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HIGH-LEVEL CONFERENCE ON COVID-19

Montréal, 12 to 22 October 2021

DRAFT REPORT OF THE FACILITATION STREAM

The attached draft report on Agenda Item 6 is presented for approval by the Facilitation Stream for submission to the Plenary.

Agenda Item 6: Facilitation operational measures related to the COVID-19 pandemic and beyond

1.1 The Conference considered WP/16 presented by the Secretariat that described the unique challenges in implementing public health mitigation measures in a rapid and complex epidemiological environment, specifically the need to continuously monitor scientific developments, make rapid decisions based on available scientific evidence, monitor implementation of public health mitigation measures, and use effective communication to meet the needs of the aviation industry and promote a harmonized approach. The Conference supported the recommendations in the paper, noting that States should ensure multi-sector communication and collaboration between all relevant stakeholders in the development of an aviation pandemic response plan. ICAO working with relevant working groups, should collaborate with States and industry to develop a comprehensive framework of guidelines in response to significant public health emergencies, with specific reference to multi-sector risk assessments, a rapid initial response, ongoing monitoring during the evolution of the emergency, and enabling national, regional and international cooperation to prevent barriers and unnecessary interference with international traffic and trade. The Conference also acknowledged comments by some delegates regarding the importance of recognizing that different States are at different stages of their response to COVID-19, have different risk tolerances and different resources. Therefore, States may consider implementation of a combination of vaccination, testing and quarantine or isolation (if contacts or suspected cases) in different circumstances, in keeping with the multi-layered risk framework and based on sovereign principles, particularly given the prevalence of variants of concern and the possible emergence of others moving forward. Some delegates also emphasized that vaccination cannot be made mandatory as a condition of entry and transit, even though it is an important element of response, vaccines are not globally accessible, and that testing, and proof of recovery should also be considered in decisions relating to alleviation or exemption from requirements.

1.2 The Conference considered WP/17 presented by the Secretariat that highlighted measures taken by ICAO in response to the COVID-19 pandemic, including new and revised health-related Standards and Recommended Practices, as well as the importance of global and regionally-harmonized, mutually-accepted measures that should be compatible with safety, security and facilitation requirements; proportionate to the improvement of public health; flexible where possible to allow for a viable economic recovery. The Conference noted the information in the paper and fully supported the recommendations by the ICAO Secretariat, and strongly encouraged States with the capacity to provide voluntary contributions, both financial and human, to ensure increased and effective implementation of Annex 9 - *Facilitation* provisions by all ICAO Member States. The Conference also noted that some delegates highlighted that National Air Transport Facilitation Programmes (NATFP) and National Air Transport Facilitation Committees (NATFC) are important mechanisms for achieving the necessary collaboration. A delegate suggested that reference to the NATFP and NATFC could be added to Recommendation g) from WP/17.

1.3 The Conference considered WP/62 presented by the African Civil Aviation Commission (AFCAC) that provided an overview of the implementation of the CART facilitation-related recommendations by African States, as well as the challenges faced. It highlighted the need for continuous harmonization of pre-entry and exit requirement across the globe through measures such as, continuous engagement, providing guidance based on available evidence and data as well as availing technical support for standardization of different measures put in place, and promoting integration and collaboration among Member States. The Conference agreed with the recommendations in the paper, while recognizing that some States may require additional testing from both vaccinated and unvaccinated individuals due to emergence in new variants and waning immunity, and risk assessment carried out by the respective States. It was mentioned that alternate means of compliance (AMC) with CART recommendation 6 is not required, since CART Recommendation 6 corresponds to Standard 8.19 in Annex 9 – *Facilitation*.

1.4 The Conference considered WP/64 presented by the African Civil Aviation Commission (AFCAC) that highlighted the coordinated approach widely deployed by African Regional Organizations towards harmonization and implementation of health protocols following the onset of COVID-19 pandemic. The Conference supported the recommendation in the working paper.

1.5 The Conference considered WP/67 presented by the International Coordinating Council of Aerospace Industries Associations (ICCAIA) and the International Business Aviation Council (IBAC) that outlines a proposal to reinforce the existing ICAO Crisis Response mechanism through the development of a programmatic structured approach to respond to future major health crises affecting global aviation. The Conference, in supporting the recommendations in the paper, emphasized the need to move from a system of reactive management to a culture of prevention and future resilience. It agreed that ICAO collaborate with relevant international organizations and industry to develop a crisis response framework for future health related crises that draws on CART recommendations and guidance, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) guidance, industry best practices, integrated risk management approaches, States' responses and lessons learnt from COVID-19 that would enable the international aviation community to rapidly respond to a health-related crisis.

