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HIGH-LEVEL CONFERENCE ON COVID-19

Montréal, 12 to 22 October 2021

DRAFT REPORT OF THE FACILITATION STREAM ON AGENDA ITEM 9

The attached draft report on Agenda Item 9 is presented for approval by the Facilitation Stream for submission to the Plenary.

Agenda Item 9: Future approaches to the management of sustainable health-related Facilitation measures for the passenger experience and advancing the implementation monitoring

1.1 The Conference considered WP/23 presented by the Secretariat that highlighted the increasing need to ensure accessibility in aviation for all passengers globally, including the most vulnerable, such as those with disabilities. The number of elderly and persons with disability travelling by air continues to increase, as they benefit from increased opportunities for domestic and international air travel. The Convention on the Rights of Persons with Disabilities (CRPD) requires the full and effective participation and inclusion in society of all individuals, including freedom of movement and freedom of choice. However, there are barriers that limit the ability of elderly and disabled persons to take full advantage of international air transportation services, such as different and at times even incompatible requirements, and lack of national laws or enforceable measures for accessibility throughout the passenger journey. Persons with disabilities (PWD) should have equivalent access to air travel. These international rights apply to air travel as to all areas of life. Aviation, like all other transport modes, needs to fully recognize and effectively accommodate this growing passenger segment. The Conference noted the information in the paper, and widely supported the recommendations in paragraph 4.1. It was noted that recommendation 4.1 h) might better highlight the importance of parking facilities being accessible while recommendations could also refer to the importance of infrastructure being accessible. The Conference also emphasized the importance of the holistic review and the intended revision of Annex 9 provisions agreed by the Facilitation Panel at its last meeting and the importance of oversight to ensure implementation of the necessary provisions. The Conference also acknowledged comments that two statements in paragraph 2.3 of the paper could better reflect: the fact that: a) new technologies can support the provision of services to persons with disabilities; and b) modern airports prioritize the provision of aviation services.

1.2 The Conference considered WP/25 presented by the Secretariat which provided information regarding how to monitor the implementation of health-related provisions that could be consolidated under a dedicated Annex 9 chapter, as well as the importance of the timely implementation of Annex 9 provisions and the allocation of the dedicated necessary resources at each level of the air transport value chain in order to ensure the preparedness of all the stakeholders for any future outbreak situation. The Universal Security Audit Programme Continuous Monitoring Approach (USAP-CMA) incorporates the Annex 9 – *Facilitation* Standards that support both border management and border security objectives. Currently only the security-related Standards are audited under the USAP-CMA while communicable disease processes and systems to provide assistance to aircraft accident victims and their families are audited under the Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP-CMA). In order to ensure the sustainability of ICAO facilitation initiatives in the context of the economic importance of such activities in times of volatility, and the increasing scope of facilitation with this new health-related scope, there is also an urgent need to address the financial impact that it has on the ICAO Regular Programme Budget funds. Meeting these needs will be vital to raise awareness of the importance of facilitation in crisis times for all the air transport stakeholders and to ensure that maximum efforts are made to assist States in overcoming Annex 9 implementation challenges during health outbreaks. The Conference noted the information in the paper and agreed with the recommendations. It recognized the need for more efforts towards facilitation as presented in this paper and emphasized the importance of the functioning and funding of the facilitation programmes. It also proposed consideration of a new methodology to monitor the health-related provisions that will be consolidated under a dedicated chapter in Annex 9.

1.3 The Conference considered WP/68 presented by IATA that highlighted that the rights of persons with accessibility needs is a key component of the United Nations 2030 Agenda for Sustainable Development, and according to the World Health Organization, approximately one in five people has a disability globally—some permanent, some temporary, some visible, and some invisible, and as the population ages, that proportion is set to increase. The lack of a globally coordinated approach to accessible air transport policy and the practical

implementation of such policy is increasingly creating a landscape of differing national regulations across the globe that are, at times, leading to financial and operational issues for airlines, but more importantly confusion and discomfort for passengers with accessibility needs. As travel starts to resume, there is a need for the aviation industry to build back better and create an industry that is truly accessible, sustainable and inclusive, so that no passengers and no countries are left behind. The Conference noted the information in the paper, acknowledging that ICAO Annex 9 – *Facilitation* contains Standards and Recommended Practices on Facilitation of the transport of persons with disabilities, the existence of guidance material in Doc 9984 – *Manual on Access to Air Transport by Person with Disabilities*, and the work by the Facilitation Panel’s Working Group on Advancing Accessibility in Aviation. The Conference also noted that ICAO Assembly Resolution A40-16 addresses the development of a work programme on accessibility for passengers with disabilities in order to reach for a disability-inclusive air transport system, and agreed that the matter may be best dealt with through the Facilitation Panel, and requested ICAO to continue its work on accessibility in aviation through the Facilitation Panel and relevant working groups.

