



FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

Agenda Item 4: Controlling travel document fraud and illegal migration

CODE OF CONDUCT FOR IMMIGRATION LIAISON OFFICERS

(Presented by the United Kingdom)

1. INTRODUCTION

1.1 Annex 9 currently contains reference to the positioning of “liaison officers” at airports to assist in authenticating the travel documentation of embarking passengers. The relevant paragraph in Chapter 3 reads as follows:

3.54.2 Recommended Practice. — *Contracting States should make arrangements such as memoranda of understanding (MOUs) with other Contracting States with the intention of permitting the positioning of “liaison officers” at airports or to establish other forms of international cooperation in order to assist operators to establish the validity and authenticity of the passports and visas of embarking passengers.*

1.2 In giving consideration to the provision of best practice guidelines for Immigration Liaison Officers being deployed overseas, the IATA/Control Authorities Working Group (IATA/CAWG) has sought to promote a consistency of approach and cooperation on this subject. As a result, IATA/CAWG has agreed a Code of Conduct for Immigration Liaison Officers (last updated in October 2002), a copy of which is attached to this working paper. This Code provides guidance on a range of issues, including the liaison officer role, personal safety, preparation for deployment and outline main tasks. Cooperation with the host country authorities and with operating airlines is regarded as an essential ingredient of that work.

1.3 As more Contracting States to ICAO consider the placement of liaison officers overseas to reduce travel document fraud, the United Kingdom considers that the IATA/CAWG Code of Conduct offers reasonable and consistent guidance concerning the conduct and responsibilities of such officers. In our view, the insertion of this document into the ICAO Facilitation Manual would be a positive and constructive step forward.

2. ACTION BY THE DIVISION

2.1 The Division is invited to incorporate the attached IATA/CAWG Code of Conduct for Immigration Liaison Officers into the ICAO Facilitation Manual.

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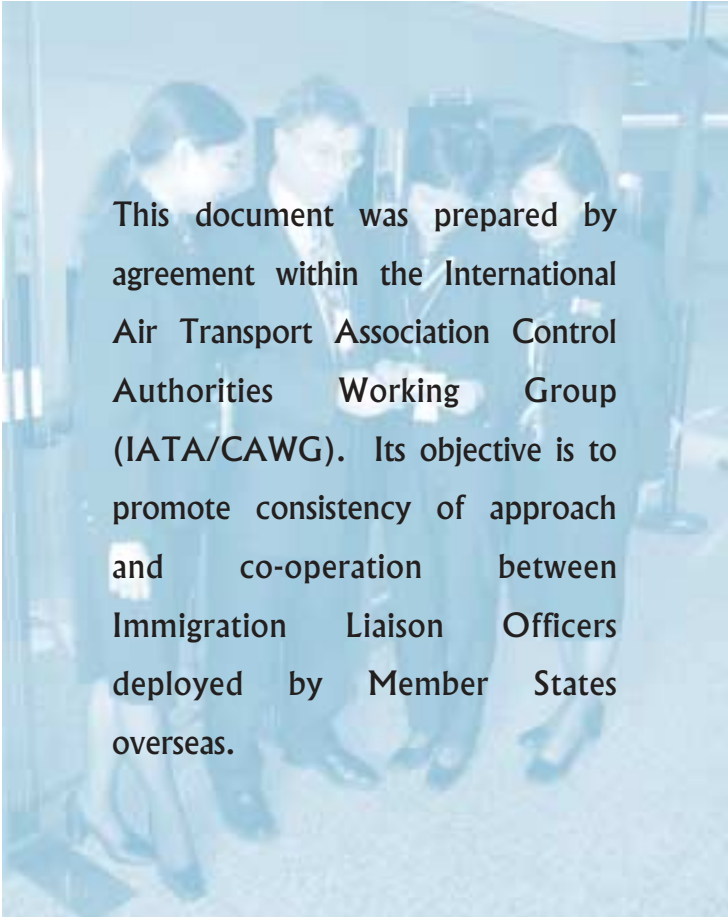


**The IATA/Control Authorities
Working Group (IATA/CAWG)**

A CODE OF CONDUCT FOR IMMIGRATION LIAISON OFFICERS

October 2002





This document was prepared by agreement within the International Air Transport Association Control Authorities Working Group (IATA/CAWG). Its objective is to promote consistency of approach and co-operation between Immigration Liaison Officers deployed by Member States overseas.



