



2. MANDATE: B. ASSEMBLY RES.

- A37-17: Consolidated statement: ICAO policies related to safeguarding international civil aviation against acts of unlawful interference
 - ▶ **Appendix C** (Implementation of technical security measures): use of API to reduce the risk to passengers
- A37 Declaration on Aviation Security

States . . . promote the use of cooperation mechanisms . . . for early detection and dissemination of information on security threats . . . through the use of API and PNR as an aid to security

2. FAL PROGRAMME MANDATE



A. Chicago Convention

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2. MANDATE: C. COUNCIL DECISIONS



- FAL Division: B-type Recommendations
 - A-type: Annex 9 amendment proposals
 - B-type: Action by States/ICAO
- Meetings in the Air Transport Field
 - Approval of FAL Panel, Seminars, etc.
- Other decisions
 - 2009: Influenza A (H1N1) virus outbreak: review of Annex [▶ FALP/6; Amd. 22]
 - HLCAS (2012) Recommendations



2. MANDATE: D. ATC DECISIONS

- Work programme
- Decisions on meetings, including agenda
- Review of Annex 9 amendment proposals or WPs for Assembly
- Direct consideration of Annex 9 proposals
- Recommendations to Council for action

FAL PROGRAMME EVOLUTION



1. ICAO Structure
2. FAL Programme: Mandate
3. **Annex 9: SARPs & Guidance Material**
4. FAL Panel
5. Annex-amendment process
6. Differences with Amendments



3. ANNEX 9

A. Annex 9: Brief History

B. SARPs: Meaning

C. Annex 9: An Overview

D. Guidance Material

3. ANNEX 9: A. BRIEF HISTORY



Annex 9 developed:

→ elaborate States' obligations under Articles 22, 23, 24

→ standardize procedures for meeting legal requirements under Articles 10, 13, 14, 29, 35

3. ANNEX 9: A. BRIEF HISTORY

FAL/1 (1946) & FAL/2 (1948)

→ **Annex 9, 1st Ed.: 25 March 1949**

FAL/3 to FAL/11 (1995)

→ **Annex 9, 2nd Ed. to 10th Ed.**

FAL Panels 1 – 3

→ **Annex 9, 11th Ed. (2002)**

[FALP/4] & FAL/12 (2004)

→ **Annex 9, 12th Ed. (2005)**

FAL Panels 5 and 6

→ **Annex 9, 13th Ed. (2011)**

FAL Panel 7 (22-26 October 2012) *

3. ANNEX 9: B. SARPs MEANING

– Standard



Any specification, the uniform observance of which has been recognized as practicable and as necessary to facilitate and improve some aspect of international air navigation, which has been adopted by the Council pursuant to Article 54 (I) . . . , and in respect of which non-compliance must be notified by Contracting States . . . in accordance with Article 38.

3. ANNEX 9: B. SARPs MEANING

– Recommended Practice



Any specification, the observance of which has been recognized as generally practicable and as highly desirable to facilitate and improve some aspect of international air navigation, which has been adopted by the Council pursuant to Article 54 (I) . . . , and to which Contracting States will endeavour to conform in accordance with the Convention.

3. ANNEX 9: B. SARPs MEANING



STANDARD	RECOMMENDED PRACTICE
1. SPECIFICATION	1. SPECIFICATION
2. UNIFORM OBSERVANCE	2. OBSERVANCE
3. PRACTICABLE & NECESSARY	3. GENERALLY PRACTICABLE & HIGHLY DESIRABLE
4. FACILITATE & IMPROVE . . .	4. FACILITATE & IMPROVE . . .
5. ADOPTED BY COUNCIL: ART. 54 (I)	5. ADOPTED BY COUNCIL: ART. 54 (I)
6. NON-COMPLIANCE MUST BE NOTIFIED IN ACCORDANCE WITH ART. 38	6. CONTRACTING STATES WILL ENDEAVOUR TO CONFORM



3. ANNEX 9

A. Annex 9: Brief History

B. SARPs: Meaning

C. Annex 9: An Overview

D. Guidance Material

3. ANNEX 9: C. OVERVIEW

1. Material comprising the Annex proper:

- ▶ SARPs
- ▶ Appendices
- ▶ Definitions

2. Other material

[Foreword; Action by States; Notes]



