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**Ninth Meeting of the North American, Central American and Caribbean Directors of Civil Aviation
(NACC/DCA/09)**

Port-of-Spain, Trinidad and Tobago, 25 to 27 June 2019

**Agenda Item 7: NAM/CAR Regional Aviation Security/Facilitation Implementation
7.2 Aviation Security/Facilitation Implementation Matters**

DEVELOPMENTS IN THE FACILITATION PROGRAMMES

(Presented by the Secretariat)

EXECUTIVE SUMMARY

This paper highlights recent developments in the Facilitation programmes describing the recommendations reached by the Tenth meeting of the Facilitation Panel in relation to Annex 9 – *Facilitation* and presents the status of the implementation of the ICAO Traveller Identification Programme (TRIP) Strategy and the ICAO Public Key Directory (PKD).

Action	Action required is referred in paragraph 5
<i>Strategic Objectives:</i>	Security and Facilitation
<i>References:</i>	Doc 10075, <i>Assembly Resolutions in Force (as of 6 October 2016)</i> Annex 9 — <i>Facilitation</i> (15th Edition) Doc 9303, <i>Machine Readable Travel Documents (MRTDs)</i> AT SD 210/1

1. INTRODUCTION

1.1 In the area of aviation security and facilitation, the 39th Session of the ICAO Assembly (A39) confirmed ICAO's emphasis on achieving greater balance between effective control measures and system-wide connectivity and efficiency. Highlighting the importance of putting facilitation on equal footing with security, the Strategic Objective *Security and Facilitation* reflects the need for ICAO's leadership in air transport facilitation and related border security matters.

1.2 Assembly Resolution A39-20, *Consolidated statement of continuing ICAO policies related to facilitation*, urged Member States to uniquely identify individuals to maximize security and facilitation benefits; including preventing acts of unlawful interference and other threats to civil aviation and, as such, endorsed the development of a roadmap for the implementation of the ICAO Traveller Identification Programme (ICAO TRIP) Strategy.

2. ANNEX 9 – FACILITATION RECENT DEVELOPMENTS

2.1 The tenth meeting of the Facilitation Panel (FALP/10), held at ICAO Headquarters in Montréal, from 10 to 13 September 2018, resulted in recommendations (some with relevance for aviation security) for substantive amendments to Annex 9 — *Facilitation Annex 9* to the Convention on International Civil Aviation. The final report and other documentation of the meeting can be found on the FALP/10 website at: <http://www.icao.int/Meetings/FALP/Pages/FALP10-2018.aspx>.

2.2 The Panel reached a certain number of recommendations related notably to passenger data exchange, dual nationality, and travel documents and also considered the reports of its Working Group on Guidance Material (WGGM) and WG on the Global Aviation Facilitation Plan (GAFP). In its consideration of the latter, the Panel endorsed the proposal that a GAFP is not viable for the time-being. The Panel's recommendations were submitted to the Air Transport Committee (ATC) in January 2019 for initial review, and subsequently, disseminated to Member States for comments. The ATC approved the establishment of a FAL Panel WG to examine FAL-related work on human trafficking. This WG is yet to be constituted. The ATC also agreed that a FAL Panel WG be established to consider the development of proposals for Standard and Recommended Practices (SARPs) on the collection, use, processing and protection of passenger name records (PNR) data in line with United Nations Security Council (UNSC) resolution 2396 (2017). This Working Group, called the PNR Task Force, has been established and started the work with the objective of reporting back to the ATC in the fall of 2019.

2.3 In March 2019, the last of the series of Regional FAL Implementation Seminars, in support of the *No Country Left Behind* (NCLB) initiative, *vis-à-vis* Annex 9, was held at the Bangkok Regional Office for States in the APAC Region. Similar seminars have already been held in Paris, France, in November 2017, and Dakar, Senegal, Cairo, Egypt and Lima, Peru during 2018, for States in the EUR/NAT, WACAF and ESAF, MID as well as SAM and NACC Regions, respectively. The focus of this series of seminars was on Compliance Checklist (CC) in the Electronic Filing of Differences (EFOD) system and the development of National Air Transport Facilitation Programmes (NATFPs).

