



| ICAO SECURITY & FACILITATION

# Third Africa-Indian Ocean (AFI) Aviation Safety & Security Symposium

## Advance Passenger Information (API):

## ICAO's Regulatory Role

Malabo, Equatorial Guinea, 27 June 2016





# API: OVERVIEW

1. API: Why States want data?
2. Requirements under the Chicago Convention, 1944
3. API Regulatory Framework

# API: OVERVIEW

## API System

An **electronic** communications system whereby **required data elements** are **collected and transmitted** to **border control agencies** prior to flight departure or arrival and made available on the primary line at the airport of entry.

→ Collected: Available in Departure Control Systems: flight “open” for check-in (48hrs)

# 1. WHY DO STATES WANT API?

- ▶ Improve **clearance** at border controls
- ▶ Combat **illegal migration**
- ▶ Identify passengers who are a **known** immigration or security **threat**
- ▶ More **effective allocation** of border control and law enforcement **resources**

- ▶ improve/enhance security (generally) & aviation security
- ▶ threat assessment value from analysis of data
- ▶ fight against terrorism (UN SC Res 2178)



## 2. Requirements: Chicago Convention

**Article 10:** Landing at customs airport

**Article 11:** Applicability of air regulations

**Article 13:** Entry and clearance regulations

**Article 14:** Prevention of spread of disease

**Article 22:** Facilitation of formalities

**Article 23:** Customs and immigration procedures

**Article 24:** Customs duty

**Article 29:** Documents carried in aircraft

**Article 35:** Cargo restrictions

**Article 37:** Adoption of international standards and procedures

- **Art. 13, Chicago:** Entry & clearance regulations
  - Compliance of entry, clearance, immigration, customs regulations by/belief of passengers, crews
- **Art. 22, Chicago:** Facilitation of formalities
  - Prevent unnecessary delays: Administration of immigration, customs, clearance laws
- **Art. 23, Chicago:** Customs & Immigration
  - States to establish C & I procedures recommended pursuant to Convention

- **Art. 37, Chicago:** Adoption of standards  
→ States to secure uniformity in regulations, standards, procedures

Chicago Convention found at:

<http://www.icao.int/publications/Pages/doc7300.aspx>



### 3. API REGULATORY FRAMEWORK

- Annex 9 & WCO/IATA/ICAO API Guidelines
- Assembly Resolutions (A38: 2013)
- State letters

## Annex 9 developed:

- elaborate States' obligations under Articles 22, 23, 24 of the Chicago Convention
- standardize procedures for meeting legal requirements under Articles 10, 13, 14, 29, 35 of the Convention

## –Standard

Any specification, the uniform observance of which has been recognized as practicable and as necessary to facilitate and improve some aspect of international air navigation . . . . and in respect of which non-compliance must be notified by Contracting States . . . in accordance with Article 38 [of the Chicago Convention].

## – Recommended Practice

Any specification, the observance of which has been recognized as generally practicable and as highly desirable to facilitate and improve some aspect of international air navigation . . . and to which Contracting States will endeavour to conform in accordance with the Convention.

— **Standards** [in all ICAO's 19 Annexes] have a conditional binding force: legally binding unless “differences” filed pursuant to Article 38 of the Chicago Convention

— **Recommended Practices** are “recommendations”: they have no binding force whether differences filed or not

**Annex 9 contains both Standards and Recommended Practices on API**

## 1. Annex 9 (14<sup>th</sup> Edition, 2015)

### States' obligation to standardize API requirements

1. Standard 3.48
2. Standard 3.48.1
3. Standard 3.48.2
4. Standard 3.48.5
5. Standard 3.48.7

**\*All Mandatory (binding)\***

## Standard 3.48:

Each Contracting State that introduces an Advance Passenger Information (API) system under its national legislation shall adhere to international recognized standards for the transmission of Advance Passenger Information.

- ▶ Note 1: Brief description of API
- ▶ Note 2: Information on UN/EDIFACT
- ▶ Note 3: Non-applicability to general aviation

## Standard 3.48.1

When specifying the identifying information on passengers to be transmitted, Contracting States shall require only data elements that are available in machine readable form in travel documents conforming to the specifications contained in Doc 9303 (series), Machine Readable Travel Documents. All information required shall conform to specifications for UN/EDIFACT PAXLST messages found in the **WCO/IATA/ICAO API Guidelines**.

