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منظمة الطيران  
المدني الدولي

国际民用  
航空组织

Ref.: N1-18 — **EMX0413**

17 May 2013

To: States, Territories and ECCA

Subject: **ICAO/LACAC NAM/CAR/SAM Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG) - Handling of Persons with Disabilities Project**

Action  
Required: **Review and comment by 17 June 2013**

Sir/Madam:

I refer you to the agreement reached during the ICAO/LACAC NAM/CAR/SAM AVSEC/FAL/RG/2 Meeting held in St. John's, Antigua and Barbuda, from 16 to 18 May 2012, with respect to the translation and distribution to English-speaking States of WP/12 and WP/15 on the Handling of Persons with Disabilities Project, of which the Appendices were presented in Spanish only. (Ref: Section 5.2.2 of the final Report <http://www.mexico.icao.int/Meetings/AVSECFALRG/AVSECFALRG2/AVSECFALRG2FinalReport.pdf>).

I am therefore pleased to attach the above mentioned working papers, which have been translated by LACAC, for your review and comments.

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

for  
Loretta Martin  
Regional Director  
North American, Central American and  
Caribbean (NACC) Regional Office

**Enclosure:**

*As indicated*

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INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)  
ORGANIZACIÓN DE AVIACIÓN CIVIL INTERNACIONAL (OACI)

COMISIÓN LATINOAMERICANA DE AVIACIÓN CIVIL (CLAC)  
LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)



SECOND MEETING OF THE AVIATION SECURITY AND FACILITATION REGIONAL GROUP  
(AVSEC/FAL/RG/2)

Antigua and Barbuda, 16 to 18 May 2012

AVSEC/FAL/RG/2 ó WP/15  
03/05/12

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**Agenda Item 5:           Facilitation**  
**5.2     Report on Handling of Persons with Disabilities Project**

**MANUAL FOR HANDLING PASSENGERS WITH DISABILITIES**

(Presented by the Project on Handling passengers with disabilities ó Coordinated by Chile)

**SUMMARY**

This Working Paper presents the results of the proposed Manual for the handling of persons with disabilities in accordance with the requirements established in Annex 9, the Facilitation Manual and Circular 247, so as to provide guidance to the States of the NAM/CAR/SAM regions and facilitate the standardization of the criteria for this subject.

**References:**

- Work programme and projects of the ICAO/LACAC NAM/CAR/SAM Aviation Security and Facilitation Regional Group, established at the meeting in Asunción, Paraguay from 25 to 27 May 2011
- Annex 9, Chapter 8, Section H, Standard 8.27
- Facilitation Manual (DOC 9957)
- Circular 247
- Chilean Standard DAN 382
- Chilean Procedure DAP 17 06
- Programme provided by the TSA of the USA

***Strategic Objectives***

*This working paper is related to ICAO Strategic Objective B.*

## **1. Introduction**

1.1 In accordance with Conclusion 1/1 AVSEC/FAL/RG/1, and the adoption of the Terms of Reference, the work programme and the corresponding projects of the regional aviation security group, the Programme for the Handling of Persons with Disabilities and the Project to make recommendations for the handling of persons with disabilities and promote the communication of information through informative and illustrative material was assigned to a programme headed by Chile as coordinator, and including Brazil, Ecuador, United States, Jamaica and Paraguay as contributing States. In order to complete this project, the following objectives were established:

- a) Generate awareness about the importance of the handling of persons with disabilities; and
- b) Promote the development of Standards for the handling of persons with disabilities within air transport.

1.2 This task was partially completed in that in the AVSEC/FAL meeting conducted in Uruguay in 2010, the rapporteur (Chile) presented a Working Paper in which it reported its experience and presented its Standard, which could serve as the benchmark for the development of this initiative in other States.

1.3 In this manner and following the development of this task, a second Working Paper was presented to the ICAO/LACAC AVSEC/FAL/RG in Paraguay during 2011, in which the members of this programme through their rapporteur (Chile), reported on some criteria that should be considered in the development of Standards that each State may wish to develop in the future.

1.4 Notwithstanding the above, Brazil, through its representatives, and ICAO suggested revising these criteria since this guidance has been included in the recently published Facilitation Manual. As a result, a revision had to be made, which was disseminated to various States prior to its presentation as a Resolution project.

1.5 In consideration of the above the current rapporteur felt it was necessary to present two Working Papers to this meeting, one related to the indicated criteria and this one proposing the attached Standard (presented in Spanish), which incorporates as much as possible the achievements provided by the contributing States and also includes a proposed related procedures.

## **2 Analysis**

2.1 In light of the requirements established in Annex 9, with regard to the facilities that must be provided to persons with disabilities that use air transport; what is established in the Facilitation Manual; and also guidance material and the details provided in ICAO Circular 274 "Access to Air Transport for Persons with Disabilities", it was determined that all the information provided in these publications on this subject was already contained in the initial Standard proposed in the AVSEC/FAL meeting in Uruguay in 2010.

2.2 Once subjected to this review and analysis, it was determined that it was necessary to extract the aspects dealing with the specific legislation of each State, and the need to also include the achievements made by the contributing States. All this in order to make the proposal more neutral with regard to the different legislations in the region, but with a common basic structure that is easy to internalize by the participants of the regional aeronautical system.

2.3 Additionally, it was determined necessary, to include in this normative proposal, an attachment that permits the linking of the requirements with the method or procedures that should be implemented to achieve comprehensive facilitation.

**3 Suggested action**

3.1 The meeting is invited to consider the "Standard for the Air Transport of Passengers with Disabilities" contained in Appendix 1 to this Working Paper (in Spanish), and the "Procedure for the Screening of Passengers with Disabilities" contained in Appendix 2 to this Working Paper (in Spanish), which is proposes as guidance material for States in the NAM/CAR/SAM regions, with the objective of standardizing the handling and facilitation of passengers with disabilities.

3.2 Additionally, included as Appendix 3, a contribution provided by the representatives of the United States, which could serve as an Information Circular to communicate the rights of passengers with disabilities, depending on the laws and regulations of each State. This document has been modified by the Coordinator (Chile) with the objective of making it more adaptable to different States.

## APPENDIX A

### REGULATIONS FOR THE AIR TRANSPORT OF PASSENGERS WITH DISABILITIES

#### CHAPTER I. GENERAL PROVISIONS

- 1.1 Purpose
- a) To implement the provisions for the air transport of passengers with disabilities
- 1.2 Application
- a) Applicable to all aircraft operators
  - b) Applicable in their entirety to operators of aircraft with more than 100 seats; applicable, with the exceptions established in these regulations, to operators of aircraft with more than 30 and up to 100 seats; and in the case of operators of aircraft with 30 or less seats, applicable insofar as the aircraft configuration permits.
  - c) In the case of foreign aircraft operators, and in keeping with the Chicago Convention, the procedures approved by the State of the Operator will be acceptable to the CAA.
  - d) These regulations do not release operators from the obligation to comply with current legal regulations on the rights of people with disabilities that provide for their full social integration and with regulations concerning the rights and duties of patients.
- 1.3 General aspects
- a) Facilities and procedures must be available for the transport of the passengers referred to in these regulations. Restrictions or prohibitions must also be in place for the safety and protection of aircraft occupants.
  - b) The CAA, within the sphere of its legal jurisdiction and authority, will ensure that all aircraft passengers exercise their rights and fulfill their duties, so that all aircraft operations and services can be carried out safely --that is to say, protecting the lives and health of all occupants of such aircraft, regardless of their status, abilities, limitations or special needs;
  - c) Those passengers have the right to demand the assistance publicized by the aircraft operator at the time it offered its services, either orally or in writing. Passengers may make this demand either on their own behalf or through the offices of a companion. Such information having been publicized, this special assistance may be refused only by the passenger him/herself, so long as the decision does not affect the safety of the flight or of the other passengers and crew.
  - d) Under no circumstance whatsoever may an aircraft operator do the following in relation to such passengers:
    - (1) Discriminate arbitrarily against them by reason of their disability.
    - (2) Impose on them any special service not requested by the passenger, unless the safety of the aircraft is at stake; and
    - (3) Exclude them from or deny them air transport or related services available to other passengers, except when specifically authorized to do so by these regulations.
- 1.4 Obligations of the aircraft operator with respect to service providers.  
Operators should include in their contracts with outside providers of services to the company and/or its passengers, a clause ensuring the following:
- (a) That no passenger will be subjected to discrimination by reason of his/her disability, pursuant to the provisions of these regulations; and
  - (b) That all staff working for the contractor will comply strictly and on a well-timed basis with the provisions of these regulations.

- 1.5 Obligation of the aircraft operator to report.  
Aircraft operators should include in their pertinent documents information about the facilities, services and assistance they offer passengers with disabilities, to which these regulations refer, including procedures that are applicable to them by reason of their disabilities. This information should be provided at the time the passenger states his/her intention to travel.

## CHAPTER 2 FACILITY-RELATED REQUIREMENTS

- 2.1 Aircraft configuration.
- (a) Aircraft containing more than thirty (30) passenger seats should contain one (1) seat with folding armrests for every ten (10) aisle seats. In assigning such seats, the operator should give priority to the passengers referred to in these regulations;
  - (b) Aircraft with a capacity for one hundred (100) or more seats should have space set aside in the cabin to store at least one folding wheelchair authorized for use in the aircraft. They should also contain at least one bathroom equipped with door lock, accessible call buttons, support bars, lavatory fixtures and dispensers that can be used by special-needs, ill or disabled passengers;
  - (c) Aircraft with more than sixty (60) passenger seats and one bathroom should also be equipped with an onboard wheelchair authorized for use in the aircraft; and
  - (d) All chairs that are used on board, regardless of the number of seats in the aircraft, should be duly certified and approved by the CAA.
- 2.2 Airport facilities.  
All aerodrome facilities for use by the persons covered in these regulations should bear in mind the principles of accessibility and universal design. They should also comply with the legislation of each State that establishes provisions for the full social integration of people with disabilities.