3. ANNEX 9: C. OVERVIEW

1. Definitions and General Principles
2. Entry and departure of aircraft
3. Entry and departure of persons and their baggage [*]
4. Entry and departure of cargo and other articles
5. Inadmissible persons and deportees *
6. International airports – facilities and services for traffic [*]
7. Landing elsewhere than at international airports
8. Other facilitation provisions [*]

3. ANNEX 9: C. OVERVIEW



Annex 9: SARPs Count (13th edition, up to and including Amendment 22: 2011)

Chapter	Definitions	Standards	R.Ps.	Notes
1	65	5	Nil	1
2	Nil	41	8	7
3	Nil	56	37	12
4	Nil	42	16	1
5	Nil	29	3	6
6	Nil	16	40	7
7	Nil	11	Nil	Nil
8	Nil	25	24	10
Totals	65	225	128	44
Other	13 Appendices			

3. ANNEX 9: OVERVIEW



CH 1. DEFINITIONS AND GENERAL PRINCIPLES

Admission. The permission granted to a person to enter a State by the public authorities of that State in accordance with its national laws.

Advance Passenger Information (API) System. An electronic communications system whereby required data elements are collected and transmitted to border control agencies prior to flight departure or arrival and made available on the primary line at the airport of entry.

Baggage. Personal property of passengers or crew carried on an aircraft by agreement with the operator.

Disembarkation. The leaving of an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight.

Travel document. A passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel.

3. ANNEX 9: OVERVIEW



CH 2. ENTRY AND DEPARTURE OF AIRCRAFT

2.4 Contracting States shall not prevent an aircraft from calling at any international airport for public health reasons unless such action is taken in accordance with the *International Health Regulations (2005)* of the World Health Organization.

2.4.1 **Recommended Practice.**— *In cases where, in exceptional circumstances, air transport service suspensions on public health grounds are under consideration, Contracting States should first consult with the World Health Organization and the health authority of the State of occurrence of the disease before taking any decision as to the suspension of air transport services.*

2.5 If, in response to a specific public health risk . . . a Contracting State is considering introduction of health measures . . . a) scientific principles; (b) available scientific evidence of a risk to human health, or where such evidence is insufficient, the available information including from WHO . . . and (c) any available specific guidance or advice from WHO.

3. ANNEX 9: C. OVERVIEW



CH 2. ENTRY AND DEPARTURE OF AIRCRAFT

- Documents required for entry and departure
 - General Declaration; Cargo Manifest; etc.

- Disinsection of aircraft

- Disinfection of aircraft

- General aviation & other non-scheduled flights

3. ANNEX 9: C. OVERVIEW



CH 3. ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE

- Travel documents (Passports, Visas, etc.), their Security & Inspection *
→ Machine Readable Travel Documents (MRTDs)
- Departure procedures from a State
- Entry procedures into a State; responsibilities of State & aircraft operators *
- Transit procedures
- Baggage separated from its owner
- Crew Member Certificates
- Civil Aviation Inspectors
- Emergency assistance/entry visas in cases of *force majeure* *

3. ANNEX 9: C. OVERVIEW



CH 4. ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES *

CH 5. INADMISSIBLE PERSONS AND DEPORTEES *

CH 6. INTERNATIONAL AIRPORTS — FACILITIES AND SERVICES FOR TRAFFIC

6.1 Each Contracting State shall ensure that the provisions of Annex 9 continue to be implemented in the event an airport becomes privatized.

6.1.3 Each Contracting State shall ensure that efficient customs, immigration, quarantine and health border clearance services, as required, are provided at international airports.

→ Airport Traffic Flow Arrangements (inbound, outbound, transit traffic)

→ Facilities required for public health, etc. *

→ Facilities for clearance controls; Unruly passengers *; Passenger amenities

3. ANNEX 9: C. OVERVIEW



CH 7. LANDING ELSEWHERE THAN AT INTERNATIONAL AIRPORTS

7.1 Each Contracting State shall take steps to ensure that all possible assistance is rendered by its public authorities to an aircraft which, for reasons beyond the control of the pilot-in-command, has landed elsewhere than at one of its international airports and, . . . shall keep control formalities . . . to a minimum.