- ▶ Identifying information: Doc 9303
- ▶ All information: conform to Paxlst Message



## Elements of MRP Data in API

| 1. SURNAME                     | 2. GIVEN NAME(S)          |
|--------------------------------|---------------------------|
| 3. GENDER                      | 4. DATE OF BIRTH          |
| 5. PLACE OF BIRTH              | 6. NATIONALITY            |
| 7. TYPE OF TRAVEL DOCUMENT     | 8. TRAVEL DOCUMENT NUMBER |
| 9. NAME OF ISSUING STATE/ORGN. | 10. EXPIRATION DATE OF TD |



## Elements of MRTD Data in API

+ 3 **if** Machine Readable Visa Used

11. VISA NUMBER

12. DATE OF ISSUANCE

13. PLACE OF  
ISSUANCE

+ 2 **if** other secondary travel document used

14. TYPE OF TRAVEL DOCUMENT  
(e.g. Canadian PRC)

15. NUMBER OF OTHER TD



## Elements re. Flight Details in API

- Airline Code and Flight Number
- Last Place/Port of Call for Aircraft
- Place/Port of Initial Arrival for Aircraft
- Scheduled Local Departure Dates/Times
- Scheduled Local Arrival Dates/Time
- Subsequent Place(s)/Port(s) of Call within the Country (for Progressive Flights)
- Place/Port of Final Destination within the Country (for Progressive Flights)
- Number of Passengers and Number of Crew Members

## Additional Data Elements in API (egs.)

- Seat Assignment
- Bag Tag Identification
- Checked Bag Quantity
- Place/Port of Original Embarkation
- Place/Port of Clearance
- Place/Port of Onward Foreign Destination
- Passenger Name Record Locator Number (or unique identifier)

→ All information required shall conform to specifications for UN/EDIFACT PAXLST messages found in the WCO/IATA/ICAO API Guidelines.

- Standard 3.48.2:
  - ▶ More information than 3.48.1 required, restrict to Paxlst Message elements, or
  - ▶ Request DMR process [▶ WCO/ICAO/IATA: API/PNR Contact Committee, WCO, Brussels]
- Standard 3.48.5: States to limit burden on airlines
- Standard 3.48.7: If electronic API, then no paper passenger manifest

## Summary of 3.48, 3.48.1, 3.48.2

States obliged to:

1. **adhere** to international recognized API standards;
2. require only data elements available in **MRTDs**, and information to **conform** to the **PAXLST** message structure; and,
3. only data elements found in the **PAXLST** message to be included in API requirements; if additional elements required, then the **DMR process** to be used.

- Recommended Practice 3.48.3
- Recommended Practice 3.48.4
- Recommended Practice 3.48.6
- Recommended Practice 3.48.9
- Recommended Practice 3.48.10
- Recommended Practice 3.48.11

States seeking to achieve enhanced aviation security, and to prevent illegal migration and the movement of potentially inadmissible persons, consider implementing interactive-API (iAPI) systems

— 2012 ICAO High Level Conference on Aviation Security



## Interactive API (iAPI)

An electronic system that transmits, **during check-in**, API data elements collected by the aircraft operator to public authorities who, **within existing business processing times** for passenger check-in, return to the operator a **response message** for **each** passenger and/or crew member.

## RP3.48.8:

States **seeking** to implement iAPI system:

- a) consult with aircraft operators: impact on systems;
- b) work with operators: integrate systems;
- c) conform to WCO/ICAO/IATA Guidelines

## High-Level Conference on Aviation Security (HLCAS, 2012)

### 1. Conclusions on API/iAPI:

- international standardization would contribute to the viability of the air transport industry;
- a lack of harmonization can reduce the effectiveness of the use of such data;
- essential that States standardize their data requirements and adopt a standard format for the electronic transmission of passenger data;
- States should ensure the protection of passengers' privacy.

## 2. Recommendations on API/iAPI

- ✓ States develop a single API & iAPI reporting requirement based on international standards, and a single agency be identified to receive data and for internal dissemination to other agencies;
- ✓ States align the various data exchange systems with the international data transmission standards adopted by relevant United Nations agencies . . .;
- ✓ ICAO provide States with assistance and training on the implementation of API



**GUIDELINES  
ON  
ADVANCE PASSENGER INFORMATION  
(API)**

**WCO/IATA/ICAO**

**2014**



## API Guidelines & PNR Reporting Standards:

<http://www.icao.int/Security/FAL/Pages/Publications.aspx>

### 3. API REGULATORY FRAMEWORK

- ✓ Annex 9 & WCO/IATA/ICAO API Guidelines
- ✓ Assembly Resolutions (A38: 2013)
- ✓ State letters

## **2. 38<sup>th</sup> Assembly (2013) Resolutions**

- **A38-15 (Avsec Resolution)**

- ▶ States urged to use API

- **Declaration on Aviation Security**

- ▶ States urged to use API as an aid to aviation security

- **A38-16 (Facilitation): Appendix C**

- ▶ States to ensure passenger data requirements conform to international standards adopted by UN agencies



### **3. State Letters**

- 5 December 2011
- State Letter EC6/3-11/76
- States encouraged to ensure adherence to international recognized standards for API transmission

15 August 2014

State Letter EC6/3-14/63: “Passenger Data”

States encouraged to ensure national API exchange mechanisms adhere to Annex 9 SARPs & WCO, ICAO, IATA guidelines