2.4 The completion of the Annex 9 CC in the EFOD system is important, as this is the primary method by which States' compliance with Annex 9 SARPs is gauged. The completion of the CC will enable Council to consider the extent of the level of Annex 9 compliance and to determine if further action should be taken in this regard. Therefore, Governments from NACC Member States are requested to ensure that their respective Annex 9 checklists are duly completed. State letters EC 6/3–15/90 dated 21 December 2015 and EC 6/3–18/55 dated 2 May 2018, refer.

3. IMPLEMENTATION OF THE ICAO TRIP STRATEGY

3.1 An ICAO TRIP roadmap was developed by the Secretariat and approved by the ATC during the 210th Session of the Council in January 2017 (AT-SD 210/1, refers), with the understanding that the roadmap should impose no obligation on States beyond the Annex 9 SARPs related to the ICAO TRIP Strategy. This roadmap was sent to all Member States in August 2017 with the objective to guide them 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. In January 2019, the updated roadmap (available on the ICAO public site) was endorsed by the ATC (AT-SD 216/1 refers) incorporating notably 16 new and/or revised provisions (**Appendix A**) introduced by the Amendment 26 of Annex 9 related to the ICAO TRIP Strategy.

3.2 ICAO continued to actively support UNSC resolutions 2178 (2014), 2309 (2016), 2368 (2017) and 2396 (2017). As member of the Counter-Terrorism Implementation Task Force (CTITF), ICAO actively participated in the 2018 update of the Madrid Guiding Principle designed as a practical tool to assist States in stemming the flow of foreign terrorist fighters and to the finalization of the Biometric Guide of the UN Counter-Terrorism Executive Directorate (CTED). The relevant UNSC resolutions urged Member States to require airlines to provide Advance Passenger Information (API) which is an Annex 9 Standard since 23 February 2018 and a component of the ICAO TRIP Strategy.

3.3 Thanks to a donor-funded programme, funded by the Government of Canada, “Strengthening Border Control Management in the Caribbean Region”, a guide on Border Control Management (BCM) has been finalized and made available to all ICAO Member States in July 2018. The TRIP magazine continues to be published by ICAO to serve the TRIP community. Along with the first edition of the ICAO TRIP Strategy Compendium, a significant body of ICAO guidance material is available for many of the elements of the ICAO TRIP Strategy at <https://www.icao.int/Security/FAL/TRIP/Pages/Publications.aspx>. In that context, and as part of the support provided to States, the seventh edition of Doc 9303, Machine Readable Travel Documents, composed of twelve parts, including eleven supplements previously released in 2015, were updated and published in all ICAO languages at the end of 2018.

3.4 In the context of the ICAO Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA), the Annex 9 - Facilitation Amendment 26 provisions that support both border management and security objectives are audited with inclusion of two new audited Standards, namely 9.5 and 9.6, related to API system implementation and its regulatory framework.

3.5 Taking new air travel realities into consideration, the New Technologies Working Group (NTWG), of the ICAO Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP), established a specialized subgroup to work on standardizing an ICAO digital travel credential (DTC) concept. In developing these technical policies, the ePassport is used as the benchmark, given that it offers a secure, portable, verifiable and unclonable token.

3.6 A dedicated Border Management subgroup of the Implementation and Capacity Building WG (ICBWG) of the TAG/TRIP has been created to improve the participation of border management experts in the activities of the TAG/TRIP and to ensure that there is an effective coordination between the travel document issuing authorities and border control agencies.

3.7 ICAO participated in several data exchange seminars organized by the Organization for Security and Cooperation in Europe (OSCE) in different States aiming to implement API or PNR. As of

today, 68 Member States have implemented an API system while only 26 States have implemented a PNR data system. Furthermore, State letter EC 6/3-17/92 dated 24 July 2017 invited States to submit data to the Interpol Stolen and Lost Travel Document (SLTD) database as per Annex 9 Standard 3.10 and to comply, as practicable, with RP 3.10.1 by using the database for checking passports at the border. The responses received indicate that 53 States are using the SLTD database to check passports at the border.

