

O.V. Bashta¹, PhD, P.L. Nosko¹, Prof., A.O. Bashta², PhD, O.V. Kotliar¹

¹(National aviation university, Ukraine)

²(National university of food technologies, Ukraine)

Some Features of Aviation Safety Facilitation Standards in Relation to the COVID-19 Pandemic

Following the outbreak of COVID-19, governments, including government regulators, airports, airlines and aircraft manufacturers, in coordination with public health authorities, have developed a set of measures to reduce health risks to passengers, aviation personnel and the general public. The implementation of these measures will contribute to and strengthen the global recovery from the COVID-19 pandemic.

Since the start of the 2019 coronavirus (COVID-19) crisis, the aviation system has faced increasing challenges. The International Civil Aviation Organization (ICAO), through the Aviation Recovery Working Group (CART), has decided to work with its Member States, international and regional organizations and industry to address these challenges and provide global guidance on safe, secure and sustainable aviation sector recovery.

States and the civil aviation industry must commit to building a more sustainable air transport system, maintain clear communication and recognize the vital role of aviation as a global factor, especially in times of crisis. accordingly, states must identify and address gaps, with the help of ICAO, to ensure adequate support to vulnerable segments of the international community and the provision of essential services. A key element of future preparedness will be to analyze the insights and experiences gained during this crisis to improve coordination processes and mechanisms.

Globally and regionally harmonized, mutually accepted measures are numerous. Such measures must be compatible with safety and security requirements; in proportion to the improvement of the population's health; be flexible where possible to ensure a viable economic recovery; and protected from market distortions. Measures that impose costs or burdens on the industry must be fully waived and justified by safety, public health and passenger and crew confidence.

These measures can be regrouped in four categories [6]:

a) Aviation safety-related measures. States may temporarily depart from ICAO Standards but must do so in a manner that does not compromise safety and security, and which is duly reported to ICAO. These departures should not be retained beyond the crisis.

b) Aviation public health-related measures. States should establish public health procedures aligned with the guidance included in the document, "Take-off: Guidance for Air Travel through the COVID-19 Public Health Crisis". The necessity of these measures should be regularly reviewed. The measures which are no longer relevant should be discontinued when the need for their application has ceased to exist.

c) Security- and facilitation-related measures. States should enhance cross-

sectoral coordination by establishing a National Air Transport Facilitation Committee or equivalent, and systematically use the Passenger Health Locator Form as a reference. It is States' responsibility to maintain security across all operations.

d) Economic and financial measures. These should be inclusive, targeted, proportionate, transparent, temporary and consistent with ICAO's policies, while striking an appropriate balance of interests without prejudice to fair competition.

The success of aviation recovery today and future sustainability is best achieved through the collective efforts of stakeholders across regions and sectors. At all levels, local, national and international, there will be a need for strict adherence to the recommendations and measures outlined in ICAO reports. Measures will also need to be adjusted to the evolving situation. To this end, ICAO, in cooperation with all civil aviation stakeholders, should continue to monitor and evaluate results, taking the opportunity to strengthen the aviation ecosystem.

It is noted that special attention should be paid to the simplified entry, departure and transit of aircraft that provide relief flights, in accordance with Annex 9 - Standard 8.8 of simplified procedures in light of the urgent need to ensure the stability of the global air cargo supply chain, which allows, in particular, to maintain the availability . equipment such as ventilators, masks and other health and hygiene-related products that have reduced the public health risk of the spread of COVID-19.

In the current situation, State Letter EC 6/3 – 20/46 [7] is mentioned that, States are reminded of the related ICAO Annex 9 - Facilitation provisions to expediting the release and clearance of goods carried by air, with a focus on Standard 4.7, regarding use of modern screening or examination techniques for examination of goods, and Standard 8.8 for the facilitation of entry, departure and transit of aircraft engaged in relief flights and to implement all measures to facilitate the receipt of aid, including overflight and landing rights and necessary privileges and immunities for relief units, in an effort to avoid disruption.

Several States have implemented measures to prevent disturbances to such critical operations, by maintaining all cargo flights and keep out cargo flight crew members from quarantine. There is an pressing need to ensure sustainability of the global air cargo supply chain and in maintaining the availability of medicines, and equipment such as ventilators, masks and other health and hygiene-related goods, which are required to assist in reducing the public health risk of the COVID-19 spreading.

In addition, some States have announced the introduction of entry checks for passengers. However, evidence has shown that entry screening can miss cases of infection, and States are reminded not to rely on entry screening as a stand-alone measure. This measures should be part of a multi-level strategy.

Moreover the implementation of the measures mentioned in these State letters, several States have organized special flights for the exclusive purpose of repatriating their citizens and other appropriate persons from foreign countries through operations by State aircraft, humanitarian flights or charter commercial flights. These flights, which are organized by States for the sole purpose of repatriating their nationals and other appropriate persons from other States, with no embarkation or disembarkation of other passengers for "remuneration or hire", could be appointed as "repatriation flights". This would provide that necessary

authorizations for the entry, departure and transit of aircraft carrying out such “repatriation flights” are provided expeditiously.

As regards “repatriation flights” conducted on a commercial basis, States are obligatory under Article 5 of the Convention on International Civil Aviation of 1944 on privilege of foreign aircraft occupied in non-scheduled commercial flights to carry passengers from/to their territories, subject to conditions imposed by States. As a result of the extraordinary circumstances caused by COVID-19, States are encouraged to review their authorization procedures with a view to granting speedy approval to such “repatriation flights,” in line with the relevant provisions relating to international non-scheduled flights found in Section F of Chapter 2 to Annex 9 – Facilitation to the Chicago Convention.