1.6 The Conference considered WP/107 presented by the Global Express Association (GEA) that highlighted that the COVID-19 pandemic demonstrated that air cargo supply chains are critical to fight such outbreaks. Cargo crew interact with fewer people, and therefore stand at a lower risk of infection, which makes it easier to establish Public Health Corridors for them in case of an infectious disease outbreak. The Conference agreed to the recommendations made, albeit some delegates emphasized that Public Health Corridors (PHCs) should be temporary in nature and should not replace existing Air Service Agreements or bilateral arrangements. A delegate suggested that they could not agree with Recommendation b) of WP/107. It was clarified that the intention of the paper was not to link Public Health Corridors to extraordinary traffic rights but to deal only with crew handling under existing Air Service Arrangements.

1.7 The Conference considered WP/130 presented by South Africa that highlighted the impact of COVID-19 pandemic on aviation, the need for reflect on the response plans, the implementation of the relevant provisions ICAO Annexes 6, 9, 11, 14, and 18 together with the World Health Organization (WHO) International Health Regulations (IHR) 2005, as well as the importance for the aviation industry and all relevant stakeholders, to review their response to the pandemic to be better prepared for future pandemics. The Conference supported the recommendation in the paper while noting the comment from a delegate that CAPSCA, being a collaborative body, should remain consultative in nature and provide guidance where appropriate.

1.8 The Conference considered WP/132 presented by Australia that highlighted the impact of COVID-19 on the aviation industry, and indicated that given critical economic, social and connectivity benefits of aviation, it is important that all ICAO Member States have the opportunity to access the growing demand following the safe and efficient return of increased international air passenger and freight transport, as COVID-19 vaccination rates increase. The Conference noted the information presented in the paper and agreed with the recommendations, in particular that there be a strong focus on implementation moving forward and that suitable assistance be given to developing States. On the issue relating to digital health certificates, the Conference acknowledged the availability of ICAO guidance and specifications on the use of Visible Digital Seals (VDS-NC) for public health proofs. Some delegates indicated that ICAO's VDS-NC is not the only solution for digitization of health proofs. Interoperability between solutions is therefore key and further work on advancing interoperability was recommended.

1.9 The Conference considered WP/133 presented by the International Coordinating Council of Aerospace Industries Associations (ICCAIA), Airports Council International (ACI), the Civil Air Navigation

Services Organisation (CANSO), the International Air Transport Association (IATA), the International Business Aviation Council (IBAC), and the International Federation of Airline Pilots Associations (IFALPA) that highlighted the requirement for strong leadership to promote risk-based strategies, mutual recognition of health (vaccine, testing and immunity) status, and efficient and practical processes for the clearance of travellers from all countries. The Conference agreed with the recommendations in the paper.

1.10 The Conference considered WP/166 presented by Pakistan that outlined operational measures taken by Pakistan in line with the CART's recommendation on facilitation and guidelines aimed at travel resumption with economic growth, social cohesion and harmonized international relations to facilitate smooth travel of people and goods within and across the globe. The Conference noted the information in the paper. It was reminded that, with respect to documents for entry and departure of aircraft passenger manifest in electronic form, i.e. Advance Passenger Information (API) system, a standard is already established in Chapter 9 of Annex 9 – *Facilitation*.

1.11 The Conference considered WP/171 presented by the Bolivarian Republic of Venezuela that presented a proposal to incorporate consumer protection measures into current service quality standards in the context of a public health emergency. The Conference agreed to the recommendations in the paper while noting that one observer declined its support, stressing the need for further open dialogue on this matter.

1.12 The Conference considered WP/176 presented by Singapore and co-sponsored by Thailand, which supported a pragmatic risk-based approach for States to consider for easing border measures, as part of transition towards living with COVID-19. It highlighted the urgent need to accelerate the global adoption and acceptance of digital health certificates for COVID-19 testing and vaccination to support the resumption of international air travel. The Conference while it supported the use of digital solutions for health proofs, it emphasized the importance of global interoperability. The Conference urged States to consider a pragmatic risk-based approach in easing their border measures to facilitate international air travel.

1.13 The Conference considered WP/184 on the effectiveness of biosafety protocols and their impact on air transport, presented by the Bolivarian Republic of Venezuela, that highlighted the importance of temporary operational and administrative measures adopted under strict biosafety protocols by the Venezuelan State Aviation Authority in order to stop the spread of COVID-19 in air transport, in particular with the gradual resumption of domestic and international operations in accordance with the operational capacities of air operators. The Conference noted the information contained in the working paper.