4. THE ICAO PUBLIC KEY DIRECTORY (PKD) ROLE IN THE ICAO TRIP STRATEGY

4.1 The ICAO PKD is an inspection tool which allows to check the chip inside the ePassport (**Appendix B**), enabling to detect any attempt to alter the chip's data. It acts as a central broker by managing the multilateral exchange of certificates lists used to validate the digital signature on the chip.

4.2 As of April 2019, the ICAO PKD had grown to 65 participants (**Appendix C**), including three States from North American, Central American and Caribbean Regions; namely, Barbados, Canada and United States. Although 88 per cent of the ePassports in circulation are issued by PKD Member States, there continues to be a significant gap between the number of ePassport-issuing States (about 135 States), the number of ICAO PKD participants and the PKD participants using it in day-to-day border control operations. The objective of the PKD is to expand participation so that a majority of States can benefit of this inspection tool and its future improvements that enhance both security and facilitation.

4.3 The PKD annual fee steadily decreases as the number of PKD participants increases. For 2019, the PKD annual fees have been established at US \$7,353 and US \$22,500 for ICAO (PKD management) and for the operator (infrastructure maintenance), respectively, totalling US \$29,853 (compared to US \$31,755 in 2018).

5. ACTION BY THE NINTH MEETING OF THE NORTH AMERICAN, CENTRAL AMERICAN AND CARIBBEAN DIRECTORS OF CIVIL AVIATION (NACC/DCA/09)

5.1 The meeting is invited to take note of this paper highlighting developments in all ICAO's Facilitation Programmes, including the importance of implementing the ICAO TRIP Strategy which aims at enhancing both air transport facilitation and cross-border security and to recommend that:

- a) States in the region be reminded that they shall comply with the Standard of Annex 9 requiring them to promptly report accurate information about stolen, lost and revoked travel documents, issued by their State, to INTERPOL for inclusion in the SLTD database;
 - b) States in the region be reminded that they shall establish a National Air Transport Facilitation Programme and associated committees in accordance with the Standards 8.17, 8.18 and 8.19 of the fifteenth edition of Annex 9 – *Facilitation*;
 - c) States in the region should endeavour to join the ICAO PKD as a means to authenticate travel documents in order to neutralize the activities of cross-border criminality;
 - d) States in the region should implement the ICAO TRIP Strategy roadmap in order to achieve both enhanced air transport facilitation and aviation security and to prevent the movement of potentially inadmissible persons; and
 - e) States in the region should ensure that their respective Annex 9 compliance checklists are duly completed in the EFOD system.
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APPENDIX A
ICAO TRAVELLER IDENTIFICATION PROGRAMME (TRIP) STRATEGY
ELEMENTS:
RELATED ANNEX 9 SARPS (TOTAL: 64 SARPS)
(AMENDMENT 26, 15TH EDITION, OCTOBER 2017)

1. **Evidence of Identity:** “credible evidence of identity, involving the tracing, linkage and verification of identity against breeder documents to ensure the authenticity of identity.”

Related Annex 9 SARPs: **Total: Nil**

It should be noted that A39–20 provides a framework for “evidence of identity.”

2. **MRTDs:** “the design and manufacture of standardized MRTDs, including ePassports, that comply with ICAO [Doc 9303] specifications.”

Related Annex 9 SARPs: Standards 3.4, 3.11, 3.12, 3.63
 Recommended Practices 3.9, 3.13, 3.26, 3.64 **Total: 8**

3. **Document Issuance and Control:** “processes and protocols for document issuance by appropriate authorities to authorized holders, and controls to prevent theft, tampering and loss.”