→ Short stop-over

→ No resumption of flight

CH 8. OTHER FACILITATION PROVISIONS

- Facilitation of search, rescue, accident investigation and salvage
- Implementation of international health regulations and related provisions
- Communicable disease outbreak national aviation plan *
- Establishment of national facilitation programmes *
- Facilitation of the transport of PWDs *
- Assistance to aircraft accident victims and their families

3. ANNEX 9: C. OVERVIEW



APPENDICES

1. General Declaration

11. Model airport FAL programme *

12. Model national FAL programme *

13. Public health passenger locator card *

3. ANNEX 9: C. OVERVIEW



APPENDIX 1. GENERAL DECLARATION

297 mm (or 11 3/4 inches)	GENERAL DECLARATION (Outward/Inward)		
	Operator		
	Marks of Nationality and Registration		Flight No. Date
	Departure from..... (Place)		Arrival at (Place)
	FLIGHT ROUTING ("Place" Column always to list origin, every en-route stop and destination)		
	PLACE	NAMES OF CREW*	NUMBER OF PASSENGERS ON THIS STAGE**
			<i>Departure Place:</i> Embarking
			Through on same flight
			<i>Arrival Place:</i> Disembarking
			Through on same flight
<p><i>Declaration of Health</i> Name and seat number or function of persons on board with illnesses other than airsickness or the effects of accidents, who may be suffering from a communicable disease (a fever — temperature 38°C/100°F or greater — associated with one or more of the following signs or symptoms, e.g. appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or confusion of recent onset, increases the likelihood that the person is suffering a communicable disease) as well as such cases of illness disembarked during a previous stop</p> <p>Details of each disinsecting or sanitary treatment (place, date, time, method) during the flight. If no disinsecting has been carried out during the flight, give details of most recent disinsecting.....</p> <p>Signed, if required, with time and date _____ Crew member concerned</p>		<p>For official use only</p>	
<p>I declare that all statements and particulars contained in this General Declaration, and in any supplementary forms required to be presented with this General Declaration, are complete, exact and true to the best of my knowledge and that all through passengers will continue/have continued on the flight.</p> <p style="text-align: right;">SIGNATURE _____ Authorized Agent or Pilot-in-command</p>			

Size of document to be 210 mm × 297 mm (or 8 1/4 × 11 3/4 inches).

* To be completed when required by the State.

** Not to be completed when passenger manifests are presented and to be completed only when required by the State.

3. ANNEX 9: C. OVERVIEW



GENERAL DECLARATION
(Outward/Inward)

AGRICULTURE, CUSTOMS, IMMIGRATION, AND PUBLIC HEALTH

Owner or Operator NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Points of Nationality and Registration U.S.A. Flight No. APOLLO 11 Date JULY 24, 1969

Departure from MOON (Name and Address) Arrival at HONOLULU, HAWAII, U.S.A. (Place and Country)

FLIGHT ROUTING
(“Place” Column always to list origin, every en-route stop and destination)

PLACE	TOTAL NUMBER OF CREW	NUMBER OF PASSENGERS ON THIS STAGE	CARGO
CAPE KENNEDY	COMMANDER NEIL A. ARMSTRONG		
MOON	<i>Neil A. Armstrong</i>	Departure Place: Embarking NIL Through on same flight NIL	MOON ROCK AND MOON DUST SAMPLES..... Cargo Manifests Attached
JULY 24, 1969 HONOLULU	COLONEL EDWIN E. ALDRIN, JR. <i>Edwin E. Aldrin</i>	Arrival Place: Disembarking NIL Through on same flight NIL	
	Lt. COLONEL MICHAEL COLLINS		

Declaration of Health
Person on board known to be suffering from illness other than sickness or the effects of accidents, as well as those cases of illness disembarked during the flight:
NONE

Any other condition on board which may lead to the spread of disease:
TO BE DETERMINED

Details of such disinfecting or sanitary treatment (place, date, time, method) taken on the ship, if no disinfecting has been carried out during the flight give

