



FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

- Agenda Item 2: Facilitation and security of travel documents and border control formalities**
Agenda Item 4: Controlling travel document fraud and illegal migration

RISK POSED BY OTHER IDENTITY DOCUMENTS

(Presented by India)

1. INTRODUCTION

1.1 This paper analyses the risk posed by the multiplicity of travel documents used for international travel and suggests that in order to reduce the risk, those provisions of Annex 9 that support the use of "other identity documents" be modified suitably. The proposals contained in this working paper will affect the existing paragraph 3.4 (which may become 3.6 based on the proposals contained in the Appendix to WP/3), paragraph 3.11 contained in Appendix to WPI3, paragraphs 3.74, 3.75 & 3.76 contained in Appendix to WP/23 and the definition of "Travel document" contained in Appendix to WP/6.

2. DISCUSSION

2.1 The incidents of 11 September 2001 have led to a paradigm shift in the approach of the international aviation community towards facilitation and security. Earlier, it was common to see a constant tussle between the facilitation and security authorities of any country, one trying to gain an upper hand over the other in regard to the rules and procedures governing the processing of passengers/cargo at an airport. But after 9/11, the approach has changed and there is an attempt on the part of all concerned to treat facilitation and security jointly as one package and to treat the two as friends rather than as enemies of each other. The authorities in all countries, as well as ICAO, are doing their best to ensure that facilitation is achieved without compromising security. It is in keeping with this new approach that the theme of this Divisional Meeting has been chosen as: "Managing Security Challenges to Facilitate Air Transport".

2.2 It is in conformity with the above theme that ICAO have identified the menace of travel document fraud as an issue deserving serious attention of this Division since this menace, apart from posing a problem for the law enforcement and immigration agencies, has the potential to aid and assist those who have evil designs to hijack airliners or to perpetrate other unlawful acts against safety of civil aviation. The battle against forgery of travel documents is, therefore, an integral part of our effort to strengthen aviation security and it is hoped that these steps will also serve the interest of facilitation in the longer run when the travel documents and the processing systems get fully computerized. With this aim in mind, the Division is expected to devote considerable time and effort to update related provisions in Annex 9 and also to include some new provisions in order to ensure security of travel documents. Seen

in this background, the multiplicity of travel documents obviously becomes a source of concern. The reason is simple, viz there will be as many issuing authorities as the number of identity documents and the risk of forgery will increase proportionately since it will be quite difficult for any State to extend the application of Annex 9 provisions regarding travel document security to so many agencies and to monitor implementation of these provisions by them.

2.3 The point to be pondered here is: "Is it really necessary to have travel documents other than passports and Crew Member Certificates (CMCs) in the air travel sector?" It is felt that perhaps it is not necessary as the advantage that may accrue in terms of achieving the goal of foolproof travel document security, with ultimate aim of enhancing civil aviation security, will definitely compensate for the slight inconvenience that will result due to this curtailment of flexibility. It is, therefore, suggested that this Divisional Meeting should keep this principle in mind while finalizing the texts of various provisions of Annex 9 so that States are not encouraged to permit use of other identity documents for international air travel. Some specific proposals are given in the Attachment.

2.4 It will not be out of place to include in this working paper a suggestion regarding CMCs. There is no doubt that compliance with the provisions of Annex 9 relating to entry of crew members on the basis of CMCs is an important facilitation measure that gives the operators the desired flexibility regarding crew deployment. But, as per information gathered by ICAO, it seems that many States do not issue CMCs. It goes without saying that full benefits of the provisions relating to CMCs will flow only when all States issue CMCs to the crew members of their airlines. Furthermore, it is quite important to ensure authenticity of CMCs on a par with passports and for that purpose it is important that States themselves undertake to issue CMCs as per Annex 9 provisions and do not delegate this work to airlines. Keeping these points in view, it will be in order if this Division could agree to modify suitably the provisions relating to crew identity documents in Chapter 3 of Annex 9 and also adopt a recommendation to the Council to consider urging member States, by way of a State Letter, to issue CMCs in accordance with the provisions of Annex 9.

3. ACTION BY DIVISION

3.1 The Division is invited to give consideration to:

- a) adoption of the attached draft texts for revisions to Annex 9 provisions; and
- b) adoption of a recommendation to the Council as per paragraph 2.4 above.

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ATTACHMENT

1. Paragraph 3.4 (likely to be renumbered as 3.6 based on WP/3)

Delete the note below the above paragraph.

2. Paragraph 3.11 contained in Appendix to WP/3

Delete the words "or other identity documents accepted for travel purposes" appearing after the word "visas".

3. Paragraph 3.74 contained in Appendix to WP/23

Delete this paragraph and also Appendix 7.

4. Paragraph 3.75 contained In Appendix to WP/23

Delete the words "and other official crew identity document "appearing after the word "CMCs".

5. Paragraph 3.76 contained in Appendix to WP/23

Delete the words "or other official crew identity documents issued in machine readable format appearing after the word "CMCs".

6. Definition of "travel document" in Appendix to WP/6

To be replaced by: "A passport or a crew member certificate issued by the competent authorities of a State".

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