A Code of Conduct for Immigration Liaison Officers

1. AIM

The basic aim of having a Liaison Officer (LO) in a foreign country is to reduce the number of improperly documented passengers travelling from or through that country. The LO should also assist airlines in establishing whether individual passengers who appear to be improperly documented are nevertheless bona fide and may be carried without incurring financial charges under carrier legislation.

2. ROLE

- 2.1** LOs must understand that they have no legal powers in a foreign jurisdiction. They may advise airline staff, but they have no power to compel that a passenger not be carried. They also have no power to arrest or prosecute criminals engaged in the illegal movement of improperly documented passengers within the host's jurisdiction. They may provide information to the local police, immigration authorities or to other government officials as appropriate. However, in the standard conduct of information exchange nothing should oblige a LO to exchange information in contravention of domestic data protection and data handling laws or regulations or policies.
- 2.2** LOs must understand that if they exceed their authority there is a very real risk that they may be barred from working at the airport by the local authorities. This may lead to LOs from other countries also being barred.

- 2.3 LOs must understand the objective of their posting. If they receive requests for asylum, applicants should be directed to the office of the United Nations High Commissioner for Refugees, to the appropriate diplomatic mission(s), or to an appropriate local Non-Governmental Organisation (NGO).
- 2.4 LOs should seek advice from the head of their diplomatic mission in any case where they believe that their activities might affect their primary responsibilities as a Liaison officer or bilateral interests.

3. PERSONAL SAFETY

The personal safety of LOs and their families is of paramount importance and they must ensure, as far as possible, that their activities do not put themselves or their families in danger. It is recommended that LOs have full diplomatic status.

4. PREPARATION

- 4.1 The first step for any country wishing to post a LO should be to contact other countries who already have LOs in the proposed location for advice and guidance on the procedures to be followed. If there are already other LOs in post, there will be a LO acting as local coordinator for this and other purposes (see 5.2 below).
- 4.2 Before posting a LO to a foreign country, the government body for whom he/she works *must* ensure that the relevant authorities in that foreign country agree to the posting. It will normally be necessary for the diplomatic mission in that country to make an approach to the host authorities seeking permission for the posting and authorisation for an airside pass for the LO. The nature of the LOs role must be fully explained to the host authorities. The IATA/CAWG secretariat should be informed of all proposed LO postings. The IATA/CAWG secretariat will in turn inform its members.

5. MAIN TASKS

LOs will be responsible for the following activities:

- 5.1 establishing and maintaining a good working relationship with:
 - (i) the airlines operating in that country;
 - (ii) local immigration, police and other appropriate authorities;
 - (iii) other LOs posted to that country and with the consular staff of other missions;
- 5.2 ensuring that, where there is more than one LO, arrangements are made for regular (eg. Monthly) LO meetings. The chair of such meetings will rotate on an annual basis. The chairperson will be responsible for ensuring coordination of local activities where there are common interests;
- 5.3 training airline staff in the general principles of passport and visa requirements, passenger assessment and awareness of fraud and forgery;
- 5.4 advising airline staff on whether passengers have the right travel documents and visas for their proposed journey;
- 5.5 assisting in establishing the bona fides of individual passengers who are properly documented, but about whose documents airline staff have doubts;
- 5.6 advising airline staff on whether travel documents and visas are genuine, forged or fraudulently obtained;
- 5.7 offering assistance to airlines on passengers where, although they may have inadequate documentation, the carrier genuinely believes there to be a compelling and wholly exceptional reason for travel, and who, without the LO's advice, may have been denied boarding;
- 5.8 assisting the local immigration and police authorities in identifying criminals involved in the illegal movement of improperly documented passengers;
- 5.9 gathering and sharing information relating to the movement of improperly documented passengers.



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