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Agenda Item 3: Strengthening regulatory and institutional frameworks
3.1: Strengthening regulatory oversight and evolving institutional frameworks

ENHANCING REGULATORY FRAMEWORKS FOR PASSENGER FACILITATION

(Presented by the International Air Transport Association (IATA))

EXECUTIVE SUMMARY

As international passenger traffic continues to grow, passenger data programmes are becoming increasingly important for governments seeking to balance security, facilitation, and economic development objectives. Continued success depends on the establishment of robust legal frameworks, effective governance structures, on the compliance of States with internationally harmonized standards, and on meaningful cooperation between States and industry. Advance Passenger Information (API) and Passenger Name Record (PNR) have become fundamental components of modern border management systems. This paper highlights the current data on passenger facilitation performance, the standards that govern it, and the specific requirements airlines face in special-case processing, with inadmissible passengers (INAD) management as a case study.

1. INTRODUCTION

1.1 International air transport is a critical enabler of global connectivity, economic development, tourism, trade, and the movement of people across borders. As international mobility continues to expand, States face increasing challenges in balancing facilitation objectives with border security, migration management, and operational efficiency. These challenges are expected to increase as passenger numbers are expected to double by 2040.

1.2 To implement passenger facilitation policies, States increasingly depend on air carriers to perform operational functions such as transmitting passenger data and verifying travel documents and other entry requirements before boarding. Passenger data programmes, particularly Advance Passenger Information (API) and Passenger Name Record (PNR) systems, have become essential tools for border management, security, and facilitation.

[1] English, Arabic, Chinese, French, Russian and Spanish provided by IATA.

1.3 In many jurisdictions, airlines face expanding, financial, operational, and reputational liability for some functions such as border admissibility determination, over which they have no legal authority and, in most cases, no advance visibility[2] .

1.4 Strengthening cooperation among States and industry stakeholders contributes directly to the objectives of the Convention on International Civil Aviation (Chicago Convention) and Annex 9 - Facilitation by supporting secure borders, efficient passenger flows, international cooperation, and the sustainable development of international air transport. It also supports States' efforts to manage legal migration in a safe, orderly, and predictable manner, consistent with national laws and international obligations.

2. DISCUSSION

2.1 Passenger data programmes, particularly API and PNR data systems, have become important tools for supporting border management, aviation security, and migration governance. These programmes enable authorities to undertake risk assessments, improve situational awareness, and facilitate the movement of legitimate travellers.

2.2 The International Air Transport Association (IATA) and its member airlines support the implementation of API and PNR data systems as key enablers of secure and efficient border management. Their effectiveness depends on transparent and legally robust implementation, technical interoperability and alignment with international standards.

2.3 As more States introduce or expand passenger data programmes, strengthening governance frameworks and promoting international harmonization will become increasingly important to avoid fragmentation, facilitate compliance, and support global interoperability. Digital transformation presents important opportunities to strengthen facilitation and border management. The broader deployment of interoperable digital solutions can improve the accuracy of admissibility assessments, reduce avoidable inadmissibility cases, support data-driven risk management, and facilitate legitimate travel while helping States address migration challenges more effectively. Adoption of globally interoperable and secure digital credentials such as the ICAO Digital Travel Credential (DTC) and the ICAO Digital Travel Authorization (DTA) is foundational to border modernization.

3. REGULATORY FRAGMENTATION AND OPERATIONAL CHALLENGES

3.1 Despite the existence of internationally agreed frameworks, significant differences remain in how States design and implement passenger facilitation requirements. These differences include passenger data programmes, document verification procedures and the digital border technologies used.

3.2 In many jurisdictions, airlines are required to operationalize State border policies through passenger data transmission and document verification obligations. These obligations are often reinforced through carrier sanctions regimes that impose penalties for non-compliance.