1.4 The Conference considered WP/183 presented by ACI that highlights ICAO’s policies and Standards and Recommended Practices that serve to generate uniformity and standardization in global civil aviation, however, this framework does not provide a common and harmonized pathway allowing for States to mature or innovate over time and as needed by the industry. This results in new ideas maturing in a disconnected way on a national basis within State specific frameworks, which in turn generates complexity when attempts are made to bring global consistency based on different national or regional practices. The Conference noted the information in the paper, and acknowledged the Secretariat’s comments that ICAO already has mechanisms in place, such as the Technical Advisory Group on Traveller Identification (TAG/TRIP) and associated working groups in the New Technologies Working Group, and Implementation and Capacity Building Working Group to address innovation and technology in line with relevant Annex 9 provisions. The Conference emphasized that policies and approaches must be determined by Member States and not industry. The structures and working methods of ICAO are dealt with by the relevant governing ICAO bodies, panels and working groups, taking into account the *No Country Left Behind* principles. It also noted that the role of industry in innovation was acknowledged in the last Assembly and platforms have been put in place to facilitate industry contributions to regulatory processes and welcomed their expressed intent to continue cooperation.

1.5 The Information Paper provided by the Plurinational State of Bolivia (WP/189) was noted.

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

Recommendation 9/1 – Future approaches to the management of sustainable health-related Facilitation measures for the passenger experience and advancing the implementation monitoring

That States should:

- a) recognize the importance of the Standards and Recommended Practices of Annex 9 – *Facilitation* and increase their level of implementation of the relevant provisions on facilitation of the transport of persons with disabilities, giving due regard to ICAO Doc 9984, *Manual on Access to Air Transport by Persons with Disabilities*;
- b) more generally, ensure provision of assistance to persons with disabilities travelling by air and especially take steps to mitigate the barriers that limit the ability of the elderly and persons with disabilities in times of abnormal processes, such as during health-related pandemics;

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- c) ensure that airport facilities are adapted to the needs of persons with disabilities, that lifting systems and appropriate devices are made fully available, that designated points for the pick-up and drop-off of persons with disabilities are made available as close as possible to main entrances and/or exits of the terminal building and that adequate accessible parking facilities are provided for people with mobility needs, including during a pandemic;
 - d) ensure that airport services are made available that meet the needs of passengers with disabilities, including services for provision of flight service related information to hearing- and visually-impaired persons; support the strengthening of the implementation of facilitation provisions and related activities through the establishment of sustainable funding mechanisms and corresponding human resources;
 - e) consider voluntary contributions, both financial and in-kind, to ensure increased and effective implementation of Annex 9 - Facilitation provisions by all ICAO Contracting States and take steps to ensure establishment of sustainable funding mechanisms and corresponding human resources moving forward;
 - f) conduct comprehensive risk assessments considering their contextual factors, risk tolerance and the practical application in aviation of the public health-related Annex 9 provisions; and
 - g) recognize that a new strategic direction is required and a substantial streamlining of activities and resources is needed, both financial and in-kind, to ensure a successful framework for implementation of mitigation measures to deal with public health emergencies at borders of all ICAO Member States.

That ICAO should:

- a) continue its work on accessibility in aviation through the Facilitation Panel and relevant working groups;
- b) continue to monitor new developments and collaborate with relevant stakeholders to further develop the guidance material supporting the implementation of the health-related provisions of Annex 9;
- c) support the strengthening of Facilitation capabilities through establishment of sustainable funding mechanisms and resources; and
- d) develop in close cooperation with the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) experts, a comprehensive framework to be followed in response to significant public health emergencies, with specific reference to multi-sector risk assessment, a rapid initial response, and ongoing monitoring during the evolution of the emergency, and enabling national and international cooperation to prevent unnecessary interference with international traffic and trade.

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