Considering the above, States should be invited to facilitate the operations of all designated “repatriation flights” during the COVID-19 pandemic by reviewing their authorization procedures and exercising flexibility in their approaches for granting all necessary authorizations for the entry, departure and transit of aircraft perform such operations whether by State aircraft, humanitarian flights or chartered commercial flights.

ICAO set up the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) program [6, 10, 12] which recommended the implementation of the ICAO Public Health Corridor (PHC) concept. The first guidance material developed under this concept, Implementing a Public Health Corridor to Protect Flight Crew during the COVID-19 Pandemic [6, 10] (Cargo Operations) 9, aims at the facilitation of essential cargo flights to support supply chain operations in the delivery of essential medical supplies as part of the global response to the pandemic.

The level of States’ non-compliance with pertinent Annex 9 Standards and Recommended Practices (SARPs) poses risks to an efficiently coordinated civil aviation response to a pandemic. Limited application by States of a Passenger Health Locator Form as recommended by ICAO disrupt States’ ability to perform contact tracing following the incoming of cases of infection. Establishing a National Air Transport Facilitation Committees, as essential from Annex 9, or its equivalent, and ensuring its effective functioning, can supply the level of coordination inter government and industry stakeholders required for swift and effective actions.

For instance:

- 1) Crew members, specialized maintenance and cargo personnel participating in flights with a layover should not be medically quarantined and detained for observation during the layover or upon return, unless they have had contact with a passenger or crew member who have known symptoms on board or while parked;

- 2) Crew members operating cargo-only passenger aircraft must ensure that the correct message is sent to all agencies to avoid confusion, or that crew members on board such as cargo handlers, engineers and cabin crew are correctly identified and noted on the crew manifest;

- 3) For transfer passengers, the development screening system will become a one-stop, using the existing single security system as a model. In this model, passengers and property are not re-screened at transfer points based on mutual

recognition of security measures between States along the travel route. Such an agreement on the health check procedure can prevent the appearance of new queues at passenger transfer points.

States should consider implementing steps that facilitate the continued operation of aircraft, such that are mentioned in guidance document “Take-off” [6]:

a) Quarantine measures are not imposed on crew who need to layover, or rest, for the purposes of complying with flight time limitation (FTL) rest requirements.

b) Crews are not subject to screening or restrictions applicable to other travelers.

c) Health screening methods for crew members are as non-invasive as possible.

Increased use of advanced technologies is encouraged to facilitate contactless processing of passengers at various stages of their journey.

Conclusions

States are strongly insist on:

a) coordination between aviation and health authorities and to found National Facilitation Committees that comprise all appropriate groups, in line with Annex 9 Standard 8.19, taking into account that cross-sector cooperation at the national level is essential;

b) follow the relevant Annex 9 Standards intended to ensure maintainable air cargo operations and global air cargo supply chain;

c) take into consideration the guidance material contained in Appendix 12, page 12-2 to Annex 9, especially the ones related to screening measures to be attached in a health emergency and the additional information detected in Chapters 4 and 8 of ICAO Doc 9957, The Facilitation Manual and Doc 10042, Model National Air Transport Facilitation Program.

States are also encouraged to share with ICAO any information on the measures taken and any difficulties encountered during this period as regards the authorization and operation of “repatriation flights” described above.

Finally for Member States there are such recommendations as:

a) Member States accelerate the development of guidance on how to manage the safety of new operations or changes to operations during this crisis;

b) Member States that have not done so should instantly establish a National Air Transport Facilitation Committee (or equivalent) as necessary by Annex 9 to increase national level cross-sectoral negotiation;

c) Member States should systematically utilize a Passenger Health Locator Form to guarantee identification and traceability of passengers to help limit the distribution of the disease and resurgence of the pandemic; and

d) Member States should contribute information-sharing and exchange on their actions and best practices by promotion to an ICAO database of measures.

References

1. Annex 19. Safety Management. 2nd edition ICAO. 2019.

2. Doc 9859. Safety Management Manual (SMM). 4th edition. ICAO. 2018.
3. Doc 10004. Global Aviation Safety Plan 2020–2022. ICAO. 2019.
4. Doc 9957. The Facilitation Manual. ICAO 2011.
5. Doc 10042. Model National Air Transport Facilitation Program. ICAO 2015.
6. State Letter EC 2/76-20/67. ICAO Council Aviation Recovery Task Force (CART) Report and annexed guidance document Take-off: Guidance for Air Travel through the COVID-19 Public Health Crisis.
7. State Letter EC 6/3 – 20/46. Adherence to relevant ICAO Annex 9 Facilitation Standards; and Actions taken by Member States to reduce the spread of the novel coronavirus (COVID-19) by air transport and to protect the health of air travellers and the aviation personnel.
8. State Letter AN 13/35-20/47. Implementation of contingency arrangements to reduce the risks of the spread of COVID-19.
9. State Letter EC 6/3 – 20/55. Speedy authorization of “repatriation flights” during the COVID-19 pandemic period.
10. State Letter EC 6/3-20/80. ICAO Global Roadmap supporting the implementation of the recommendations and guidance of the Council Aviation Recovery Task Force.
11. Electronic Bulletin EB 2020/30. Implementing a Public Health Corridor to Protect Flight Crew During the COVID-19 Pandemic (Cargo Operations).
12. ICAO Safety Report. 2020 Edition.
13. <https://www.icao.int/Security/COVID-19/Pages/default.aspx>.
14. <https://www.icao.int/safety/COVID-19OPS/Pages/default.aspx>.