58th CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS

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AGENDA ITEM 5:   AVIATION SECURITY AND
                   FACILITATION

DEVELOPMENTS IN THE FACILITATION PROGRAMME

(Presented by the ICAO Secretariat)

INFORMATION PAPER

SUMMARY

The Paper highlights recent developments in the ICAO Facilitation Programme since the 57th Meeting of the DGCA in the Republic of Korea in July 2022. The highlights pertain to inter alia, Annex 9 — *Facilitation*, ICAO Traveller Identification Programme (TRIP) Strategy, ICAO Public Key Directory (PKD), the 41st Session of the ICAO Assembly and capacity building initiatives to assist Member States implement the provisions of Annex 9.

DEVELOPMENTS IN THE FACILITATION PROGRAMME

1.   **INTRODUCTION**

1.1   Since the 57th Meeting of the DGCA in the Republic of Korea in July 2022, the three components of the Facilitation Programme — Annex 9 — *Facilitation*, the ICAO Traveller Identification Programme (TRIP) Strategy and the ICAO Public Key Directory (PKD) — have continued to advance at pace, highlighting ICAO's leadership in setting the standards leading to more efficient and secure border management.

2.   **DISCUSSION**

2.1   **DEVELOPMENTS PERTAINING TO ICAO ANNEX 9 — *FACILITATION***

2.1.1   On 9 March 2022, the ICAO Council adopted Amendment 29 to Annex 9, sixteenth edition, which became applicable on 18 November 2022, obliging Member States to implement the provisions of Amendment 29 to Annex 9. This Amendment incorporates new/revised provisions related to public health emergencies including a new Chapter 10 on health-related provisions, security of travel and health proofs documents, relief and repatriation flights, air transport facilitation of persons with disabilities, assistance to aircraft accident victims and their families, and trafficking in persons.

2.1.2   The Facilitation Panel's Working Group on Guidance Material (WGGM) has completed an in-depth review of the *Facilitation Manual* (Doc 9957). The new edition of the manual will include up-to-date guidance aligned with Amendment 29 to Annex 9.

2.1.3   The Task Force on Health Issues Outbreak in Aviation (TF-HIOA) was established by the Air Transport Committee (ATC) in April 2020 and assigned a Terms of Reference (ToR). As part of the the ToR, proposed revised and new health-related Standards and Recommended Practices (SARPs) have been incorporated into Amendment 29 to Annex 9. Furthermore, the TF-HIOA developed guidance for the revised and health related guidance that has been incorporated into the *Facilitation Manual* (Doc 9957).

2.1.4   The TF-HIOA also reviewed the current compliance to Standard 8.17 and considered new measures to improve the implementation of Standard 8.17 which directs States to develop a national aviation plan in preparation for an outbreak of a communicable disease. TF-HIOA along with CAPSCA also jointly reviewed the High-level Conference on COVID-19 (HLCC 2021) Facilitation Stream recommendations addressed to ICAO. TF-HIOA has completed a review of Doc 10042, *Model National Air Transport Facilitation Programme* and has proposed revisions to address a national aviation plan compliant with Standard 8.17 (under Amendment 29) and reflect the revised Annex 9 SARPs.

2.1.5   The Forty-first Session of the ICAO Assembly under Agenda Item 12 – Outcomes of the High-level Conference on COVID-19 (HLCC 2021) and Agenda Item 13 – Facilitation Programmes endorsed, inter alia, was presented with the 79 recommendations emanating from the Facilitation Stream of the HLCC 2021 and the 30 recommendations emanating from the AAAVF 2021. In line with HLCC 2021 and AAAVF recommendations, the Assembly adopted: Resolution A41-11 which, inter alia, urges Member States to ensure coordination between civil aviation and health authorities to allow a seamless implementation of relevant health-related Annex 9 — *Facilitation* provisions, taking into account a multilayered risk-based approach to establish their health measures; Resolution A41-14 which, inter alia, calls on Member States to reaffirm their commitment to support victims of civil aviation accidents and their family members; and urges Member States to establish legislation, regulations and/or policies to support victims of civil aviation accidents and their family members, as mandated by ICAO Annex 9 Standard 8.47, and pursuant to Article 28 of the Montréal Convention of 28 May 1999 and Resolution No. 2 adopted by the Montréal Conference; and Resolution A41-15 which, inter alia, urges Member States to prioritize the inclusion and accessibility of air transport services for persons with disabilities and reduced mobility. Resolution A41-15 also encourages Member States to support ICAO activities

with resources, both financial and in-kind, to ensure a successful implementation of agreed measures to support air transport of persons with disabilities and reduced mobilities.