For official use only

HONOLULU AIRPORT
Honolulu, Hawaii
ENTERED

Ernest J. Duran
Customs Inspector

3. ANNEX 9



A. Annex 9: Brief History

B. SARPs: Meaning

C. Annex 9: An Overview

D. Guidance Material

3. ANNEX 9: D. GUIDANCE MATERIAL



1. The FAL Manual (Doc 9957)
2. Guidelines on PNR (Doc 9944) *
3. PWD Manual *
4. API & PNRGOV Guidelines *
5. International Signs to Provide Guidance to Persons at Airports and Marine Terminals (Doc 9636)
6. (FAL elements): AVSEC Manual (Doc 8973)

OVERVIEW: FAL PROGRAMME



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4. FAL PANEL

- FAL Division 1 – 11: Amendments to Annex 9
- FAL/11 (1995): Recommendation on FALP
 - examine policy issues & develop recommendations for FAL Division or ATC/Council
- 1995: ATC establishes FAL Panel
- 1997: 1st Meeting

4. FAL PANEL



Terms of Reference of the FAL Panel:

- ▶ make recommendations on SARPs
- ▶ contribute to guidance material
- ▶ develop proposals for FAL Division meetings
- ▶ perform other tasks assigned by ATC

4. FAL PANEL



- 30 Members of FAL Panel
- NACC Region: Canada, Cuba, United States
- SAM Region: Argentina, Uruguay, Brazil
- States as Observers
- IATA, ACI: Permanent Observers

4. FAL PANEL

FALP/1 (17-21 Nov 1997)

- Adoption of **Amendment 17**

- ▶ Chapter 3 [e.g. Def. of “accepted for examination”; Liaison officers; Seizure of travel documents; inadmissible persons] [“Improperly documented persons”]

- ▶ Guidance on PWDs (Cir 309)

FALP/2 (11-15 Jan 1999) & FALP/3 (12-16 Feb 2001)

- Adoption of **Amendment 18**

- ▶ FALP/2: ~~Family passports~~; “one passport, one person” or “one person per passport”

- ▶ FALP/3: Cargo; Disinsection; Travel documents
SARPs updated; ~~Chapter 5~~: transit SARPs moved to Chapter 3.

4. FAL PANEL



FALP/4 (2-5 April 2002)

- ▶ Preparation for FAL/12
- ▶ Drafting group: inadmissible persons & deportees (new Chapter 5)

[**FAL/12: 22 March-1 April 2004, Cairo** (Adoption of **Amendment 19**):

- ▶ Security of travel documents
- ▶ Standard 3.10; Biometrics; API; PNR
- ▶ Chapter 5
- ▶ National & Airport FAL Programmes]

4. FAL PANEL

FALP/5 (31 March-4 April 2008)

- Adoption of **Amendment 21**
 - ▶ New SARPs on API & CMCs (Ch. 3)
 - ▶ Radioactive Material (Ch. 4)
 - ▶ New Chapter 6

FALP/6 (10-14 May 2010)

- Adoption of **Amendment 22**
 - ▶ API (Ch. 3)
 - ▶ Revision of health SARPs (H1N1)
 - ▶ Emergency assistance: *force majeure* (Icelandic volcano eruption)

4. FAL PANEL



FALP/7 (22- 26 October 2012)