3.3 While airlines acknowledge their role in supporting border management objectives, regulatory requirements should remain proportionate and recognize operational realities. In practice, many

[2] A 2025 IATA study (conducted between June and December 2025) indicates that the causes of inadmissibility extend beyond traditional documentation issues. Increasingly, cases are linked to factors such as fraudulent travel intent, evolving immigration requirements, misuse of travel and transit arrangements, protection-related claims, and security or immigration considerations known only to government authorities. These developments highlight the need for cooperative and risk-based approaches to facilitation and border management that support both migration governance objectives and the efficient movement of bona fide travellers.

admissibility decisions depend on information, assessments, or government processes that are not fully available to airlines at the point of departure, leading to subjective admissibility assessment by airlines' staff. Authorities must take back the control of their borders and put an end to delegating to airline's staff border enforcement functions.

3.4 Greater regulatory consistency is therefore essential to reduce legal uncertainty, improve compliance outcomes, and strengthen cooperation between governments and industry.

3.5 **Advancing interoperable, secure, and risk-based facilitation systems**

3.5.1 The future of passenger facilitation relies on the effective integration of data, technology, and regulatory frameworks. IATA encourages States to adopt secure, automated, and risk-based passenger processing solutions, including biometrics and digital travel systems. Such technologies can improve throughput, enhance accuracy, and allow border resources to be allocated more effectively.

3.5.2 The deployment of these technologies should be accompanied by appropriate safeguards to ensure privacy, data protection, transparency, and public trust.

3.5.3 To maximize benefits, digital facilitation initiatives should be developed using internationally agreed standards and interoperable architectures. This will help avoid the emergence of fragmented national systems that increase complexity for travelers and industry participants while limiting broader facilitation benefits.

3.6 **Strengthening cooperation between States and industry**

3.6.1 Passenger Facilitation is achieved through collaboration between governments, airlines and airports. Enhanced dialogue between States and industry is necessary to ensure that regulatory frameworks remain practical, scalable, and capable of supporting future traffic growth. National Air Transport Facilitation Programmes (NATFP) is the appropriate platform for doing so (ICAO Annex 9 Standard 8.13).

3.6.2 Multilateral and regional cooperation also plays a critical role in promoting harmonized implementation of ICAO standards, reducing fragmentation, and enabling all States to benefit from modernization initiatives regardless of their level of technical or financial capacity.

3.6.3 Enhancing cooperation amongst States on matters relating to documentation, identity verification, transit procedures, return processes, would promote more effective facilitation outcomes, especially with regards to specific operational cases such as inadmissible passenger management.

4. CONCLUSION

4.1 Passenger data programmes, digital identity solutions, digital travel authorizations, government digital travel platforms, and interoperable facilitation systems are becoming increasingly important components of modern border management and passenger facilitation strategies. When implemented in accordance with ICAO Standards and Recommended Practices (SARPs), technical specifications, and international best practices, they can strengthen border security, facilitate legitimate travel, support safe and orderly migration, and contribute to the sustainable development of international air transport.

4.2 Realizing these benefits requires strong cooperation among States, industry, ICAO, and regional organizations. A coordinated approach based on international standards, effective governance,

information sharing, and stakeholder consultation can help ensure that passenger facilitation programmes remain secure, interoperable, and operationally effective.

4.3 To support the objectives of the Doha Declaration on Facilitation of International Air Transport, greater emphasis should be placed on developing practical guidance and implementation material that assists States in achieving harmonized application of Annex 9 SARPs, reducing regulatory fragmentation, and promoting interoperability across jurisdictions. Such efforts would help address challenges that are not currently resolved through existing technical workstreams and would provide tangible support to States implementing modernization initiatives.

4.4 Continued capacity-building will also be essential. Joint ICAO-IATA regional workshops, implementation forums, and technical assistance programmes would provide an effective mechanism for sharing best practices, strengthening institutional capabilities, and accelerating the deployment of interoperable API, PNR, digital identity, and border management solutions worldwide.

4.5 By strengthening cooperation, advancing harmonized implementation, and investing in practical guidance and institutional capacity, States, ICAO, and industry can enhance passenger facilitation systems that support both national policy objectives and the continued growth, connectivity, and sustainability of international air transport.

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