Related Annex 9 SARPs: Standards 3.3, 3.7, 3.8, 3.8.1, 3.11.1, 3.15, 3.16, 3.23, 3.25, 3.62, 3.65, 5.26, 5.27, 5.28, 5.29, 8.44
 Recommended Practices 3.14, 3.15.1, 3.17, 3.24, 3.63.1, 3.64.1, 3.69, 8.43 **Total: 24**

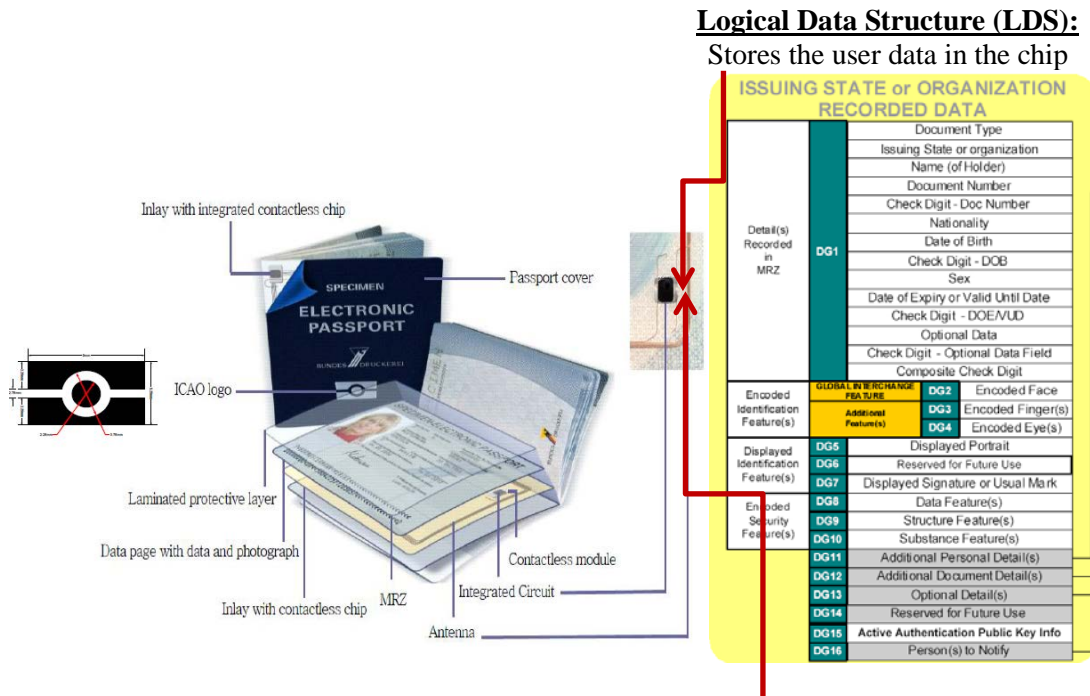
4. **Inspection Systems and Tools:** “inspection systems and tools for the efficient and secure reading and verification of MRTDs, including use of the ICAO PKD.”

Related Annex 9 SARPs: Recommended Practices 3.9.1, 3.9.2, 3.27 **Total: 3**

5. **Interoperable Applications** (including API and PNR): “globally interoperable applications and protocols that provide for timely, secure and reliable linkage of MRTDs and their holders to available and relevant data in the course of inspection operations.”

Related Annex 9 SARPs: Standards 3.10, 9.5, 9.6, 9.8, 9.9, 9.11, 9.13, 9.22, 9.22.1
 Recommended Practices 3.10.1, 3.34.4, 3.34.5, 3.34.6, 9.1, 9.2, 9.3, 9.4, 9.7, 9.10, 9.12, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.23
Total: 29

APPENDIX B WHAT IS AN ePASSPORT?