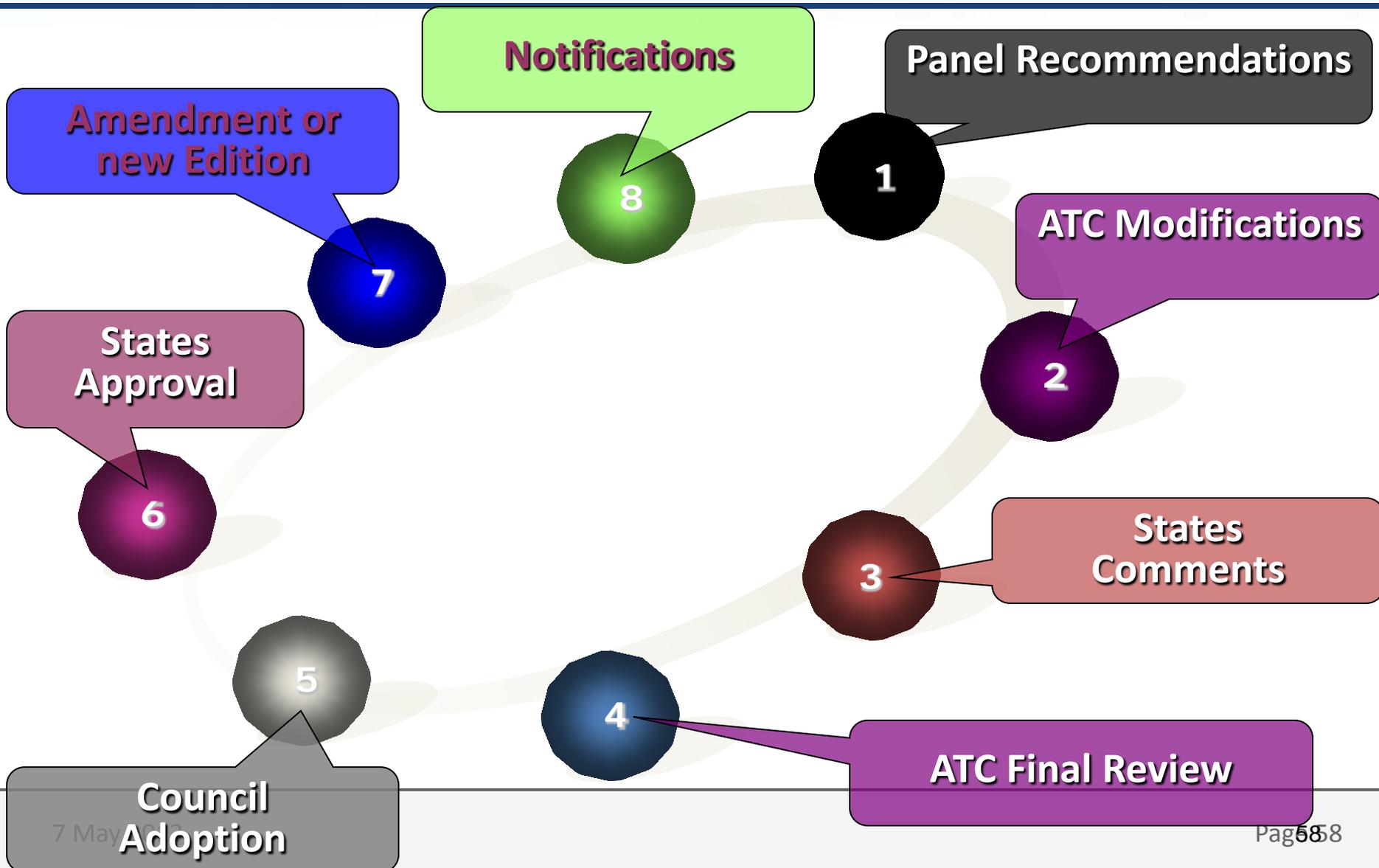
- Adoption of **Amendment 24**
 - ▶ API & PNR; travel documents (Ch. 3) *
 - ▶ Cargo facilitation (Ch. 4) *
 - ▶ Transport of human remains (Ch. 4)
 - ▶ PWDs SARPs + Guidelines (Ch. 8) *

EC 6/3-13/14, 28 February 2013: 30 July 2013

OVERVIEW: FAL PROGRAMME



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5. ANNEX-AMENDMENT PROCESS



Art. 37: ICAO required to adopt and **amend, from time-to-time**, SARPs . . . (j) Customs & immigration procedures . . .

Art. 54 (I) (*Mandatory functions of Council*):

The Council shall: . . . Adopt SARPs . . .

Art. 90: 2/3rds vote; effective 3 months after submission to States unless majority disapprove

6. DIFFERENCES WITH AMENDMENTS



State Letter on **Adoption** of an Amendment

- ▶ Attachment A (Note on notification of differences)
 - ▶ Attachment B (Form on notification of disapprovals) [Art. 90 (a)]
 - ▶ Attachment C (Form on notification of compliance or differences)
- Supplement [now, EFOD]*

6. DIFFERENCES WITH AMENDMENTS



Article 38: Departures from international standards and procedures

. . . In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations . . shall give notice to the Council within sixty days of the adoption of the amendment to the international standard . . .

→ Standards: conditional binding force unless differences filed under Art. 38

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—END—