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ASSEMBLY — 38TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 16: Facilitation and Machine Readable Travel Documents

A GLOBAL FRAMEWORK FOR THE COLLECTION AND USAGE OF PASSENGER NAME RECORD (PNR) DATA

(Presented by the United Arab Emirates)

EXECUTIVE SUMMARY

Passenger Name Record (PNR) data gathered by carriers is an important instrument for law enforcement authorities to prevent, detect and investigate unlawful interference and prosecute perpetrators. However, the current approach to deal with and exchange PNR data is not harmonized among all Contracting States.

This working paper proposes the implementation of a global framework for the collection and usage of PNR data for state borders security purposes. The goal is to standardise the approach among contracting states to avoid a proliferation of multiple individual solutions resulting from bilateral agreement approach currently in place.

Action: The Assembly is invited to request the Council to consider amending Guidelines on Passenger Name Record (PNR) Data (Doc 9944) along the lines suggested in paragraph 2.4 of this working paper.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective B — <i>Security</i> .
<i>Financial implications:</i>	No financial implications
<i>References:</i>	None

1. INTRODUCTION

1.1 Co-operation in data exchange is extremely important, and the access to Passenger Name Record (PNR) data which is contained within carriers' reservation systems should be addressed, agreed on and legalised by ICAO for all Contracting States.

1.2 Currently some airlines refrain from exchanging PNR data due to state's local laws and regulations hindering the compliance with the requirements of the destination state, thus increasing the security threat in both states.

1.3 A new global framework for PNR data collection between states should be developed under ICAO to avoid conflicts of PNR data collection between States and airlines.

2. DISCUSSION

2.1 A number of states have implemented PNR data collection programs including Canada, USA, UK, and Australia. The European Union has also issued a PNR directive to support PNR data collection programs within the EU. Currently, other states implementing PNR system are facing difficulties in obtaining PNR data necessary for security and risk assessment purposes as they need to sign bilateral agreements with different States. Therefore, a global agreement under the ICAO umbrella is required.

2.2 This proposal therefore provides a framework for other countries to extend the benefits from PNR data within an agreed framework.

2.3 Elimination the bilateral agreements on PNR sharing will dramatically increase the efficiency of such systems, thus enhance state capabilities in addressing security threats.

2.4 In order to standardise the collection and use of PNR data, Doc 9944, Guidelines on Passenger Name Record (PNR) Data, should be modified to incorporate the following principles: a) PNR usage will be for the purpose of national security; b) PNR data will not be shared between origin and destination States; c) PNR data will not be retained for longer than a fixed number of years; and, d) PNR data will be anonymised after two years.