## CHAPTER 3 SERVICE REQUIREMENTS FOR SPECIAL-NEEDS, ILL OR DISABLED PASSENGERS

- 3.1 Passenger *rights* and obligations.  
These passengers have the same rights and obligations as other passengers, although they may have certain limitations as air transport users.
- 3.2 Regulations *for limiting or denying the transport of the people covered by these regulations in unusual circumstances.*
- (a) Operators may not arbitrarily refuse to transport the passengers who are the subject of these regulations, by reason of their disabilities. Even so, there may be a limitation on the number of special-needs, ill or disabled passengers that can be transported on a given flight or a given aircraft, pursuant to the specifications of their respective Operations Manuals approved by the CAA;
  - (b) Operators may not demand as a condition for providing air transport to a special-needs, ill or disabled passenger that he/she be accompanied by a travel companion for his/her assistance, unless the conditions are such that these regulations allow for this;
  - (c) Operators will be obliged to accept the number of special-needs, ill or disabled passengers specified in their respective Operations Manuals approved by the CAA;
  - (d) A passenger may inform the CAA that he/she had been denied embarkation beforehand. If, despite that complaint, the operator refuses such embarkation, it must justify and document that refusal with the CAA within a period of five (5) working days. Upon receipt of the information, the CAA will investigate the case in order to determine whether the operator complied with the provisions of these regulations and will bring legal action for their violation when such is called for;

- (e) If a disagreement arises over the embarkation of a passenger or of his/her travel companions, upon arrival at the airport and up to the time of boarding, the interested parties may explain their case to the employee authorized by the operator to hear it. This employee must be a surgeon with a general knowledge of aeronautical medicine and disabilities who is employed by the operator and whose appointment has been made known to the CAA.  
To avoid a situation of this kind, passengers should seek to explain their case to the company as far in advance as possible, as of the moment they express their intention to travel.
- (f) If an operator restricts or denies the air transport of any passenger for reasons connected with his/her special needs, illness or disability, it must officially explain to the interested party and to the CAA within five (5) working days after the event, the reasons for its decision, including its grounds for considering why the transport of that person would affect the flight's safety. Upon receipt of that information, the CAA will investigate the case to determine whether the operator complied with the provisions of these regulations and will bring legal action for their violation if this is in order.

### 3.3 Factors affecting, restricting or prohibiting the air transport of passengers

Such action will be right and proper for reasons of aircraft passenger safety on an exceptional basis in the conditions stipulated below:

- (a) Air transport of ill passengers with infectious or contagious diseases in commercial aircraft: the air transport of ill passengers with active infectious or contagious diseases, who could be a focus and source of contagion or infection of the other passengers or crew, even if under treatment, is prohibited.  
In order to embark a person with an infectious or contagious disease, a Medical Certificate from the passenger's treating physician will be required, justifying the lack of risk of contagion or infection of other aircraft occupants under his/her legal responsibility. Even so, this medical certificate will be considered without merit if the Ministry of Health has enacted or imparted express instructions regarding communicable diseases in aircraft cabins that include provisions for immediate application before or after embarkation and disembarkation.
- (b) Air transport of ill passengers with serious mental health problems in commercial aircraft: Physically/mentally handicapped passengers due to severe organic mental disorders or functional psychotic disorders may travel only if stable and expected to remain stable during the flight, if their drug therapy has been adjusted to flight conditions and if they have a Medical Certificate issued by their responsible treating Psychiatrist or Neurologist, ensuring their stability and compensation for travel in an aircraft cabin and explaining whether the person is autonomous enough to travel alone or with a travel companion or with the assistance of specialized health personnel. In such cases, the Medical Certificate must have an up-to-date diagnosis and have been issued no later than seven days before the flight.
- (c) Passengers with an intellectual or cognitive disability: Without prejudice to the stipulations of these regulations, the mere possession of an intellectual or cognitive disability will not constitute grounds for a special measure or demand on the part of the operator.
- (d) Risky passengers due to open behavior disorders: The air transport of the following persons is prohibited: persons with disturbing or aggressive behavior showing that pathology; those who behave with extreme impulsiveness, whether expressed through paranoid or other behavior; passengers who are openly disruptive or who are under the effect or influence of psychoactive drugs, including drunkenness, or under the effect of psychotropic drugs not prescribed by the treating physician; and those who demonstrate aggressive behavior against themselves.
- (e) Ill persons who have a high probability of dying during the flight: The air transport of the following persons is prohibited: persons who are seriously ill or organically decompensated, agonal or at high risk of dying during the flight, as stated in the mandatory Medical Certificate the operator should demand from the responsible treating physician or local health authority.

- (f) Ill persons with a strong probability of experiencing a life-threatening situation during the flight.
- (1) The operator could make the air transport of an organically ill passenger, whose symptoms could imply the risk of a life-threatening situation during the flight, considering the lack of a chain of survival within aircraft, conditional on the presentation of a recent Medical Evaluation describing the care needed during embarkation and disembarkation, the in-flight risk, and measures that can be taken during the air transport, if such a life-threatening situation arises; and
  - (2) In the cited cases, if the preexistence of a serious pathology is reported prior to the flight, the decision to accept a passenger would depend upon the opinion of a physician with a general knowledge of aviation medicine employed by the operator and whose appointment has been made known to the aeronautical authority, unless the treating physician travels with the sick person to assist him/her and assumes full medical and legal responsibility, provided that this does not endanger the safety of the ill person or of the other aircraft passengers. This course of action does not free the treating physician from the obligation to present the Medical Evaluation to the operator.

### 3.4 *Prior notice* requirement.

- (a) The operator cannot demand prior notice of the intention to travel or of his/her disability from a passenger covered by these regulations, in order to provide the air transport requested or the services or accommodations required by this legislation, unless he/she requires any of the following services, equipment or accommodations. In such cases, these must be requested from the operator at least 48 hours before flight time:
- (1) Medical oxygen for onboard use, if this service is available on the flight;
  - (2) The carriage of an incubator, if this service is available on the flight;
  - (3) Accommodation for a passenger needing to travel in a litter because of his/her need for rest, difficulty in getting up or simple loss of autonomy, if this service is available on the flight;
  - (4) The carriage of a personal electric wheelchair on a flight scheduled to be made in an aircraft with a 60-seat or less capacity;
  - (5) Facilities for the transfer of a battery for a personal electric wheelchair (dangerous material) or other personal assistive devices holding some risk; and
  - (6) Accommodations for a group of disabled people who make reservations to travel together.

### 3.5 Regulations on *travel companions for special-needs, ill or disabled passengers*.

- (a) The operator may, as an exception, demand that a passenger subject to these regulations travel with a companion, only if:
- (1) He/she requires a litter or incubator;
  - (2) He/she has a severe manifest disability, making him/her incapable of properly understanding or responding to the safety instructions given by the operator's personnel, or which, by its very nature, may affect the safety of the other passengers, the crew or the flight itself;
  - (2) He/she has a disability that has hampered his/her mobility to such an extent that he/she is incapable of helping him/herself in the case of an aircraft emergency or of taking care of his/her physiological needs or has immobilized him/her to such an extent that he/she cannot move about on his/her own;
  - (3) Once the passenger's need for a travel companion has been determined, the operator should assign the companion the seat next to that of the passenger in question; and
  - (5) In the case of service dogs, these must necessarily be identifiable by the use of the official emblem determined by the State in question. It is up to the person using such a dog to take the necessary measures to ensure its proper behavior, thereby avoiding



annoyance to or the disturbance of the other passengers. Before embarking, service dogs must not show signs of illness or aggressiveness or constitute an obvious risk to the other passengers, crew and other users. While on board, the dog, although healthy, must travel muzzled and equipped to take care of its physiological needs. The operator may require passengers traveling with service dogs to accredit their compliance with the health requirements of each State. (b) Passengers subject to these regulations, or their travel companions, as the case may be, should report at check-in that they will be travelling with companions, so that adjacent seats may be assigned.

### 3.6 Assignment of *seats*.

- (a) Operators should identify in their Operating Manuals the seats which, for air safety purposes, cannot be occupied by the passengers who are the subject of these regulations, insofar as the blockage of the seat or its location in the emergency exit rows are concerned, in accordance with the particular type of aircraft or its internal cabin configuration;
- (b) Passengers who will be traveling with an accredited service dog should report this fact to the operator on making their reservations or at least twenty-four (24) hours before flight time, so that they can be assigned locations that will enable them to be accompanied by their dogs.

### 3.7 Provision of *services and equipment*.

Operators should provide the following services and equipment to the passengers covered by these regulations:

- (a) Assistance in embarking and disembarking over level passenger boarding bridges or through accessible passenger lounges where such means are available. Passengers should not be left unattended or abandoned in wheelchairs or other devices in which they cannot move around on their own.
- (b) Assistance in moving to and from seats as part of the boarding and deplaning process to which this section refers.
- (c) All support, assistance or facilities supplied on the ground or on board to the passengers covered in these regulations should be provided in keeping with the following considerations:
  - (1) Passengers who conceal or who fail to report their special needs, illnesses or disabilities to the operator upon embarkation cannot demand special measures or facilities later. In that case, the operator is obliged only to take the necessary measures to ensure the safety of all passengers and the crew; and
  - (2) On board and during the flight, these passengers should be allowed to use their own assistive means to see to their needs and to get around, so long as the operation or use of those means does not interfere with or disrupt onboard equipment or jeopardize the security of the flight or of the other passengers.

### 3.8 *Aircraft embarkation* assistance

- (a) Operators, those responsible for the airport facilities or whomsoever each State's CAA may determine may provide embarkation facilities using mechanical elevators, ramps or other appropriate means; and
- (b) Operators, those responsible for the airport facilities or whomsoever each State's CAA may determine may provide boarding assistance in the event that the mechanical elevators, ramps or other appropriate means available at the aerodrome for those purposes are out of service.

