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FACILITATION AS AN ENABLER OF SEAMLESS, ACCESSIBLE AND EFFICIENT AIR TRANSPORT: SUSTAINABLE IMPLEMENTATION OF API AND PNR AND RELATED BORDER FACILITATION MEASURES

(Presented by Rwanda on behalf of 54 Member States of the African Civil Aviation Commission (AFCAC)[2])

EXECUTIVE SUMMARY

Air services liberalization can deliver its full economic and social benefits only when passengers, crew, baggage, cargo and mail can cross borders seamlessly, securely, predictably and efficiently. Africa's progress is constrained by visa restrictions, uneven implementation of Annex 9 – Facilitation, fragmented institutional responsibilities, manual processes, non-uniform passenger data requirements, and costly or incompatible Advance Passenger Information (API) and Passenger Name Record (PNR) systems. This paper proposes a whole-of-government and passenger-centric implementation approach that combines affordable API and PNR systems, improved performance on the Africa Visa Openness Index in support of the African Union Protocol on Free Movement of Persons, coordinated border management, interoperable digital systems, accessible travel and efficient cargo clearance.

1. INTRODUCTION

1.1 The Yamoussoukro Decision (YD) and the Single African Air Transport Market (SAATM) are intended to expand market access and connectivity across the continent. However, these reforms cannot realize their full value if travellers and goods continue to face avoidable administrative, regulatory, technological or operational barriers at the point of entry and exit. Access to air transport therefore extends beyond traffic rights: it includes the practical ability to reach and use air services.

[1] English and French versions provided by AFCAC.

[2] Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

1.2 Article 22 of the *Convention on International Civil Aviation* (Chicago Convention) requires Contracting States to adopt practicable measures to facilitate and expedite international air navigation and prevent unnecessary delays to aircraft, crews, passengers and cargo. Annex 9 translates that obligation into Standards and Recommended Practices covering clearance of aircraft, passengers and crew, baggage, cargo and mail. The International Civil Aviation Organization (ICAO) Assembly Resolution A42-17 further links air transport facilitation to reliable, accessible and seamless mobility for all.

1.3 This working paper proposes a practical implementation partnership among States, ICAO and recognized regional institutions. It focuses on cost-effective and interoperable passenger-data systems, whole-of-government governance, visa and travel-document facilitation, accessible end-to-end travel, and faster cargo and mail clearance.

2. FACILITATION AS AN ENABLER OF ACCESSIBLE, CONNECTED AND EFFICIENT AIR TRANSPORT

2.1 **Visa Openness**: Visa policy is often the first facilitation barrier a traveller encounters, and one of the most direct determinants of connectivity, tourism and trade. The African Union's Agenda 2063 and its Protocol on Free Movement of Persons, together with the SAATM, reflect a continental commitment to visa openness as a driver of intra-African travel and connectivity. A growing number of African States have moved unilaterally toward visa-free or e-visa/visa-on-arrival regimes; several have combined this with digital risk-screening so that openness does not come at the expense of border security. The Seventh Worldwide Air Transport Conference (ATConf/7) provides an opportunity to encourage States to review visa regimes for their effect on connectivity, alongside implementation of secure passenger data systems that make openness possible without compromising national security.

2.2 **Whole-of-Government Coordination**: Whole-of-government coordination and Coordinated Border Management (CBM) are essential enablers of seamless mobility, connectivity, tourism and trade. States should establish or reactivate effective National Air Transport Facilitation Programmes and decision-capable Committees that bring relevant authorities together under clear leadership, annual work programmes and measurable user-focused outcomes. CBM should guide border-facilitation and security investment through shared risk information and interoperable systems, with passenger-data capabilities, including API/PNR, treated as part of a broader government-wide architecture rather than solely as an aviation-sector responsibility or cost. Consistent with the World Customs Organization (WCO) SAFE Framework, United Nations (UN) Security Council Resolution 2396 and United Nations Office on Drugs and Crime's (UNODC) Airport Communication Project (AIRCOP) experience, ATConf/7 should promote capacity-building and the exchange of good practices, including Africa's experience with visa openness and digital processing, to enhance mobility without compromising security.

2.3 **Digital Passenger Processing**: Digital Travel Credentials (DTC), biometric processing, interoperable identity-management frameworks and "virtual border" models — under which risk assessment begins at the point of booking or check-in rather than at the physical border — are transforming passenger processing from a sequence of manual checks into a continuous, data-driven process. Digital passenger processing depends on, and reinforces the case for, reliable API/PNR data pipelines; the two should be planned together rather than as separate investments, so that States do not build parallel, duplicative systems.

2.4 **Cargo and Mail Facilitation**: The standards in Chapter 4 of Annex 9 set out facilitation requirements for the entry, exit and transit of cargo, and for postal and courier traffic, that are as important to the accessibility and efficiency of air transport as passenger facilitation, particularly for land-locked and island States that depend on air cargo for time-sensitive trade. E-freight, single-window customs clearance

and risk-based release procedures, aligned with WCO standards, reduce dwell times and cost for exporters and importers alike.