2.1.6   The Assembly also endorsed the FAL Programme's work on Annex 9 for 2023-2025. In line with the FAL Programme's work on Annex 9, taking into account the Organization's *No Country Left Behind* (NCLB) initiative, the priorities include: assistance to Member States through training, guidance material, regional implementation seminars, assistance projects to build capacity and enhance implementation of Annex 9 provisions, design of appropriate auditing framework for the implementation of Annex 9 health-related SARPs; and the development of a mechanism to facilitate national facilitation oversight system.

2.1.7   The Twelfth Meeting of the Facilitation Panel (FALP/12), held virtually from 13 to 22 July 2021 established a Working Group on Annex 9 (WGA9) that comprises experts from Member States, relevant international organizations, and industry supported by the ICAO Secretariat. The mandate of the working group includes ensuring that measures contained in Annex 9 — *Facilitation* are commensurate with the current and foreseeable global aviation facilitation environment for civil aviation. Currently, the WGA9 is reviewing Annex 9 SARPs with the aim of streamlining text and terminology for consistency. TF-HIOA reviewed all health-related provisions in Annex 9 and proposed the relocation of relevant SARPs into Chapter 10 of Annex 9, for consideration by WGA9. Notably, SARPs addressed to aircraft and airport operators, and proposals for relocating existing health-related SARPs in Annex 9, to Chapter 10 on Health-related provisions, for consideration by the Thirteenth Meeting of the Facilitation Panel on 5-9 February 2024.

2.1.8   The Facilitation Panel, during intersession, in line with Assembly Resolutions A41-14, *Assistance to victims of aviation accidents and their families*, and A41-15: *Accessibility international civil aviation* and the FAL Programme 2023- 2025, strongly supported establishing a Working Group on Assistance to Aircraft Accident Victims and their Families and formalizing the existing Working Group on Accessibility to assist the Secretariat undertake its work on these two very important areas and agreed to their respective Terms of Reference. Additionally, the Panel in recognition of the importance of Annex 9 — *Facilitation* in global air transport and its 75th Anniversary in 2024, strongly supported commemorating 2024 as the Year of Facilitation (YOF). Recommendation to commemorate 2024 as the YOF will be presented to the ICAO Council during its 230th Session, for its consideration.

2.1.9   On 5 June 2023, ICAO issued State Letter EC 6/7–23/40 requesting Member States to implement the Facilitation Stream recommendations addressed to them, and to grant access to the Electronic Filing of Difference (EFOD) System to the Civil Aviation Authority (CAA) department responsible for facilitation and relevant national experts from agencies that have a role in the implementation of Annex 9. Additionally, on 8 February 2023, ICAO issued State Letter EC 6/3–23/8, inviting States to notify ICAO of their interest to host the second Symposium on Assistance to Aircraft Accident Victims and their Families (AAAVF), in 2024. After receiving offers, it has been decided to host AAAVF in the Netherlands in 2024.

2.1.10   To assist Member States in implementing Annex 9 provisions, ICAO developed a Facilitation Implementation Package (iPack) on Strengthening National Air Transport Facilitation Committees for the Restart and the Resilience of Civil Aviation, which has been deployed in all ICAO regions. Additionally, ICAO has developed 3 training courses entitled Annex 9 — *Facilitation*, ICAO Traveller Identification Programme (TRIP) Strategy, and Assistance to Aircraft Accident Victims and their Families, for delivery in both virtual and classroom formats. Two iPacks are under development — Management of National Facilitation Programmes and Implementation of the ICAO TRIP Strategy Roadmap — as well as a training course entitled Managing Air Transport Facilitation.

2.1.11   ICAO continues to collaborate in the United Nations Office for Counter-Terrorism (UNOCT) led by the Countering Terrorist Travel (CT Travel) Programme, together with the Counter-Terrorism Executive Directorate (CTED), the UN Office of Information and Communication

Technology (OICT) and the UN Office on Drugs and Crime (UNODC). CT Travel is a global capacity-building initiative to support Member States to enhance their detection capacity to curb FTFs mobility by using Advance Passenger Information (API) and Passenger Name Record (PNR) data, making them compliant with the requirements of the UNSC resolutions 2178 (2014), 2396 (2017) and 2482 (2019).

2.1.12 Following the adoption of new and updated SARPs on PNR with Amendment 28 to Annex 9 it should be recalled that the Annex 9 Standards focused on API and PNR data are audited as part of the ICAO Universal Security Audit Programme –Continuous Monitoring Approach (USAP–CMA).