### 3.9 Storage of assistive equipment for special-needs, ill or disabled passengers.

- (a) Wheelchairs and other equipment for assistance in the passenger cabin should be stored in appropriate baggage compartments and, if not possible, in the aircraft baggage hold;
- (b) Operators should permit the storage of canes and other assistive devices near the seats of their owners; and

- (c) Operators cannot impose conditions on or impede the boarding of passengers with implants or incorporated prostheses, such as orthoses adapted or modeled to supplement or compensate for a missing anatomical or functional member. Nonetheless, it is necessary to comply with all safety regulations and procedures the CAA is responsible for supervising.
- 3.10 Exercise of the passengers' right to information.  
Special-needs, ill or disabled passengers are entitled to an explanation by the operator of all aspects of the flight they need to know about, as provided for in these regulations:
- (a) Aircraft characteristics;
  - (b) Company facilities; and specific requirements;
  - (c) Embarkation and disembarkation arrangements; assistance with flight connections;
  - (d) Available airport facilities; and
  - (e) Passenger rights.
- 3.11 Facilities for people with sensory impairments or speech impediments, psychic and mental impairments or cognitive or intellectual impairments.
- (a) Passengers subject to these regulations who have sensory impairments or speech impediments have a right to request, before starting their flights, personalized safety instructions and explanations of evacuation procedures appropriate to their disability;
  - (b) In the case of passengers with visual impairments, the instructions should be given verbally in a personalized explanation;
  - (c) For passengers with sensory impairments consisting of functional deaf-mutism, a combined sight and hearing impairment, a combined sight impairment and speech impediment or other variations, the operator should use all of the means available to it to give safety instructions and to check that these instructions have been received and understood, providing additional pertinent explanations, as needed, to those who must have travel companions; and
  - (d) In the case of passengers with a psychic impediment or mental impairment or a cognitive or intellectual impairment, operators should not prejudge the failure to understand safety instructions, but should concentrate only on giving those instructions in the same way as for the other passengers. Only afterwards should they check those passengers' proper understanding of those instructions, in order to reinforce them as needed and give further explanations to those who must have travel companions.
- 3.12 Security inspection of special-needs, ill or disabled passengers, their baggage and support and assistive devices.  
The security checks of the passengers subject to these regulations should be conducted, showing respect at all times for their dignity and complying with each State's AVSEC (aviation security) rules and regulations.
- 3.13 General obligations of operators with respect to special-needs, ill or disabled passengers.  
Any assistance or facilities the operator may grant before, during or after flights, to special-needs, ill or disabled passengers, regardless of whether these conditions have been declared or not declared or are unapparent, should be provided on land and in the air as publicly offered and reported by the operator upon the declaration by those persons of their intention to travel or upon first contact with them. And in no case may they affect flight security or the safety of the other passengers or crew.
- 3.14 General provisions.
- (a) Operators of aircraft that both structurally and in their internal configuration fail to include space for offering facilities and services to special-needs, ill or disabled persons, because of their low level of complexity (restriction of aisles, bathrooms and so forth) or that operate in aerodromes that lack the necessary facilities for the boarding and deplaning of such passengers, or when the aeronautical system in general lacks sufficient physical resources to satisfy all regulations, should bring their facilities and services up to par with the best

practices and possibilities and incorporate the corresponding subheadings into the company manuals, for the CAA's knowledge, approval and supervision.

- (b) These regulations must be readjusted and harmonized with the provisions applicable to civil aeronautics and that are considered in accordance with each State's legislation establishing provisions for the full social integration of persons with impairments; with the rights and duties of patients; and with air security.

#### **CHAPTER 4**

#### **ADMINISTRATIVE PROVISIONS**

##### 4.1 Instruction.

- (a) Operators should prepare and carry out an instruction and training program for the flight crew and land personnel in regard to passenger service that would include the capacity for recognizing aircraft and flight situations that could affect special-needs, ill or disabled persons.
- (b) Cabin attendants should be capable of recognizing and giving those users the necessary support and assistance in both normal operating conditions and emergency situations. All procedures for giving support and assistance of this kind to special-needs, ill or disabled persons should be covered in the company's respective Manuals.
- (c) Furthermore, operator staff members to whom equipment used to help mobilize people with disabilities is handed over upon boarding should mark such equipment as checked and priority baggage, so that these items can be the first articles to be delivered upon arrival of the disabled persons at their destination.
- (d) Operators should offer training to all of their staff members associated with the traveling public, in accordance with the duties of each employee and considering as least the following:
  - (1) The requirements established in these regulations with regard to the provision of air transport for special-needs, ill or disabled persons;
  - (2) The procedures used by the operator pursuant to these regulations, in order to provide air transport to special-needs, ill or disabled persons, including the safe and proper operation of any equipment used to accommodate or assist these people (including service dogs).
  - (3) The operator will also instruct its employees in the proper care of and response to special-needs, ill and disabled passengers, among them people with physical, sensory, mental or emotional disabilities, including aspects of how to distinguish the various capacities of people with disabilities.

##### 4.2 Claim appeals resolution mechanism.

- (a) Each operator should establish and implement a mechanism for resolving claim appeals and inform its passengers accordingly, irrespective of those the State may have established for air transport users or those existing in a State for consumer protection.
- (b) The operator should make the necessary arrangements to handle, either personally or by telephone, any passenger claims of alleged violations of the provisions of these regulations.
- (c) Each person responsible for hearing the claims of violations should have sufficient authority to adopt solutions on the operator's behalf.
- (d) The operator should, within a period of thirty (30) days of its receipt, provide a written response to any claim regarding failure to fulfill the provisions of these regulations and consider sending a copy to the CAA.

## **6. CONCLUSION**

6.1. The social integration of disabled persons is closely tied in with their degree of involvement in everyday life and their opportunities for participation. This possibility for managing their various daily activities depends upon their development of skills and the real possibilities offered by their social and physical environment.

6.2. As a result, the principal elements allowing for personal autonomy include action in favor of the person and the development of an accessible environment within the various different spheres of action (architectural accessibility, transport and mobility and integral rehabilitation, among others).

6.3. From this perspective, we, as International Civil Aviation Organization (ICAO) contracting States, have the responsibility to promote the full social integration of disabled persons within the sphere of civil aviation, primarily by seeking to unify criteria and by proposing rules, regulations and procedures for advancing participation in and the equalization of opportunities in airport management and air transport, thereby making it possible to improve opportunities and eliminate barriers.

**7. MEASURES PROPOSED TO THE GROUP**

7.1. Given the importance of perfecting and disseminating the matters dealt with above, we hereby propose:

- a) That due note be taken of the information contained in this document; and
- b) That work continue to be performed jointly with the LACAC multidisciplinary group responsible for developing common rules and regulations for the region, in keeping with the situation of disabled people and the legal system of each State.

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## **APPENDIX B**

### **PROCEDURE FOR INSPECTING PASSENGERS WITH DISABILITIES**

#### **I. PURPOSE**

To establish procedures for the security check and inspection of passengers with disabilities. These will be applied in aerodromes under CAA administration to ensure maximum customer safety and service for all passengers going through the security checkpoints in those installations. Such procedures are aimed at ensuring that all passengers, regardless of their condition and personal needs, are treated equally and with the dignity, respect and courtesy they deserve. Although each person and object should be inspected before entering each restricted boarding area, the most important element is how that inspection is conducted.

In order to accomplish this aim, the CAA has established the following procedure for inspecting persons with disabilities and their equipment, mobility aids and associated devices. This procedure covers all categories of disabilities (motor, hearing, vision and hidden).

#### **II.- BACKGROUND**

- a) “Regulations for the air transport of passengers with disabilities”.
- b) others

#### **III.- MATERIAL**

### **CHAPTER 1**

#### **INSPECTION OF PASSENGERS WITH DISABILITIES**

1.1. With disabilities

1.1.1 Airport Security Checkpoints (ASC) provide for the separate or private inspection of persons with disabilities.

1.1.2 If the passenger uses technical aids and has no mobility problem without their use, airport security personnel will use normal procedures to inspect that person and his/her hand luggage and technical aids using security inspection equipment.

1.1.3 In the case of passengers requiring mobility aids to get around, airport security personnel will take them through the ASC service door to the security restricted or “sterile” area, to the separate inspection room where they will be out of sight of the other passengers. There, after their hand luggage has undergone x-ray screening, they will be inspected by a staff member of the same sex using a handheld detector and in the presence of a third party, if possible.

1.1.4 Airport security personnel will examine all technical aids, such as walking canes, full cuff forearm crutches, elbow crutches, other mobility aids, and also the parts, pieces and tools needed for the maintenance, repair or replacement of orthopedic prostheses. These will not be treated as impounded and their boarding will be permitted.

1.1.5 Aircraft operators should permit the onboard stowage of canes and other devices classified as technical aids near the seats of their owners. They cannot place conditions on or impede the boarding of passengers with implants or incorporated prostheses, such as orthoses adapted or modeled to supplement or compensate for a missing anatomical or functional member. Even so, it is necessary to comply with all safety regulations and procedures established by the aeronautical authority.

1.1.6 The security checks and inspections of these passengers should be conducted respecting their dignity and particular condition at all times.

1.2. Prescribed liquid medicines and other liquids required by disabled persons.

1.2.1. Airport Security Checkpoints permit the carriage of prescribed liquid medicines and other liquids required by persons with disabilities and health problems. These include:

- All prescribed and over-the-counter medicines (liquids, gels and aerosols) including vaseline, eye drops and medicated saline solution;
- Liquids, including water, juice or liquid foods or gels for passengers with a disability or health problem;
- Vital fluids for those passengers' subsistence, such as bone marrow, blood products and organs for transplant;
- Products to increase body mass for medical or aesthetic reasons, such as products for mastectomies, breast prostheses, special bras and containers of gel, saline solution or other liquids; and
- Frozen products are permitted, provided that they are frozen solid when presented for inspection. If partially melted or with liquid at the bottom of the container, they will have to meet the requirements of the CAA's State.

1.2.2. Any liquid medicines in volumes of over 100 ml each must be declared at the Security Checkpoint. The declaration may be made orally or in writing and may be made by the person's companion, caretaker, interpreter or relative.

1.2.3. Liquid medicines and other liquids declared for persons with disabilities or health problems must be kept apart from their other belongings scanned by x-ray machines.

1.3. Aids and articles relating to disabled persons

1.3.1. Articles related to disabled persons that can be cleared through the security checkpoint include:

<ul style="list-style-type: none"> <li>• Wheelchairs</li> <li>• Scooters</li> <li>• Crutches</li> <li>• Canes</li> <li>• Walkers</li> <li>• Prostheses</li> <li>• Casts</li> <li>• Orthopedic devices</li> <li>• Support aids</li> <li>• Assistance animals</li> <li>• Baby apnea monitors</li> <li>• Orthopedic shoes</li> <li>• External medical devices</li> <li>• Assistive or adaptive devices</li> <li>• Augmentation devices</li> </ul>	<ul style="list-style-type: none"> <li>• Hearing aids</li> <li>• Cochlear implants</li> <li>• Tools for assembling and dismantling wheelchairs</li> <li>• Personal supplemental oxygen</li> <li>• Portable CO2 oxygen concentrator systems</li> <li>• Prosthesis tools</li> <li>• Medicines and related supplies</li> <li>• Devices for taking notes in braille</li> <li>• Blackboard and pen</li> </ul>	<ul style="list-style-type: none"> <li>• All diabetes medicine, equipment and supplies</li> <li>• Any other equipment and supplies for any particular disability</li> <li>• Continuous positive airway pressure (CPAP) devices and respirators</li> <li>• Ostomy supplies</li> </ul>
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1.4. With pacemakers

1.4.1. On determining the presence of a passenger with a pacemaker, airport security personnel should, insofar as possible, demand the presentation of an identification card, certificate or medical identification bracelet accrediting the use of a pacemaker.

1.4.2. In this case, the passenger should be inspected separately or privately and his/her entry into the sterile area through the service door should be facilitated. He/she should be taken to a separate inspection room, hidden from the view of other passengers, where, after his/her hand luggage has gone through the x-ray security screening, he/she will be palpated by a staff member of the same sex and in the presence of a third party, if possible.

