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# **ICAO Regional FAL Seminar Lima, Peru 9-12 September 2014**

**Advance Passenger Information (API) &  
Passenger Name Record (PNR):  
The ICAO Perspective**

**9 September 2014**



## API & PNR: OVERVIEW

1. API & PNR: Why?
2. ICAO's interest in API and PNR
3. Regulatory Framework
4. Guidelines



## 1. WHY DO STATES WANT DATA?

- ▶ 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**



## 1. WHY STATES WANT DATA?

- ▶ improve/enhance security (generally) & aviation security (in particular)
- ▶ threat assessment value from analysis of data
- ▶ fight against terrorism



## 2. ICAO's INTEREST IN API & PNR

- **Art. 22, Chicago:** Facilitation of formalities
  - Prevent unnecessary delays: Administration of immigration, customs, clearance laws
- **Art. 13, Chicago:** Entry & clearance regulations
  - Compliance of entry, clearance, immigration, customs regulations by/benefit of passengers, crews
- **Std. 1.4, Annex 9:** States: use I.T. to increase efficiency & effectiveness of procedures at airports



## 2. ICAO's INTEREST IN API & PNR

- **Art. 23, Chicago:** C & I procedures
    - States to establish C & I procedures recommended pursuant to Convention
  - **Art. 37, Chicago:** Adoption of standards
    - States to secure uniformity in regulations, standards, procedures
- ▶ **Uniformity in laws & regulations (Annex 9)**



## 3. REGULATORY FRAMEWORK: API

### Annex 9: States' obligation to standardize API requirements

1. Standard 3.46
2. Standard 3.46.1
3. Standard 3.46.2
4. Standard 3.46.5
5. Standard 3.47.7

**\*All Mandatory\***



## 3. REGULATORY FRAMEWORK: API

### Standard 3.46: State to adhere to international Standards

- ▶ Note 1: Brief description of API
- ▶ Note 2: Information on UN/EDIFACT
- ▶ Note 3: Non-applicability to general aviation
- Standard 3.46.1
  - ▶ Personal & TD information: Doc 9303
  - ▶ All information: conform to Paxlst Message



## 3. REGULATORY FRAMEWORK: API

- Standard 3.46.2:
  - ▶ More information than 3.46.1 required, restrict to Paxlst Message elements, or
  - ▶ Request DMR process [▶ API/PNR CC]
- Standard 3.46.5: States to limit burden on airlines
- Standard 3.46.7: If electronic API, then no paper passenger manifest [>2.13+Appendix 2]





## 3. REGULATORY FRAMEWORK: API

### Summary of 3.46, 3.46.1, 3.46.2

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.



## 3. REGULATORY FRAMEWORK: API

- Recommended Practice 3.46.3:
  - ▶ If State unable to use Paxlst, consult users on operational and cost impact
- Recommended Practice 3.46.4:
  - ▶ State to minimize number of times API is transmitted for a specific flight
- Recommended Practice 3.46.6:
  - ▶ State to refrain from fines/penalties for errors due to system failures: transmission of data



## 3. REGULATORY FRAMEWORK: API

5 December 2011

State Letter EC6/3-11/76

▶ “Implementation of Standard 3.47”

States encouraged to ensure adherence to international recognized standards for API transmission



## 3. REGULATORY FRAMEWORK

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

#### 1. **Conclusions on API/iAPI & PNR:**

- 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;
- ICAO+States should promote and enhance global harmonization of PNR systems;
- States should ensure the protection of passengers' privacy.



## 3. REGULATORY FRAMEWORK

### 2. Recommendations on API/iAPI & PNR:

- 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 . . .;
- PNR systems, based on the PNRGOV message format, require only those data elements collected and stored in aircraft operator systems, as described in *Guidelines on Passenger Name Record (PNR) Data* (Doc 9944);
- ICAO incorporate new SARPs into Annex 9; [▶]
- ICAO provide States with assistance and training on the implementation of API



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## 3. REGULATORY FRAMEWORK

HLCAS (September 2012)

### + Recommendation:

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



## 3. REGULATORY FRAMEWORK: API

### Amendment 24 (applicable: 29 July 2014)

- 3 new RPs address operational issues:
  - 24/7 operation (RP 3.46.9)
  - procedures for system outage/failure (3.46.10)
  - tech support, notification & recovery procedures (3.46.11)



## 3. REGULATORY FRAMEWORK: API

Amendment 24 (applicable: 29 July 2014)

### Interactive API (iAPI)

- **iAPI defined**: 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.



## 3. REGULATORY FRAMEWORK: API

Amendment 24 (applicable: 29 July 2014)

### Interactive API (iAPI)

- RP3.46.8: 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



## 3. REGULATORY FRAMEWORK: PNR (Amd. 24)

### Annex 9: RP 3.47

*Contracting States requiring Passenger Name Record (PNR) access should align their data requirements and their handling of such data with*

*–the guidelines contained in ICAO Doc 9944 and*

*– in PNRGOV message implementation guidance materials . . . WCO+ICAO+IATA*



## 3. REGULATORY FRAMEWORK: PNR

→ 3.47.1: States & Operators: provide 24/7 support

→ 3.47.2): When requiring PNR data, States should consider the adoption and implementation of the PNRGOV message as a method of transferral of PNR data.

Note: The PNRGOV message is a standard electronic message endorsed jointly by WCO/ICAO/IATA . . .



## 3. REGULATORY FRAMEWORK

### 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 & PNR as an aid to aviation security

- A38-16, Appendix C

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



## 3. REGULATORY FRAMEWORK

15 August 2014

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

- States encouraged to ensure national API and/or PNR exchange mechanisms adhere to Annex 9 SARPs & WCO, ICAO, IATA guidelines
- FAL Seminars
- Attachment



## 4. GUIDELINES: DOC 9944

- ▶ **Meaning** of PNR; Why States want access
- ▶ **Data elements**; Processing of data
- ▶ **Filtering & storage** of PNR data
- ▶ **Data protection; security and integrity of data**
- ▶ What PNRs should **NOT** contain
- ▶ **Sensitive** data
- ▶ **Laws & regulations**
- ▶ **Methods** of PNR data transfer
- ▶ Frequency, timing of data transfer
- ▶ Transparency & **Passenger Redress**
- ▶ **Conflict of laws** between States
- ▶ **Obligation** of airlines to provide data



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## 3. WCO/IATA/ICAO API GUIDELINES

API Guidelines & PNR Reporting Standards:

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



# API & PNR

QUESTIONS?