2.2 DEVELOPMENTS PERTAINING TO ICAO TRAVELLER IDENTIFICATION PROGRAMME STRATEGY

2.2.1 The ICAO TRIP Strategy establishes a comprehensive framework for Member States to build a robust traveller identification process. It is composed of five elements related to identification management, namely: Evidence of Identity (EoI); Machine Readable Travel Documents (MRTDs); Document Issuance and Control (DIC); Inspection Systems and Tools (IST), including PKD; and Interoperable Applications (IA), such as API and PNR data.

2.2.2 The ICAO TRIP roadmap was developed by the Secretariat and was approved by the ATC during the 210th Session of the Council in January 2017. It was then revised and endorsed by the 40th Session of the ICAO Assembly in 2019, with the understanding that the roadmap should impose no obligation on States beyond the Annex 9 SARPs related to the ICAO TRIP Strategy. With Amendment 28 to Annex 9, the revised Roadmap was agreed and published on the ICAO public site.1 It incorporates new and/or revised Annex 9 SARPs related to the ICAO TRIP Strategy with the objective to guide Member States in their efforts to implement this strategy and comply with the related Annex 9 SARPs as well as with the international specifications for MRTDs contained in Doc 9303, *Machine Readable Travel Documents*.

2.2.3 In terms of innovative developments, the Technical Advisory Group on TRIP (TAG/TRIP) endorsed, inter alia, the ICAO *Guiding Core Principles for the Development of Digital Travel Credentials (DTC)*, as well as the technical specifications of VDS for Non-Constrained environments (VDS-NC). The DTC as well as the VDS-NC specifications will enable an ICAO compliant passport to be extended to a passenger's mobile device, allowing a more seamless traveller journey with less passenger touchpoints at the airports, resulting in a healthier and safer travel experience.

2.2.4 ICAO continues to provide assistance to its Member States. In 2023 the 18th ICAO TRIP Symposium (TRIP2023) will be held from 12–14 September, under the theme "Enhancing Traveller Mobility through Technology and Innovation" and will be followed by the Joint ICAO/International Criminal Police Organization (INTERPOL) Biometric on 14 September. In addition, ICAO will conduct a Regional TRIP Symposium on traveller identification management from 6 to 8 December 2023 in Almaty, Kazakhstan.

2.3 ELECTRONIC MACHINE-READABLE TRAVEL DOCUMENTS, DIGITAL DOCUMENT FORMATS AND THE ICAO PUBLIC KEY DIRECTORY (PKD)

2.3.1 An increasing number of States globally are implementing electronic Machine-Readable Travel Documents (eMRTDs), including ePassports and electronic ID cards for travel, as well as digitally-signed documents such as Visible Digital Seals (for visas, travel authorizations, health proofs etc.). The proliferation of such documents globally requires increasing attention to assurance of capabilities for their electronic verification.

2.3.2 Electronic passports (ePassports) remain the most frequently issued digital document used in travel. ePassports include an integrated circuit (IC) chip that stores the digitally-signed data of

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1 https://www.icao.int/Security/FAL/TRIP/PublishingImages/Pages/Publications/ICAO_TRIP_Implementation_Roadmap.pdf

the passport holder. ePassports offer increased security and enhanced travel facilitation. Amongst 39 APAC States (of whom 38 issue their own passports), 26 issue ePassports (Appendix B refers).

2.3.3   Four APAC States (Australia, Japan, Nauru and Tuvalu) issued digitally-signed COVID-19 vaccination proofs following the ICAO VDS-NC specification during the COVID-19 pandemic.

2.3.4   The ICAO PKD is a central broker for sharing the public key certificates necessary for electronic verification of the digital signature on eMRTDs and other digitally signed document formats – a process known as Passive Authentication (PA). It allows document issuers to share certificates globally in a convenient and cost-effective manner while ensuring that receiving authorities such as border control authorities have access to a trusted and up-to-date repository of international public key certificates. Sixteen APAC States and 2 additional non-State passport-issuing entities in the region are amongst the 91 current PKD participants. (Appendix B refers).

2.3.5   Receiving authorities often struggle to remain up-to-date with electronic document related public key certificates issued by States that are not shared through the ICAO PKD. They may also be unable to establish trust in certificates obtained from other sources. As a result, their documents cannot be electronically verified, and all security and facilitation benefits are lost. States issuing eMRTDs are therefore urged to join the PKD in line with ICAO Assembly Resolution A41-17 and as per Annex 9 Recommended Practice 3.9.1 and to upload data necessary for the verification of their documents to the PKD regularly as per Annex 9 Standard 3.9.2.