1.5. Pregnant women

1.5.1 When a pregnant woman expresses her concern or asks for a special inspection, airport security personnel will take her through the service door to the sterile area. There, in the separate inspection room, she will be palpated by a female staff member and her hand luggage will go through the x-ray security screening in her presence.

1.6. With Down Syndrome

1.6.1. Persons with Down syndrome travelling with a responsible adult as a companion will not require special attention or service to enter the departure lounge.

1.6.2. When passengers traveling alone reach the Security Checkpoint, airport security personnel will accord them the same facilities given to “UM” (unattended minors), if asked to do so by a staff member of the aircraft operator responsible for their transport.

1.6.3. Airport security staff will apply normal Security Checkpoint passenger inspection procedures to such people and their hand luggage, respecting their dignity at all times.

1.7 In wheelchairs

1.7.1. Airport Security Checkpoint personnel will facilitate the entry of passengers in wheelchairs through the service door. They will be directed to a separate inspection room, hidden from the view of other passengers, where they will be inspected through palpation by a staff member of the same sex, considering the limitations of the case, who will respect their dignity at all times, and in the presence of a third party, if possible.

1.7.2. Their hand baggage will be scanned using an x-ray machine in their presence beforehand.

1.8. In a stretcher

1.8.1. Aircraft operators should notify the airport authority, the air traffic services reporting office (ARO) or the movement area supervisor at least one (1) hour before the departure or arrival of a passenger in a stretcher, so that the control and security inspection can be coordinated with other government agencies, as appropriate.

1.8.2. In these cases, the following specific measures will be taken:

- a) The ambulance delivering or collecting a passenger at the airport will go to the Security Checkpoint indicated by the Airport Authority. There it will comply with the airport security checkpoint control and security inspection procedures, consisting of the inspection of the vehicle and the verification of the identities of the driver and companions (physician/paramedic).
- b) The entry of the ambulance will be authorized and the security measures applicable to outside vehicles will be adopted. The driver will be instructed in how to move on the platform and will be assigned a “follow-me” vehicle to lead the ambulance from the Security Checkpoint to the aircraft parking stand.
- c) In the cases of arriving international flights, an employee of the aircraft operator should make the necessary arrangements with government agencies for the entry into the country of the passenger and his/her luggage. This is to be documented by means of a form bearing the pertinent signatures and seals (Annex “A” is attached as an example), which is to be presented to the security personnel at the Airport Security Checkpoint for verification of the data when the ambulance departs.
- d) In outbound international flights, the flight dispatcher should submit the respective form duly in advance to the airport security officers, in order to authorize the ambulance’s entry onto the apron.
- e) For inbound and outbound national flights, the form in question will only require proof of the airport authority’s consent.
- f) Outbound national and international passengers and their hand luggage will be checked by airport security personnel at the Security Checkpoint to detect and remove any elements that could put the flight’s safety at risk. The aircraft operator’s dispatcher should arrange duly in advance for presentation of the checked baggage to the airport security officers, so that it can go through the x-ray security scan before stowage in the aircraft hold.

1.9. Minors and their companions



1.9.1. Minors under the age of 14 travelling alone will be considered “UM,” or unaccompanied minor passengers.

1.9.1.1. Once the minor has approached the check-in counter and his/her parents or guardians have been identified, the operator’s responsible employee will fill out and sign the “Application form for the Entry of UM Travel Companions” (attached as an example in Annex B).

1.9.1.2. Airport security personnel will authorize the entry into the departure lounge of only one (01) UM companion.

1.9.1.3. Aircraft operator personnel will accompany the minor and his/her companion to the Immigration Control and/or Security Checkpoint, as the case may be, to coordinate his/her entry into the sterile area.

1.9.1.4. Upon presentation of the application at the Security Checkpoint, airport security officers will check to see that the required data are complete and will verify the identification of the person’s companion through his/her identification document. This form will be kept in the SCP file.

1.9.2. The person’s companion will be issued a “Visitor’s Credential,” to be entered in the application that has been presented, in exchange for handing over his/her identification card, which will be held temporarily at the Security Checkpoint.

1.9.3. The “UM” and his/her hand baggage will be inspected at the Security Checkpoint using established procedures, as will also his/her companion, who must wear his/her visitor’s credential in plain sight.

1.9.4. The authorized person should remain in the departure lounge only and is prohibited from accompanying the minor to the aircraft. It is the responsibility of the aircraft operator’s personnel to accompany the UM from the boarding gate to the airplane.

1.9.4.1. The “UM’s” companion may remain in the departure lounge until the airplane takes off and then return to the Security Checkpoint to hand in the Visitor’s credential and pick up his/her identification document and leave that sector of the airport.

1.9.4.2. At the final destination airport, aircraft operator personnel will accompany the “UM” from the aircraft to the arrival gate. They are responsible for obtaining authorization beforehand from the Airport Authority for the appointed family member or guardian to pick up the minor and enter the arrival lounge.

1.10. Other special passengers

1.10.1. In the case of passengers who are senior citizens and of others who deserve to be accompanied to and served in the departure lounge, the pertinent facilities will be provided as established in requirement 1.9 above.

## **CHAPTER 2**

### **ASSISTANCE ANIMALS FOR PERSONS WITH DISABILITIES**

2.1. The use of assistance, signal, or service animals (dogs or monkeys) by persons with disabilities is regulated by each State.

2.2. Access to and the circulation of assistance animals by persons with disabilities is normally regulated by law and associated regulations in each State.

2.3. In aircraft, assistance animals, although healthy, must travel muzzled at all times and with sufficient elements to take care of their physiological needs.

2.4. The aircraft operator may request that passengers traveling with assistance animals provide a document issued by the sanitary authority certifying the health of that animal.

### **CHAPTER 3**

### **OVERSIGHT**

3.1. Pursuant to the legal responsibility conferred by each State on the CAA, the latter should make the necessary inspections to ensure compliance with the provisions contained in these procedures.

**ANNEX “A”**

**REQUEST FOR AN AMBULANCE  
TO ENTER THE AIRCRAFT MOVEMENT AREA**

**AIRPORT  
DATE  
AIR CARRIER**

<b>Type of Flight</b>	<b>National</b>	<b>International</b>
<b>Flight No.</b>		
<b>Arrival time</b>		<b>Departure time</b>
<b>Boarding bridge</b>		<b>Remote position</b>
<b>Ambulance license No.</b>		
<b>Origin (Hospital)</b>		
<b>Passenger name</b>		
<b>Identification document/Passport No.</b>		
<b>Driver’s name</b>		
<b>Identification document No.</b>		
<b>Name of 1<sup>st</sup> companion</b>		
<b>Identification document No.</b>		
<b>Name of 2<sup>nd</sup> companion</b>		
<b>Identification document No.</b>		

**PROOF OF AUTHORIZATION BY GOVERNMENT AGENCIES**

<b>INTERNATIONAL POLICE</b>	<b>CUSTOMS</b>	<b>S.A.G.</b>
<b>Name of official</b>	<b>Name of official</b>	<b>Name of official</b>
<b>Date</b>	<b>Date</b>	<b>Date</b>
<b>Signature and seal</b>	<b>Signature and seal</b>	<b>Signature and seal</b>

**AVSEC SERVICE**

**Name of official  
Date  
Signature and seal**

**ANNEX “B”**

**REQUEST FOR THE ENTRY OF A “UM” COMPANION  
TO A DEPARTURE AND/OR ARRIVAL LOUNGE**

<b>AIRPORT</b>				
<b>DATE</b>				
<b>AIR CARRIER</b>				
<b>TYPE OF FLIGHT</b>	<b>National</b>		<b>International</b>	
<b>“UM” DESTINATION</b>				

<b>Name of the “UM”</b>	<b>Name of the companion</b>	<b>Companion's Identification document N°</b>	<b>Facilitated TICA N°</b>	<b>Name of family member picked up “UM” from the destination airport.</b>

<b>Name of the Air Carrier Supervisor</b>	<b>Name of the authorizing AVSEC official</b>
<b>TICA N°:</b>	<b>TICA N°:</b>
<b>Signature of the requesting party</b>	<b>Signature</b>

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## APPENDIX C

### INFORMATION CIRCULAR

#### CHAPTER 1

#### Travelers with disabilities and health problems

1.1 One of the main objectives of the CAA is provide maximum security and service to all passengers passing through control and security checkpoints. Current procedures and policies center on ensuring that all passengers, regardless of their condition and personal needs, are treated equally and with the dignity, respect and courtesy they deserve. Although each person and object must be searched before entering each security restricted boarding area, the most important element is how that inspection is conducted.

1.2 In order to accomplish this aim, the CAA has established a program for inspecting and screening disabled persons, their equipment, mobility aids and related devices. That program covers all categories of disabilities (motor, hearing, vision and hidden disabilities).

1.3 It is hereby established, furthermore, that prescribed liquid medicines and other liquids needed by people with disabilities and health problems are permitted. These include:

- All prescribed and over-the-counter medicines (liquids, gels and aerosols), including vaseline, eye drops and medicated saline solution;
- Liquids, including water, juice or liquid foods or gels for passengers with a disability or health problem;
- Vital liquids for those passengers' subsistence, such as bone marrow, blood products and organs for transplant;
- Products to increase body mass for medical or aesthetic reasons, such as products for mastectomies, breast prostheses, special bras or containers of gel, saline solution or other liquids; and
- Frozen products are permitted provided that they are frozen solid when presented for inspection. If partially melted or with liquid at the bottom of the container, they will have to meet 3-1-1 requirements.

1.4 Concerning the preceding point, however, liquid medicines in volumes of over 100 ml (3.4 oz) each cannot be placed in one liter plastic bags and must be declared to the CAA Security Checkpoint Official. The declaration can be made orally or in writing and may be made by the person's companion, caretaker, interpreter or relative.

1.5 Liquid medicines and other liquids declared for persons with disabilities or health problems must be kept apart from their other belongings screened by security x-ray machines.