2.5 **Facilitation of Persons with Disabilities or Reduced Mobility**: The standards in Chapter 8 of Annex 9 require States to ensure that airport and border facilities and services are adapted to the needs of persons with disabilities and that they have access to air transport on an equal basis with other travellers.

3. API/PNR: THE GLOBAL COST BURDEN AND SUSTAINABLE FUNDING

3.1 **The Global Cost Burden of API/PNR Implementation**: Advance Passenger Information (API) and Passenger Name Record (PNR) systems are a cornerstone of global aviation security and facilitation, mandated by Annex 9 and reinforced by UN Security Council Resolutions 2178 (2014), 2396 (2017) and 2482 (2019). Implementation remains complex and costly everywhere, requiring substantial investment, IT infrastructure, skilled staff and robust legal frameworks, and many States worldwide still require duplicative passenger manifests despite already collecting API data, adding unnecessary cost and delay. Where dedicated government funding is unavailable, a number of States — including in Africa — have instead recovered costs through charges on airlines passed on to passengers, in some cases well above global norms; industry associations, including International Air Transport Association (IATA), have called on governments not to fund API/PNR programs this way, citing ICAO Doc 9082. These pressures fall hardest on developing States, which process lower volumes and cannot spread fixed costs effectively. It is also worth distinguishing, in this context, between a government API/PNR passenger levy, a vendor's per-transaction price, an airline compliance cost, and general airport, security or passenger taxes, which are economically and legally different even though all ultimately affect ticket prices.

3.2 **Border Security as a State Responsibility Across All Modes**: API and PNR obligations arise from a State's general responsibility for border security and counterterrorism, not from its role as an aviation regulator alone. Land and sea border movements raise the same obligations, as some States' multi-modal passenger-data legislation illustrates; the European Union's own extension of PNR obligations beyond air transport, following its 2016 PNR Directive, is instructive. The budget line that funds API/PNR should therefore sit within a national security or interior/home-affairs budget spanning air, land and maritime border control, rather than exclusively within a civil aviation authority's account.

3.3 **Lessons from Other States, Regions and Platforms**: Comparative experience across regions offers transferable lessons on cost, sequencing and governance. The European Union's PNR Directive relies on State-run Passenger Information Units under a common legal framework with a phased, multi-year transposition period and central co-funding, while the United States operates and funds its API System as a federal budget function rather than a carrier charge. Aligning national requirements with the WCO/IATA/ICAO API Guidelines and the ICAO Passenger Name Record (PNR) guidelines message standard reduces friction for airlines operating across jurisdictions and lowers both implementation and ongoing maintenance costs. Groups of developing States have, in analogous domains such as safety oversight, already shown that pooling scarce resources through shared regional bodies is a workable response to the same economies-of-scale constraint that drives up per-passenger API/PNR costs; a number of States currently rely instead on commercial vendors delivering API or PNR-gateway services on a per-passenger transaction-fee basis, which, absent common accreditation or procurement standards, can substitute for budgeted government funding and drive the charges described above.

3.4 Taken together, this experience points to three lessons: a phased, legally mandated implementation timeline lets States sequence legal reform, institutional set-up, IT procurement and staff training rather than facing the full cost in a single budget cycle; ring-fenced, centrally coordinated funding

keeps the recurring cost within government accounts rather than transferring it to the traveling public; and a transparent, competitively tendered accreditation and procurement framework for commercial technology providers — covering standards conformance, data protection and fixed license and maintenance pricing rather than open-ended per-passenger fees — limits the extent to which system costs reach travellers.

3.5 **Towards a Balanced Funding Position**: States retain primary responsibility for the public border-security, immigration and law-enforcement functions served by API/PNR systems. Where properly attributable civil-aviation service costs are recovered through aviation charges, ICAO Doc 9082 requires that such recovery be transparent, non-discriminatory, subject to user consultation, directly related to the service provided and limited to the relevant cost; general policing, intelligence and national-security costs should not be imposed on civil aviation. African Civil Aviation Commission (AFCAC) affirms this as the correct starting point for API/PNR funding policy. At the same time, AFCAC recognizes that some developing States and Small Island Developing States facing acute fiscal constraints have found it necessary in practice to draw on aviation-sector contributions to establish or sustain API/PNR capability where government budget allocation has not been immediately available. This paper therefore proposes a balanced formulation: the State bears the primary and default funding responsibility, while any aviation-sector contribution is treated as an exceptional, transparent, proportionate, capped and time-limited complement, subject to periodic review, with States encouraged to transition toward full government funding as fiscal space allows.

4. CONCLUSION

4.1 Integrated facilitation including combining visa and border reform, whole-of-government coordination, interoperable passenger-data systems, accessible travel and efficient cargo and mail processing, is essential to connected, affordable and efficient air transport. States should strengthen their National Air Transport Facilitation Programs and Committees and implement secure, standards-based measures under sustainable financing that keeps border-security functions primarily State-funded and any aviation cost recovery transparent, non-discriminatory, consultative, cost-related, proportionate and regularly reviewed. ICAO and its partners should support developing States through an affordable modular API/PNR package, capacity-building, technical and financial assistance and shared solutions, while monitoring implementation through common indicators and reporting progress to the Facilitation Panel and ICAO Assembly.

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