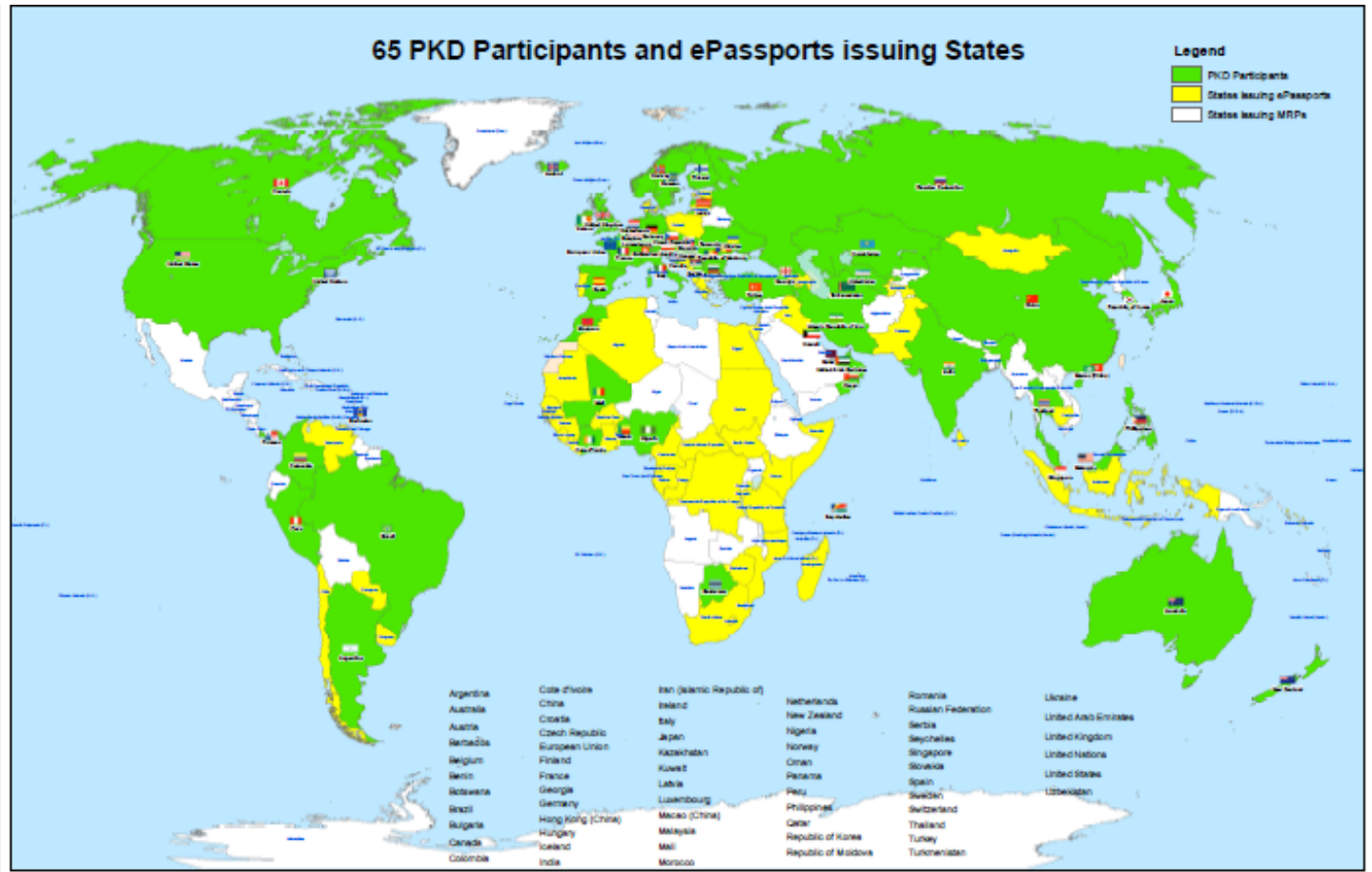
SOD: (Document Security Object)

The SOD refers to the ePassport identity data and ePassport authentication data recorded in the Personalization phase by the Personalization agent that is signed by the Personalization agent with digital signature generation key. The SOD is an object signature generation key implemented with signed data cryptographic message syntax.

Prope

r validation of the digitally-signed SOD on an ePassport's chip points to the authenticity and integrity of the data placed in the LDS portion of the chip.

APPENDIX C
MAP OF THE STATES ISSUING ePASSPORTS VIS-à-VIS THE PKD PARTICIPANTS



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