1.6 The articles related to disabled persons that can be cleared through the security checkpoint include:

<ul style="list-style-type: none"> <li>• Wheelchairs</li> <li>• Scooters</li> <li>• Crutches</li> <li>• Canes</li> <li>• Walkers</li> <li>• Prostheses</li> <li>• Casts</li> <li>• Orthopedic devices</li> <li>• Support aids</li> <li>• Assistance animals</li> <li>• Baby apnea monitors</li> <li>• Orthopedic shoes</li> <li>• External medical devices</li> <li>• Assistive or adaptive devices</li> <li>• Augmentation devices</li> </ul>	<ul style="list-style-type: none"> <li>• Hearing aids</li> <li>• Cochlear implants</li> <li>• Tools for assembling and dismantling wheelchairs</li> <li>• Personal supplemental oxygen</li> <li>• Portable CO2 oxygen concentrator systems</li> <li>• Prosthesis tools</li> <li>• Medicines and related supplies</li> <li>• Devices for taking notes in braille</li> <li>• Blackboard and pen</li> </ul>	<ul style="list-style-type: none"> <li>• All diabetes medicine, equipment and supplies</li> <li>• Any other equipment and supplies for any particular disability</li> <li>• Continuous positive airway pressure (CPAP) devices and respirators</li> <li>• Ostomy supplies</li> </ul>
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## CHAPTER 2 Motor disabilities

### *Travelers with disabilities and health problems*

- Do not hesitate to ask a security officer to help you with your mobility aid and hand baggage when you pass through the security checkpoint.
- Inform the security officer how serious your disability is. For example: whether you can walk, stand up, if your arm movements are limited or whether you cannot stand upright or walk through the metal detector. This will speed up the inspection process.
- Ask the security officer for help, if you need it, to walk through the metal detector.
- Tell the security officer about any special aid or device you are using and where on your body it is located. This will help the security officer to be careful in his/her body search, if necessary.
- Ask for a private area for your palpation if you are uncomfortable with the idea of revealing any medical device on being inspected by the security officer.
- Make sure that all purses and bags hung or placed over or under your medical equipment are placed on the x-ray belt for screening.
- If necessary, ask the security officer to help you place your articles on the x-ray belt.
- Tell the security officer if you need help taking off or putting on your shoes when further inspection is needed.
- Tell the security officer if, because of your disability, you cannot take your shoes off, so that alternative security arrangements can be made.
- Ask the security officer to watch over your accessible property, mobility aids and other devices during the inspection process and to take you where they are located after their x-ray screening.
- Security officers will inspect your wheelchair or scooter. If you explain that you cannot get up from your wheelchair or down from your scooter, the inspection will be conducted while you are occupying your wheelchair or scooter.
- Assistive devices may have to undergo explosive trace detection or x-ray screening.
- You should not be required to move from your wheelchair to another chair or to get up from your wheelchair during the inspection process.

### **CHAPTER 3**

#### **Hearing disabilities**

##### *Travelers with disabilities and health problems*

- If you are not clear about the inspection process, ask the security office to write down the information.
- If you know how to lip-read or have hearing problems, ask the security officer to look directly at you and to repeat the information slowly.
- If you need to communicate with the security officer, tell him/her about your disability and the way you can communicate with him/her. Security officers are trained to give all possible assistance to persons with hearing disabilities.
- It is not necessary to remove hearing aids or the external element of a cochlear implant at security checkpoints.
- It is better to use your hearing aid when walking through the metal detector.
- According to ear, nose and throat doctors and surgeons, hearing aids like headphones, cochlear implants, the external elements of cochlear implants and middle ear implants are not affected by x-ray screening, passing through a metal detector or by a handheld metal detector.
- If you are concerned by or uncomfortable with the idea of walking through a metal detector or are worried about having the external element of your cochlear implant undergo x-ray screening, you can ask for a full body palpation and a visual and physical inspection of the external element while attached to your body.
- If you use a hearing dog, you and your dog will remain together at all times when passing through the security checkpoint. See the section on “Assistance animals” for more advice about assistance animals during the inspection process.

### **CAPÍTULO 4**

#### **Hidden disabilities**

##### *Travelers with disabilities and health problems*

- People with a hidden disability may, if they wish, tell security officers that they have a hidden disability and may require assistance of some kind or be obliged to move more slowly than other people.
- Family members or travel companions may inform security officers when traveling with someone who has a hidden disability that could force him/her to move a little more slowly, make him/her easily nervous or make him/her require additional assistance.
- Family members or travel companions may give security officers suggestions about the best way to approach and deal with someone with a hidden disability, particularly when it will be necessary to touch the person during palpation.
- Family members or travel companions may remain with the person during a public or private search. They may, however, be asked to resubmit to inspection if they assist that person.
- Notify the security officer if you need to sit down before or during the inspection process.

### **CHAPTER 5**

#### **Pacemakers, defibrillators, other implanted medical devices and metal implants**

- If you have an implanted medical device you would like to keep private and confidential, ask the security officer to please be discreet when helping you during the inspection process.
- Individuals with pacemakers are recommended (although it is not necessary) to carry with them an identifying certificate for their pacemakers when passing through airport security checkpoints. Show the security officer the certificate for your pacemaker, if you have one, and ask the security officer to do an external palpation instead of having to walk through the metal detector or to have a handheld optical imaging reader used on you.
- It is recommended (but not necessary) that you inform the security officer that you have an implanted pacemaker, other implanted medical devices or a metal implant and the location of that implant.
- The security officer will offer a private inspection, once he/she knows that you have a metal implant or other implanted medical device.
- If your physician has told you that you shouldn't walk through a metal detector or have a handheld imaging reader used on you because it could affect the operation or magnetic calibration of your device, or if you are worried about it, ask the security officer for a palpation instead.
- Security officers will have to deal with all of the problems associated with metal implants. Most can be resolved through palpation; therefore, it is not necessary to take off or to pull up your clothing as part of the inspection process.

## **CHAPTER 6**

### **Oxygen and medical respiratory equipment**

Supplemental personal medical oxygen and other respiratory equipment and related devices (nebulizers and respirators, for example) can be cleared through the security checkpoint once they have been screened.

Protective respiratory equipment that cannot be approved during the inspection process may not be cleared through the security checkpoint.

Persons connected to oxygen equipment:

- Inform the security officer if your supply of oxygen and other related respiratory equipment cannot be safely disconnected.
- Only you can disconnect your oxygen supply to permit your oxygen tank or equipment to be x-rayed.
- Consult your physician before reaching the security checkpoint to make sure that your oxygen supply can be safely disconnected.
- If your physician has told you that you cannot disconnect your oxygen supply or if you are worried about it, ask the security officer to use another screening method that will allow you to remain connected.
- Babies will remain hooked up to sleep apnea monitors during the inspection process. Sleep apnea monitors will be screened while the babies are hooked up to them.
- Oxygen equipment will be submitted to x-ray screening (only disconnected oxygen equipment) or to a physical inspection and to trace explosive detection.

Oxygen suppliers or persons transporting oxygen supplies:



- An oxygen supplier or personal assistant may accompany you to the boarding gate or meet you there once he/she has obtained a valid pass to the aircraft operator's boarding gate.
- Persons carrying their supply of oxygen with them must have a valid boarding card or valid pass to the boarding gate in order to clear the security checkpoints.
- Oxygen carried by the supplier or by the user him/herself will undergo x-ray screening and samples will be taken for trace explosive detection.

## **CHAPTER 7**

### **Oxygen and arrangements**

- Let the airline(s) you will be traveling with know that you will need oxygen at the airport(s) and that your oxygen supplier will be meeting you at the boarding gate to give you a cylinder of oxygen.
- Ask about its policy of allowing oxygen suppliers to meet with you at the intermediate airports or at the arrival gate at your point of destination.
- Communicate with your oxygen supplier and ask it to make arrangements to provide you with oxygen in the city or cities where you will need it. The supplier will have to know which airline(s) you will be using, the departure and arrival date(s) and time(s), the boarding and arrival gate(s), the flight number(s) and the equipment you will need. Make all of these arrangements as early as possible.
- If a representative of your oxygen supplier is going to meet your flight to take you a cylinder of oxygen, arrange to take a flight or flights with arrival time(s) during your supplier's normal working hours, if possible. Also, have on hand the name of the local contact and his/her telephone number in case something unforeseen happens, such as, for example, finding that its representative is not at the arrival gate when you get there.

Passengers are responsible for making their own arrangements with:

- The air carrier(s), in order to receive supplemental oxygen on board the airplane.
- Local suppliers, for the use of oxygen during any stop or at the final destination.
- The airline, friends, family members or a local supplier, to have the oxygen cylinder removed from the boarding area of the airport of origin immediately after you leave that area to board the airplane.

You should make similar arrangements for your return trip. For more detailed information, review the procedures described below. You can find further information about onboard adaptations for oxygen users at the website of the National Home Oxygen Patient's Association. You can also download the brochure "Airline Travel with Oxygen." This publication contains valuable information about how to travel with oxygen, including the air carriers that supply or do not supply supplemental oxygen during their flights.

## **CHAPTER 8**

### **On making your reservation:**

*How to make arrangements to receive supplemental oxygen (02) on board*

- Neither the Air Carrier Access Act, nor the Americans with Disabilities Act requires air carriers to offer oxygen service. As a result, airline policies, procedures and services regarding the provision of adaptations to disabled persons who require oxygen vary widely.

- When you make your reservation, notify the airline that you will have to use supplemental oxygen on board.
- Ask about the airline's regulations regarding the onboard use of supplemental oxygen. Federal regulations prohibit airlines from allowing passengers to take their own oxygen cylinders for onboard use during flights. Passengers who use oxygen cylinders will have to purchase such cylinders from the airline for use during the flight. However, some airlines permit passengers to take their own oxygen-free oxygen concentrators on board and to use them during their flights. Policies vary from airline to airline, so be sure to check in advance with your airline.
- Bear in mind that not all air carriers offer supplemental oxygen service or perhaps not on board all their flights. Ask: 1) whether the airline offers oxygen service, 2) if it is available on the flights you will be taking and 3) whether you will need a doctor's order or whether you should authorize them to communicate directly with your physician to check whether you require oxygen.

*How to make arrangements for the provision of supplemental oxygen during your stops or at your final destination*

- Let the airline(s) with which you are going to travel know that you will need oxygen at the airport(s) and that your oxygen supplier will be meeting with you at the boarding gate to give you a cylinder of oxygen.
- Ask about the air carrier's policy of allowing oxygen suppliers to meet with you at the intermediate airports or the arrival gate at your final destination.
- Communicate with your oxygen supplier and ask it to make arrangements to provide you with oxygen in the city or cities where you will be needing it. The supplier will have to know what airline(s) you will be using, the departure and arrival time(s) and date(s), the departure and arrival gates, the flight number(s) and the equipment you will be needing. Make these arrangements as early as possible.
- If a representative of the company that supplies you with oxygen will be meeting your flight to deliver a cylinder of oxygen, make arrangements to ensure that your flight(s) arrive during the supplier's normal office hours, if possible. Also, have on hand the name of a local contact and his/her telephone number in case an unforeseen event arises, such as, for example, that the representative fails to be at the arrival gate when you get there.