2.3.6   Given the increased prevalence of electronic documents at borders and the benefits associated with their full and rigorous verification using electronic means, States are encouraged to use data from the PKD to verify electronic documents presented at their borders. All States are urged to use the information available from all States in the ICAO PKD to authenticate eMRTDs at border controls, as per ICAO Assembly Resolution A41-17 and Annex 9 Recommended Practice 3.9.3. Participation in the PKD offers the optimal capabilities for use of the data.

2.3.7   New ICAO PKD services continue to be made available to increase value for those joining. Following the introduction of the new ICAO Master List in 2020, a first ICAO Health Master List was published in January 2022 to make public key certificates needed for verification of health proofs available globally. These services are offered as costs of participation continue to decrease. Annual participation fees for 2023 are US$ 23,745.

2.3.8   Following the PKD Board's approval of a new PKD capacity-building initiative — the PKD "Data Quality Coach" program - in November 2020, new PKD participants have been offered the chance to avail of direct mentorship and provision of support by an experienced coach from the PKD community, with associated costs being covered by the ICAO PKD Management Office. Mongolia has received coaching under this program; other States in the APAC region who may be interested in participating are invited to submit their interest.

2.3.9   Information on how to participate in the ICAO PKD is available on the ICAO public website.[2]

3.   ACTION BY THE CONFERENCE

3.1   The Conference is invited to:

> a) take action as appropriate regarding ICAO State Letters EC 6/7-23/40*(note this SL deleted from here since it's been decided that the Netherlands will host)*;
>
> b) nominate experts to ICAO Facilitation working groups and participate in meetings of the Facilitation Panel;

c)   encourage participation in ICAO Facilitation training activities;

d)   support ICAO Facilitation activities with resources, both financial and in-kind; and

e)   implement the provision of ICAO Annex 9 — *Facilitation*.
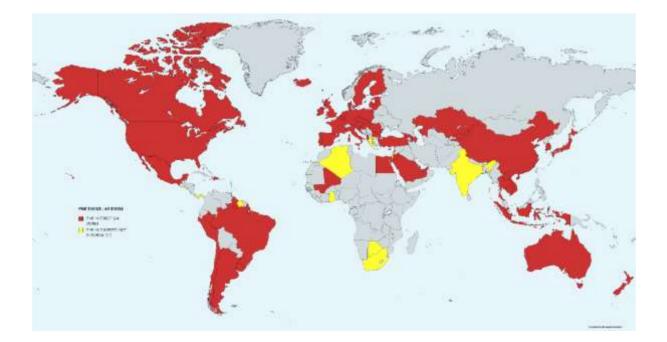

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APPENDIX A

**STATUS OF API AND PNR IMPLEMENTATION BY STATES AND ENTITIES
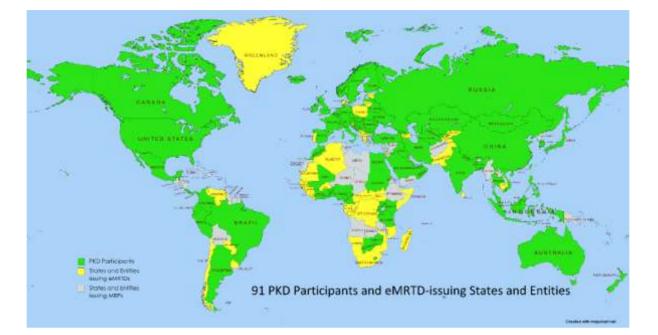(AS OF JULY 2023)**

API

PNR

APPENDIX B

ISSUANCE OF EPASSPORTS AND PARTICIPATION IN THE ICAO PKD

91 PKD Participants and eMRTD-issuing States and Entities

LIST OF APAC STATES ISSUING ePASSPORTS

(as of July 2023)

PKD Participants are highlighted in **bold**

Region	Member States
Asia and Pacific Office (APAC)	**Australia**, **Bangladesh**, Brunei, Cambodia, **China**, Fiji, Democratic People's Republic of Korea, **India**, **Indonesia**, **Japan**, Lao People's Democratic Republic, **Malaysia**, Maldives, **Mongolia**, **Nepal**, **New Zealand**, Pakistan, **Philippines**, **Republic of Korea**, **Singapore**, Solomon Islands, Sri Lanka, **Thailand**, Timor-Leste, **Vanuatu**, **VietNam**.
Total	**26 out of 39 APAC States**

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