## Annex 9 - *Facilitation*

### Implementation of Annex 9:

- ☐ Three additional standards that may be considered as a mechanism to coordinate the implementation of API
  - ✓ STD 8.17 – establish a National AT FAL Programme
  - ✓ STD 8.18 – programme objective to adopt all practicable facilitation measures
  - ✓ STD 8.19 – establish a NATFC



- ICAO action following Res. 2178
- FALP/9 (4-7 April 2016) – Additional provisions to enhance existing API SARPs:

<http://www.icao.int/Meetings/FALP/Pages/FALP9-2016.aspx>

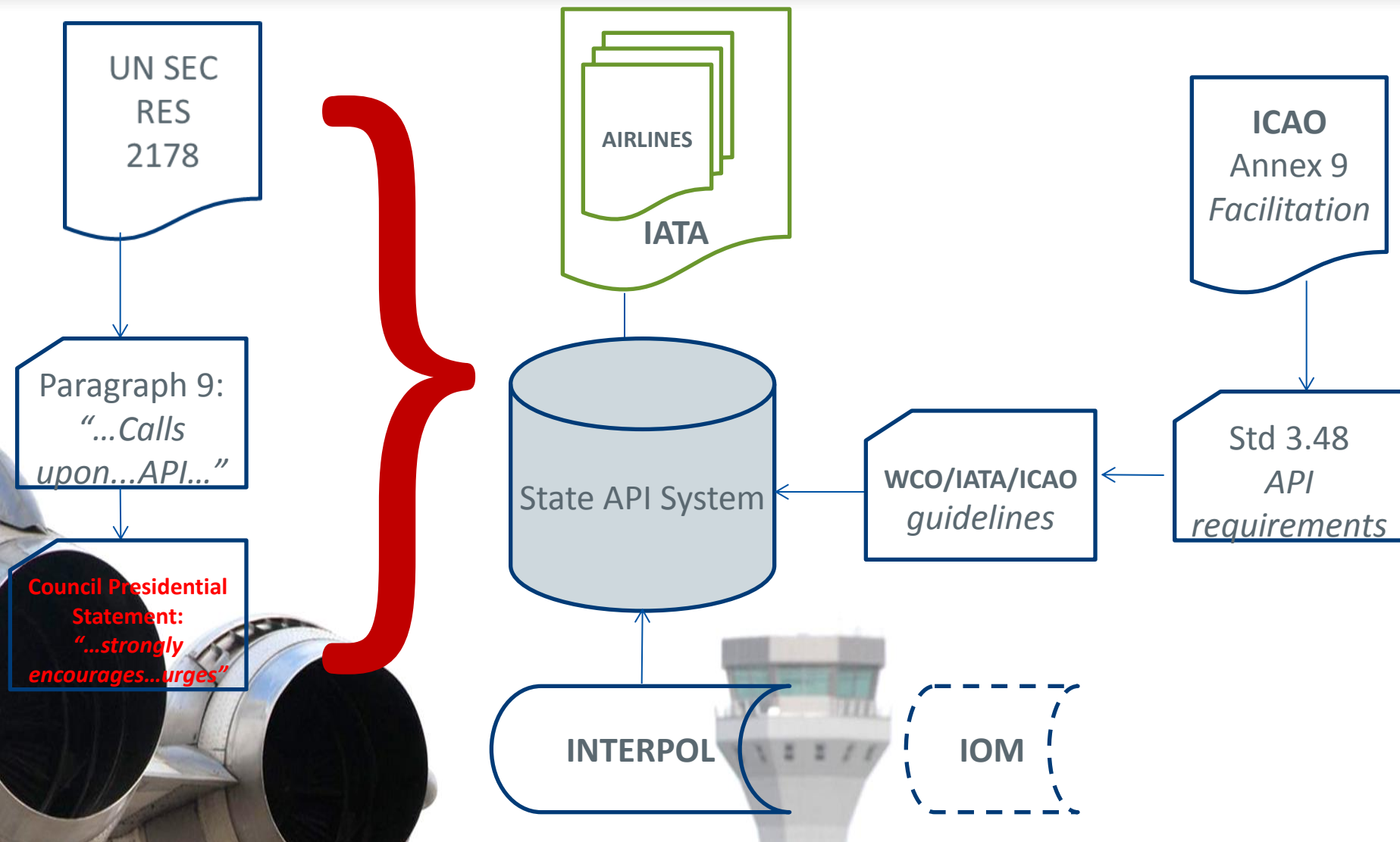
- Enhanced cooperation with UNCTED to assist States to implement Res. 2178

## Recommendations of FALP/9:

→ a new Standard obliging each Contracting State to establish an Advance Passenger Information (API) system.

→ a new Recommended Practice on a “passenger data single window”

-----Sent to States for comments & considered by Council in early 2017





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