## **CHAPTER 8**

### **Diabetes**

Notify the security officer that you have diabetes and carry your medical supplies with you. The following diabetes supplies and equipment can be cleared through the security checkpoint once they have been screened:

- insulin and insulin-filled dosing products (bottles or box of individual bottles, Jet-type injectors, auto-injectors, Epi-pens, perfusion injectors and prefilled syringes);
- an unlimited number of unused syringes when accompanied by insulin or another injectable medication;
- lancets, glucometers, blood glucose test strips, cotton swabs with alcohol and glucometer control solutions;
- insulin pump and insulin pump supplies (cleaning products, batteries, plastic pipes, perfusion kit, catheter and needle); the insulin pumps and supplies have to be accompanied by insulin;

- glucagon emergency kit;
- ketone-urine test strips;
- an unlimited number of used syringes when carried in containers for the disposal of sharp objects or similar containers; and
- containers for the disposal of sharp objects or similar hard walled containers for storage of used syringes and test strips.

Insulin in any form or insulin dosing products must be clearly identified.

If you are worried or uncomfortable about walking through the metal detector with your insulin pump, let the security officer know that you are using an insulin pump and prefer a full body palpation and a visual inspection of the pump.

Inform the security officer that the insulin pump cannot be removed because it is inserted into a catheter (needle) under the skin.

Let the security officer know when your blood sugar level is low and you need medical assistance.

You have the option of requesting a visual inspection of the insulin and diabetes supplies. Consult the section on medicines below for more details.

## **CHAPTER 9**

### **Medicines**

Medicines of any kind (pills, injections or homeopathic medicines, for example) and related supplies (syringes, containers for disposing of sharp objects, preloaded syringes, Jet-type injectors, pens and perfusion injectors, etc.) can be cleared through security checkpoints once they have been screened. Atro Pen auto-injection systems used to treat many emergency situations (low blood pressure, breathing problems and excessive salivation due to insecticide intoxication, neurotoxic gas or mushroom intoxication) are also permitted.

Medicines do not have to be labeled.

Carbon dioxide (CO<sub>2</sub>) inhalers for migraine headaches and CO<sub>2</sub> replacements.

Metered daily dose medicines can be cleared through security checkpoints once they have been screened.

Medicines and related supplies normally go through x-ray security checks. As a customer service, however, you now have the option of requesting a visual inspection of your medicines and related supplies.

- You should request a visual inspection before starting the security check process. Otherwise, the medicines and supplies will have to go through an x-ray screening.
- If you want to take advantage of this option, have your medicine and related supplies on hand and separated from your other belongings in a separate bag when you approach the security officer at the metal detector.
- Request a visual inspection and hand the security officer your bag of medicines.
- In order to avoid contaminating or damaging medicines and related products or fragile therapeutic elements, you will be asked at the security checkpoint to show, handle and repack your own medicines and related supplies during their visual inspection.

All medicines or related supplies that cannot be inspected visually should be submitted to x-ray screening. If you refuse to allow this, you will not be permitted to carry your medicines and related products into the sterile area.

## **CHAPTER 10**

### **Assistive devices and mobility aids**

#### *Travelers with disabilities and health problems*

- Prosthetic devices, casts and body braces
- Walkers, crutches and canes
- Augmentation devices
- Orthopedic shoes, orthotic devices (surgical supports) and other external medical aids
- Dressings

## **CHAPTER 11**

### **Prosthetic devices, casts and body braces**

Security officers will need to see and touch your prosthetic device, cast or body brace as part of their inspection process (this is not applicable to prostheses used after a mastectomy).

Security officers will not ask or demand that you remove your prosthetic device, cast or body brace.

Don't remove or offer to remove your prosthetic device during the inspection process.

You have the option, at any point during the inspection of your prosthetic device, cast or body brace, to request that the screening be conducted in private.

You have the right to refuse the offer of a private inspection. In that case, you must permit the inspection to be made in public if you want to go beyond the security checkpoint.

You may have a companion, assistant or family member with you to help you in the private screening area (once that person has been checked) and to remain with you during the inspection process.

Airport security officers will do their best to ensure that two security officers of the same sex as the passenger being inspected are present during the private screening process.

If you are too weak or unstable to remain standing during a screening with a handheld metal detector because of your prosthetic device, cast or body brace, you can ask to be allowed to remain seated after walking through the metal detector.

If you need assistance during the inspection process, ask the security officers to lend you a hand, arm or shoulder to lean on or a chair to sit down in. At any point in the inspection process, you can ask for a disposable paper curtain to be hung to give you privacy.

The security officer will describe beforehand the explosives trace detection sampling process to help you with it.

The explosives trace detection sampling process may require that you raise or lift some of your clothing for sampling. (You can raise one pant leg or shirt sleeve or your skirt to knee-level to provide access to the sampling areas.)

The security officer should offer private screening if you are going to need to raise or lift your clothing to carry out the explosives trace detection sampling process. It will not be necessary to remove any of your clothing during the process or to remove or show the belt attaching your prosthetic device to your body.

If the device sets off the alarm of the explosives trace detection machine and the security officer is unable to turn it off, you will not be allowed to proceed through the security checkpoint.

## **CHAPTER 12**

### **Walkers, crutches and canes**

- Walkers, crutches, canes and other assistive devices that can pass through the x-ray machine should undergo x-ray screening (with the exception of folding white canes).
- Ask the security officer (to lend you support with a hand, arm or shoulder) until your assistive device is returned to you.
- The security officer will manually inspect your assistive device if it does not pass through the x-ray machine.
- Notify the security officer if your assistive device needs special handling.
- Walkers are inspected visually and any attached basket, pocket or compartment will be physically inspected.
- All articles hanging from a cane or walker must go through x-ray screening.
- Ask a security officer if you need help placing your articles on the x-ray machine belt.
- If you need it, ask for help with your assistive device.
- If possible, fold your folding canes before placing them on the x-ray machine belt.
- Once your assistive devices have been scanned, the security officers will return them to you in a way that will help you to continue your trip without any problem.

### **CHAPTER 13**

#### **Augmentation devices**

- Augmentation devices attached to your wheelchair are allowed through the security checkpoint once they have been visually inspected and undergone explosives trace detection procedures.
- Security officers should not ask for these devices to be disconnected for their x-ray screening.
- You or your companion may need to inform the security officer that this is an augmentation device and not a portable computer.
- If the device sets off the alarm of the explosives trace detection machine and the security officer is unable to turn it off, the device will not be permitted to clear the security checkpoint.

### **CHAPTER 14**

#### **Orthopedic footwear, orthotic devices (surgical supports) and other external medical aids**

- Inform the security officer if you are using orthopedic shoes, orthotic devices (surgical supports) or other external medical aids and indicate where they are placed.
- If you are using an external medical device and are uncomfortable with the idea of walking through the metal detector or having a handheld metal detector scan, you can request a palpation and a visual inspection of your aid.
- You should be offered a private inspection if it will be necessary to pull up your clothing to complete the inspection process.
- Security officers should not ask you at any time during the inspection process to remove your orthopedic shoes or other medical aids (insulin pump, feeding tube, ostomy or urine bag or external elements of cochlear implants).
- Let the security officer know if you have an ostomy or urine bag. These do not need to be exhibited for inspection.
- If you have a non-invasive bone growth stimulator (external) or other device that operates according to a specific magnetic calibration and that cannot undergo an x-ray scan because it could disrupt the calibration of that unit, you can ask instead for a visual and physical inspection of your device.

- Transcutaneous electrical nerve stimulation (TENS) units and other external medical disability devices can clear the security checkpoint once they have been inspected.
- You can request the hanging of a disposable paper curtain at any time during the inspection process to give you privacy.

## **CHAPTER 15**

### **Dressings**

- If there is anything in the area of a dressing that sets off the metal detector alarm, security officers will gently palpate that area on top of your clothing.
- You will not be required to remove or pull up or down your clothing during palpation.
- During the inspection process, the security officer will not ask you to remove a dressing or do so him/herself.
- If the security officer is unable to determine by palpation whether a dressing contains a prohibited article, you will be denied access to the sterile area.

## **CHAPTER 16**

### **Assistance animals**

#### *Travelers with disabilities and health problems*

##### **General information**

- If you have an assistance animal, you are recommended to inform the security officer that the animal accompanying you is an assistance animal and not a pet. This will give you the opportunity to move to the head of the inspection line because the security officer may need to spend more time with you.
- People using an assistance animal are recommended to carry appropriate identification with them. This identification could include cards or documents, the presence of a harness or a harness with a distinguishing emblem or another believable guarantee that the passenger is using the animal because of his/her disability.
- At no time during the inspection process will you be asked to be separated from your assistance animal.
- Security officers have been trained not to communicate, interact or play with, distract, feed or pet assistance animals.
- The security officer should ask your permission before touching the assistance animal or its belongings.
- You should help during the inspection process by controlling your assistance animal while the security officer conducts his/her search. You must control the animal so that it cannot harm the security officer.
- If you need to leave the secure boarding area so that your animal can urinate, you will have to go through the entire inspection process again. Let the security officer know on your return to the security checkpoint so that he/she can move you to the head of the inspection line in order to speed up the process.

##### **Assistance dogs**

- Tell the security officer the best way for you and your dog to complete the inspection by walking through the metal detector together (in other words, by walking together or with the assistance dog in front or behind you).
- If the metal detector alarm sounds when you and your dog walk through it together, both you and your dog will have to undergo further screening.

- If the metal detector alarm sounds when you or your assistance dog walk through it separately (because you walked through separately), whichever of you set off the alarm will have to undergo further screening.
- If your assistance dog sets off the alarm on walking through the metal detector, the security officer will ask your permission and assistance before touching the assistance dog and its belongings. The security officer will then physically inspect your dog and its belongings (collar, harness, leash, back pack, vest, etc.) At no time will its belongings be taken away from the assistance dog.

### **Assistance monkeys**

- If an assistance monkey is transported in a carrying case, the trainer should remove the monkey from that case before the inspection.
- The trainer should control the assistance monkey during the entire inspection process.
- The trainer should carry the leashed assistance monkey on walking through the metal detector.
- If the trainer and the assistance monkey set off the metal detector alarm when walking through it together, they will each have to undergo further screening.
- Since assistance monkeys can attract attention, the trainer will be accompanied and taken to the physical inspection area where a table will be available for the monkey to sit on. Only the trainer will touch the monkey or interact with it.
- Security officers have been trained not to touch an assistance monkey during the inspection process.
- Security officers will make a visual inspection of the assistance monkey and will show the trainer how to hold the monkey during the visual search.
- The inspection process may require the removal of the monkey's diaper as part of the visual search.