1.14 The Conference noted Information papers provided by China (WP/214), Dominican Republic (WP/180), India (WP/193), Indonesia (WP/185), Malaysia (WP/192), Oman (WP/177), Thailand (WP/190), Thailand (WP/212), Flight Safety Foundation (WP/203), and ICCAIA (WP/227).

1.15 As a result of the discussion, the Facilitation Stream agreed on the following recommendations:

Recommendation 6/1 – Facilitation operational measures related to the COVID-19 pandemic and beyond

That States should:

- a) conduct comprehensive risk assessments considering State contextual factors, risk tolerance and the practical application of public health risk mitigation measures in aviation, including with a view to easing their border measures, as part of transition towards living with COVID-19;

- b) implement the CART recommendations and its associated guidance, whenever possible, while considering operational factors such as different routes, travel volume and travel frequencies between States;
- c) ensure and promote multi-sector communication, coordination and collaboration between all relevant stakeholders including industry in the development of an aviation COVID-19 pandemic response plan;
- d) promote and consider the harmonization of the various measures to allow mutual recognition and trust of information shared regarding COVID-19 status of travellers among the States, taking into consideration data protection prescripts applicable in most States;
- e) endorse the Public Health Corridor (Cargo Operations) concept developed by CAPSCA to be used as a temporary measure during other disease outbreaks with similar circumstances;
- f) ensure coordination and harmonization between the various State actors responsible for management of pandemics and disaster, including strengthening collaboration and consultations between health, aviation and other authorities;
- g) consider developing relevant user protection regulations, as necessary, and to promote the establishment of plans for user assistance and protection;
- h) implement globally and regionally-harmonized, collaborative , and mutually-accepted measures that do not create undue economic burdens or compromise the safety and facilitation of civil aviation, in line with Annex 9 provisions and related guidance material, towards widespread adoption of practical, flexible processes and solutions for travel acceptance to facilitate the recovery of international passenger travel;
- i) recommend measures to be taken by ICAO to assist Member State in their implementation of CART recommendations and the relevant health-related Standards and Recommended Practices (SARPs), and State's pandemic preparedness plans based on the lessons learnt during the COVID-19 pandemic;
- j) set up national mechanisms such as NATFP and CAPSCA, to allow a seamless implementation of relevant health-related SARPs, taking into account a multi-layered risk based approach to establish their health measures;
- k) communicate health-related entry requirements to the travelling public in a timely manner in order to build resilience and regularly assess the possibility of eminent public health threats and promptly apply contingency measures;
- l) recommend best practices for the planning and implementation of Facilitation-related operational mitigating measures dealing both with the immediate challenges imposed by the COVID-19 pandemic and future unforeseen wide scale disruptions;
- m) regularly assess the health-related entry requirements for their relevance and lift the restrictions at an appropriate time;
- n) ensure a high-level of engagement and coordination between civil aviation and public health authorities and close cooperation with international and regional organizations, and all involved stakeholders;

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- o) consider voluntary contributions, both financial and human, to ensure increased and effective implementation of Annex 9 - *Facilitation* provisions, and support CAPSCA, by all ICAO Member States;
 - p) assess the risk and rapidly implement the necessary measures at the appropriate scale to reduce both COVID-19 transmission, economic, public and social impact; and
 - q) accelerate the adoption and acceptance of digital health certificates for testing and vaccination to facilitate international air travel and if issuing health certificates for international air travel, adopt the ICAO specifications for Visible Digital Seals.

That ICAO should:

- a) collaborate with relevant international organizations and industry to develop a crisis response framework for future health-related crises that draws on CART recommendations and guidance, CAPSCA guidance, industry best practices, integrated risk management approaches, States' responses and lessons learnt from COVID-19 that would enable the international aviation community to rapidly respond to a health-related crisis;
- b) continue to adapt and provide for a quick response mechanism in ICAO that would issue urgent guidance to Member States in the event of an outbreak and develop case-specific Guidance on how to implement a Public Health Corridor for a particular outbreak, based on the available scientific evidence;
- c) assist developing States directly, and promote cooperation between States and with industry, to assist with the implementation of ICAO Annex 9 SARPs and related COVID-19 recovery initiatives;
- d) encourage the mutual recognition of vaccination and testing requirements and certificates between States when used for cross-border travel, taking into account the likelihood of many formats in the short to medium term; and
- e) continue its work towards interoperable long-term solutions that use digital identity and travel credentials established by States, taking into account existing solutions and global limitations.

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