## **CHAPTER 17**

### **Children with disabilities**

#### *Travelers with disabilities and health problems*

Parents or guardians of children with disabilities should:

- Tell the security officer if the child has special needs or medical aids.
- Inform the security officer if they think the child could get upset during the inspection process because of his/her disability.
- Suggest the best way to complete the inspection in order to reduce to a minimum any confusion or fit on the child's part.
- Ask the security officer during the process to place the monkey's and the child's hand luggage on the x-ray belt.
- Know that at no time during the inspection process will they be separated from the child.
- Know that if a private inspection is needed, they should accompany and remain with the child throughout the process.
- Tell the security officer about what the child is able to do. For example, if the child can stand at a slight distance from the machine for use of the handheld detector, walk through the metal detector or needs to be carried by a parent or guardian through the metal detector.
- Know that at no time should the security officer remove the child from its mobility aid (wheelchair or scooter). You are the only one responsible for removing the child from his/her unit, if you think it is necessary in order to complete the inspection process.

- Know that if the child cannot walk or stand up, the security officer will palpate the child while seated in his/her mobility aid and will inspect the equipment visually and physically.

## **CHAPTER 18**

### **Health problems and special situations**

#### *Travelers with disabilities and health problems*

Persons with health problems or special conditions should bear in mind that security officers frequently have no way of recognizing their specific health problem or special condition. You may, but are not required to, tell the security officer that you have a health problem or special condition requiring special attention or care during the inspection process.

- If you need to undergo further screening, you can inform the security officer that you are in pain because of recent surgery or a medical procedure (the area that has just been operated on, if it contains surgical staples, sutures, a reconstructed area or a recent implant, for example) that will require greater care.
- Tell the security officer if you have a special condition that requires extreme care if external palpation is necessary. You can ask for this inspection to be conducted in private.
- Security officers should be considerate about your medical problem and avoid accidentally touching or hitting the sensitive part of your body with the handheld detector. They should also use light pressure or touch when inspecting the sensitive or painful area.
- You can tell the security officer if you are in special situation, such as accompanying the remains of a loved person or accompanying a mortally ill parent or family member who is traveling to a medical institution for a medical operation, procedure or treatment. Security officers have been trained to give you support and assistance during those trying times.







INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)  
ORGANIZACIÓN DE AVIACIÓN CIVIL INTERNACIONAL (OACI)

COMISIÓN LATINOAMERICANA DE AVIACIÓN CIVIL (CLAC)  
LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)



SECOND MEETING OF THE AVIATION SECURITY AND FACILITATION REGIONAL GROUP  
(AVSEC/FAL/RG/2)

Antigua and Barbuda, 16 to 18 May 2012

AVSEC/FAL/RG/2 ð WP/12  
03/05/12

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**Agenda Item 5                      Facilitation (FAL)**  
**5.2                      Report on Handling of Persons with Disabilities Project**

**REPORT ON HANDLING OF PERSONS WITH DISABILITIES PROJECT**

(Presented by the Handling of Persons with Disabilities Project ó Coordinated by Chile)

<b>SUMMARY</b>	
To inform regarding the review of Criteria and Guidelines that have taken into account standards and recommended practices on facilitation and security for the handling of persons with disabilities, particularly the ICAO Facilitation manual (Doc 9957) in order to modify, if applicable, the Resolution Project by sending the corresponding document to the Secretariat.	
<b>References:</b>	
• Report of the Fourth Meeting of the LACAC FAL/AVSEC Group held in Asunción, Paraguay on 23 May 2011.	
<b><i>Strategic Objectives</i></b>	<i>This working paper is related to ICAO Strategic Objective B.</i>

**1.                      Introduction**

1.1                      During the Fourth Meeting of the LACAC FAL/AVSEC Group held in Asunción, Paraguay in May 2011, Chile presented NE/06 under the title "General Criteria and Guidelines on Air Transport for Persons with Disabilities."

1.2 During their presentation, Chile reminded the meeting that during the third meeting of the Group, carried out in July 2010, Chile made a presentation on "Transport Facilitation of Passengers who require Special Assistance". During the debate, many opinions were exchanged on the evolution of paradigms through time regarding the treatment of persons with disabilities. At the same time, Chile presented its experience regarding the transportation regulations of this type of passengers, i.e. sick or with special needs.

1.3 After the presentation of this working paper, the LACAC GRUFAL/AVSEC convened and ad hoc group formed by Bolivia, Brazil, Dominican Republic, Paraguay, Uruguay and Chile (rapporteur), in order to prepare the "Criteria and guidelines to be considered by the facilitation and security standards and recommended practices regarding persons with disabilities".

1.4 In this regard, Chile, as the rapporteur of the ad hoc group, submitted a Draft Resolution for the consideration of experts which established the "Criteria and guidelines for the air transport of persons with disabilities," which is detailed in the following recommendation:

- *Recommended criteria:* regarding the concept definition, it is recommended to use the term "Person with disability" considering that this definition belongs to the official definition adopted by the Twelfth Edition of Annex 9 "Facilitation, and which has been approved by most ICAO Member States.
- *Recommended criteria:* the general criteria have been established as the prohibition of discriminatory practices to persons with disabilities as long as the air or remaining passengers' security is not affected while doing so.
- *Recommended criteria:* since it is a general standard for all LACAC Member States, it is recommended that it is applicable to all air carriers, regardless of their nationality, in order to unify criteria in all States.
- *Recommended criteria:* the instances related to aerodrome facilitations regarding persons with disabilities, have to consider the accessibility and universal design principles. Likewise, they have to be in accordance with State Laws that establish regulations for the social integration of persons with disabilities.
- *Recommended criteria:* guide dogs must have proper identification and registration from the sanitary authority of each State.
- *Recommended criteria:* regarding the security of passengers with disabilities, their luggage and help or assistance elements, it has to be regulated in accordance with the current regulations in place on each State, and taking into account air security and the dignity of people.
- *Recommended criteria:* an air carrier will not deny transportation to a person with disabilities on the basis of his/her condition, however, it may limit the number of people considering the capacity and characteristics of the aircraft specified on the respective operation manuals that have been approved by the Aeronautical Authority.
- *Recommended criteria:* the air carrier personnel is required to be initially and permanently trained on assistance to persons with disabilities, and this should be included on a training programme.

- *Recommended criteria:* the air carrier has to deliver and make accessible the necessary information on all types of passengers so that they have wide knowledge of their limitations and rights.
- *Recommended criteria:* while regulating, each LACAC Member State has to consider all entities involved with the issue of disabilities, as well as all existing regulation background.
- *Recommended criteria:* LACAC Member States have to establish as a whole the implementation, oversight and inquiry responsibilities in order to comply with the standard.

1.5 During the discussion between Brazil and ICAO, it was suggested to consider the Background Chapter of the Facilitation Manual, approved recently by ICAO as Doc 9957. Likewise, the delegate was questioned if she had considered ICAO Circular 274 and her response was positive.

1.6 The GRUFAL/AVSEC resolved, among many established aspects in the conclusion, to ask the delegate to review the ICAO Facilitation Manual (Doc 9957) in order to modify, if necessary, the Resolution Project, and in a specific period, to send the Secretariat the corresponding document, which is the subject of this working paper.

## **2. Discussion**

2.1 As a product of the assigned task and prior to make any comparative analysis, it was deemed necessary to establish each one of the publications on persons with disabilities, which are listed as follows:

- a) the ICAO Facilitation Manual Doc 9957, Chapter 8, which mentions the SARPs modification history, which has been increased based on the new open spaces resulted from the United Nations proclamation between 1983 and 1992, which was defined as the decade of persons with disabilities. In 1986, the ICAO Assembly requested that the Council completed a review of problems particular to the old and handicapped throughout the world, thus, determining the appropriate measures to ensure an improved access at airports and air services for these travellers. The Council decided that the review needed to be approached in two directions, first, all things involved with airport access and second, all things involved with access to air transport services.
- b) Equally, Annex 9 ó Facilitation, Chapter 8, Item H, established recommended practices for States, which were also defined based on the two directions included on the Facilitation Manual, Doc 9957.
- c) as an complementary element, in 1999, ICAO published Circular 274 ó AT/114 in English, this document decided to adopt and define the term õpersons with disabilitiesö.

- d) this Circular implemented guidance materials for the implementation of standards and recommended practices for Annex 9 ô Facilitation. The document defines in detail all the approaches established by the Council to deal with this issue and to recommend States about the need to involve air carriers and related organizations with the development of an international standard that refers to services, personnel training programmes and information communication, which is addressed to travellers with disabilities and, through this approach, provide these travellers with improved and dignified services while using immigration, custom and safety services.
- e) as it had been established in the action framework, this document details all developments that need to be carried out in airports, both in physical accessibility, ergonomics, air transport inside airports and air services access in which carriers have a responsibility to improve the physical accessibility of aircraft and to improve assistance services that are normally aimed for the use of normal passengers and expanding them to meet the demands and difficulties of persons with disabilities.

2.2 In addition, as a result of the task assigned to the rapporteur, a comparison of the ôCriteria and guidelines for the air transport of persons with disabilities,ö versus the criteria and guidelines derived from the Facilitation Manual (Doc 9957), Chapter 8 (8.9 ô Persons with disabilities), ICAO Annex 9 ô Facilitation and ICAO Circular 274-AT/114, in addition to the LACAC FAL/AVSEC Group/4. The analysis made is attached in Appendix A to this working paper.

2.3 Finally and considering the fact that Chile is the coordinator for the Handling of Persons with Disabilities Project within the work programme developed by the ICAO/LACAC AVSEC/FAL/RG and in order to comply with the table of Projects and Work Programmes included in the Appendix to the Report of the First Meeting of the ICAO/LACAC NAM/CAR/SAM Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG/1), the LACAC Secretariat received a comparison report of the old project and the ICAO Facilitation Manual (Doc 9957) (**Appendix A**) as well as the LACAC Resolution Project proposal (Appendix B), which is being presented before its submission to the LACAC Executive Committee and prior to its approval by the Assembly.

2.4 Therefore, Document F662-11 contained in **Appendix B**, named ôReportö develops the final conclusion of the analysis carried out and in Document F662-11, **Appendix C** contains all recommended final criteria which conform the Resolution Project.

2.5 However, it will be important to consider Conclusion 9 of the ICAO/LACAC Regional Facilitation Seminar/Workshop held in Santiago, Chile from 20 to 22 March, which is included in the Appendix to WP/18 and whose terminology was established by the United Nations International Convention of 2008 which refers to ôpersons with disabilities.ö

### 3. Suggested Action

3.1 Take note of the information contained in this document and to establish the programming of forthcoming tasks for the project and establish specific deadlines.

**APPENDIX A**

<b>Recommended Criteria</b>	<b>Analysis</b>
<p>The task consists of reviewing the Facilitation Manual (Doc 9957) with a view to modifying the Draft Resolution, if applicable.</p>	
<p>1.- <u>Recommended criterion</u>: Regarding the definition of the concept, it is recommended that the term “persons with disabilities” be used, since this definition corresponds to the official definition adopted in the twelfth edition of Annex 9 “Facilitation” and was approved by most of ICAO member States.</p>	<p>This recommended criterion is fully consistent with that specified in the Facilitation Manual (Doc 9957) and is what best reflects the agreement reached by the European Civil Aviation Conference (ECAC), where the term “person with reduced mobility” is used, thus achieving a more universal use of the proposed concept. Accordingly, Recommendation No. 1 should not be amended.</p>
<p>2.- <u>Recommended criterion</u>: The prohibition of discriminatory practices against persons with disabilities is established as a general criterion, provided it does not jeopardise security or other passengers.</p>	<p>The Facilitation Manual does not directly address the prohibition of discriminatory practices, but clearly that is the intention, as may be inferred from concept evolution and the agreements adopted to date, namely:  <u>8.9.4</u> – Refers to the designation by the UN of the 1983-1992 period as the decade of the persons with disabilities.  <u>8.9.6</u> -The 29<sup>th</sup> ICAO Assembly held in 1992 agreed to establish some basic principles applicable to all the signatories of the Chicago Convention and to further such principles through additional provisions in Annex 9.  <u>8.9.9</u> – Refers to general standards 8.27 and 8.34, which supplement each other and require States to take steps as necessary to ensure that airport facilities are adapted to the needs of disabled persons so that they may have proper access to air services.  Accordingly, Recommendation No. 2 requires no amendment.</p>
<p>3.- <u>Recommended criterion</u>: Since this is a general standard applicable to all LACAC member States, it is recommended that it apply to all air operators, regardless of nationality, so as to unify criteria amongst the different States.</p>	<p>This criterion is based on the Preface of the Facilitation Manual, which lists the duties, commitments, and high level of cooperation required from the various community sectors, such as: airline operators, service providers, airport authorities, and inspection agencies, amongst other organisations.  Accordingly, Recommendation No. 3 requires no amendment.</p>
<p>4.- <u>Recommended criterion</u>: Aerodrome facilities for persons with disabilities must take into account accessibility and universal design principles. They must also be in compliance with State legislation providing for full social integration of persons with disabilities.</p>	<p>As noted, this recommended criterion is reflected in 8.9.5 and in the background information cited in 8.9.6 of the Facilitation Manual. Furthermore, Attachment 1 “Model Airport Facilitation (FAL) Programme” to the Facilitation Manual makes direct reference to various sections and paragraphs of Annex 9.  Accordingly, Recommendation No. 4 would not require amendment.</p>

Recommended Criteria	Analysis
<p>5.- <u>Recommended criterion</u>: Assistance <i>dogs</i> must carry the appropriate identification and the <u>certificate issued by the corresponding health authority</u> of each State.</p>	<p>This aspect is not expressly mentioned in the Facilitation Manual, but it is mentioned tangentially in Annex 9, Chapter H, through Recommended Practice 8.36 and in item 36 of Circular 274 “Access to Air Transport by Persons with Disabilities”. There is no document that addresses the identification and certification of animals assisting disabled persons by the health authority of each State.</p> <p>Accordingly, Recommendation No. 5 should be disregarded until expressly required by ICAO, since it could be a source of discrepancy with the laws of other States. Accordingly, it is suggested that the following recommended practice be established: <i>Assistance dogs must carry the appropriate identification and meet the corresponding health requirements of each State.</i></p>
<p>6.- <u>Recommended criterion</u>: Security inspection of passengers with disabilities, their luggage, and their support or assistance elements must be regulated in accordance with the current laws of each State, taking into account the security of aviation and the dignity of individuals.</p>	<p>Although the Facilitation Manual, as compared to Recommendation No. 6, does not expressly mention any related aspect, except for that specified concerning the dignity of individuals, it can be inferred from Annex 9, Chapter H, I “General” through the recommended practices.</p> <p>However, item 3 of Circular 274 clearly specifies those aspects related to the dignity of individuals.</p> <p>Consequently, it would be advisable to maintain Recommendation No. 6, since, although not textually specified by ICAO in the Facilitation Manual, it is contained in Annex 9 and in Circular 274, which are complementary.</p>
<p>7.- <u>Recommended criterion</u>: An air operator may not deny transportation to a person with disabilities for reasons of such disabilities; however, it may limit the number of such persons based on the capacity and characteristics of the aircraft, as specified in the respective operations manuals approved by the aeronautical authority.</p>	<p>This aspect is not expressly mentioned in the Facilitation Manual, but can be inferred from item 8.9.9 of that Manual, and is also implied in Annex 9, chapter H, under the Recommended Practice contained in item 8.23 and mandatory requirement 8.34.</p> <p>Notwithstanding the above, the elimination of any type of discrimination in the service and availability of an air operator against passengers with disabilities is deemed appropriate. Accordingly, Recommendation No. 7 would require no amendment.</p>
<p>8.- <u>Recommended criterion</u>: The operator’s personnel must receive initial and recurrent training on how to assist persons with disabilities, and this must be included in a training programme.</p>	<p>This aspect is not expressly mentioned in the Facilitation Manual, but is directly mentioned in Annex 9, Chapter H, I “General”, in Recommended Practice 8.26.</p> <p>It also appears in Circular 274, items 2, 9 to 16.</p> <p>Accordingly, the recommended criterion must be maintained.</p>

Recommended Criteria	Analysis
<p>9.- <u>Recommended criterion</u>: The air operator must provide the necessary information to all types of passengers so that they are fully aware of their limitations and rights.</p>	<p>This aspect is not explicitly mentioned in the Facilitation Manual, but it does appear in the Recommended Practices of Annex 9, Chapter H, 8.22, 8.25, and 8.29. Likewise, Circular 274, items 4 to 8, also provides for the delivery of the required information. Accordingly, the proposed recommendation must be maintained.</p>
<p>10.- <u>Recommended criterion</u>: Each member State of LACAC, when issuing regulations, must take into account all entities related to the issue of disabilities, as well as any previous regulations.</p>	<p>The Facilitation Manual addresses the aspect described in Recommendation No. 10, item 8.9.9 and in Annex 9, Chapter H, Recommended Practices 8.24 and 8.25. Likewise, Circular 274, in items 1 and 7, and its Appendix, in paragraphs 8.22 to 8.26, provide for the delivery by operators of the required information in the terms established in the recommendation. Accordingly, Recommendation No. 10 requires no modification.</p>
<p>11.-<u>Recommended criterion</u>: Member States of LACAC must jointly define the implementation, monitoring and control responsibilities for compliance with the regulations.</p>	<p>It may be inferred from item 8.9.9 of the Facilitation Manual that the aforementioned standards require States to adopt the necessary measures to make sure that airport facilities are suited to persons with disabilities and that the latter are provided with proper access to air services. Accordingly, the recommended criterion should be maintained in accordance with the established conditions.</p>

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**APPENDIX B**  
**REPORT**

I. - The following is the study of the proposal compared with Facilitation Manual (Doc 9957), concluding that:

- A.- The Facilitation Manual, only in Chapter 8 "Other Provisions of Facilitation" paragraph 8.9 "*Persons with disabilities*" refers to the issue of the treatment of people with disabilities. In this context, the Facilitation Manual provides an overview on the evolution in the treatment of people with a disability and accurately about how ICAO has incorporated some basic requirements and various methods recommended in Annex 9 "Facilitation" and Circular 274-AT/114 "Access to air transport for people with disabilities".
- B.- It was also considered important for the analysis not to propose amendments to the recommended criteria, even if they are not dealt with implicitly in the Facilitation Manual, Annex 9 and Circular 274, while are not in conflict with current regulations and common sense.
- C.- Established this and analyzing each of the criteria recommended by the States members of the group, it is estimated that only one of them should be edited in attention of the considerations set out below:
  - 1.- Recommended Criterion: "Assistance dogs must have identification and accreditation by the health authority of each State."
  - 2.- Analysis: The Facilitation Manual, does not indicate this aspect in its development, neither is mentioned in Annex 9 or Circular 274. In light of the above, it is necessary to add that an inquiry was made in the legislation of other States and wasn't found this point in the health regulations, as the health status of the dogs is usually proven by agencies or institutions which perform the training.
  - 3.- Proposed amendment to recommended criterion: According to the above it is suggested to modify the criteria as follows: "assistance dogs must have the required identification and meet the sanitary according to each state."

II.- Consequently, and after analyzed the recommended criterion, it is proposed that the Draft Resolution consider the mentioned items as they are described in Appendix B "Recommended Criterion".

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## APPENDIX C

### RECOMMENDED CRITERIONS

- 1.- As for the concept's definition, we recommend to use the term "Persons with Disabilities", considering that this definition corresponds to the official definition adopted by the Twelfth Edition of Annex 9 "Facilitation" and is adopted by most ICAO State members.
- 2.- It is established, as a general rule, the prohibition of discriminatory practices to people with disabilities, while they doesn't attempt against other passengers' safety.
- 3.- Because it is a general rule for all State members of LACAC, it is recommended that applies to all air operators, without differentiating nationality, in order to unify the criteria among the several States.
- 4.- The facilities applicable at aerodromes in the case of persons with disabilities, should consider the principles of accessibility and universal design. They must be as well, in accordance to the law of each State, which makes provisions for the full social integration of people with disabilities.
- 5.- Assistance dogs must have the required identification and meet the health requirements for each State.
- 6.- In consideration to the review for safety of passengers with disabilities, their luggage, and its items of aid or assistance, must be regulated according to the norms of each State, considering air safety and people's dignity.
- 7.- An air operator shall not deny transportation to persons with disabilities because of their condition. However, it can limit the number of these depending on the capacity and characteristics of the aircraft, specified in the respective Operations Manuals, approved by the FAA.
- 8.- It's an exigency that the air operator's personnel receive initial and ongoing training regarding the care of persons with disabilities, which must be included in a program of education and training.
- 9.- The air operator must submit the relevant information approachable to all kind of passengers, so they can get a comprehensive knowledge of their limitations and rights.
- 10.- When they establish regulations, each LACAC member State must consider all entities involved with the issue of disability, as well as the existing regulatory background.
- 11.- The LACAC member States should establish together, the responsibilities for implementation, monitoring and inspection, to comply with the regulations.

— END—