



WORKING PAPER

AVSEC/FAL/RG/10 — WP/05

05/03/20

**Tenth Meeting of the ICAO/LACAC NAM/CAR and SAM Aviation Security and
Facilitation Regional Group (AVSEC/FAL/RG/10)**

Foz de Iguazú, Brazil, 25 to 27 March 2020

Agenda Item 3

Global and Regional Developments

**3.1 ICAO Global Activities related to Aviation Security and Facilitation:
Annex 9, FAL Panel, Facilitation Manual**

AVSEC/FAL: GLOBAL DEVELOPMENTS RELATED TO FACILITATION

(Presented by the Secretariat)

EXECUTIVE SUMMARY

Air Transport Facilitation involves, inter alia, the efficient management of border control processes to expedite clearance of aircraft, passengers/crew, baggage and cargo in order to prevent unnecessary delays and thus to maintain both the security and the efficiency of air transport operations. This working paper highlights recent developments across the three main pillars of ICAO facilitation work in NACC/SAM Regions, namely Annex 9—Facilitation, the ICAO Traveller Identification Programme (ICAO TRIP) strategy and the ICAO Public Key Directory (PKD). Proposed upcoming initiatives are also highlighted that are in line with both results of the eleventh meeting of the Facilitation Panel (FALP/11, 13-16 January 2020) and the revised TRIP roadmap.

Action:	Action by the Group is in paragraph 7.
<i>Strategic Objectives:</i>	<ul style="list-style-type: none">• Security & Facilitation
<i>References:</i>	<ul style="list-style-type: none">• Doc 10140, Assembly Resolutions in Force (As of 4 October 2019)• Annex 9 — Facilitation (15th Edition)• Doc 9303, Machine Readable Travel Documents (7th Edition)• Doc 10042, Model National Air Transport Facilitation Programme• AT SD 210/1• AT SD 216/1• Report of the FALP/11

1. INTRODUCTION

1.1 Since the AVSECFALRG/9 Meeting, the three Facilitation Programmes have recorded important milestones highlighting ICAO's leadership in setting the standards leading to a more efficient and secure border management control.

2. ANNEX 9 – FACILITATION RECENT DEVELOPMENTS

2.1 The eleventh meeting of the Facilitation (FAL) Panel (FALP/11), held at ICAO Headquarters in Montréal, from 13 to 16 January 2020, resulted in recommendations for substantive amendments to Annex 9 — Facilitation. The primary focus of the meeting was reviewing the work of the Passenger Name Record Task Force (PNR-TF) that had been set up to develop new/revised Standards and Recommended Practices (SARPs) for Annex 9 on PNR. Other matters were considered, as well, including the inclusion of a new standard on the ICAO Public Key Directory (PKD). The final report and other documentation of the meeting can be found on the FALP/11 website at: <https://www.icao.int/Meetings/FALP/Pages/FALP11-2020.aspx>.

2.2 On 7 February 2020, during the 219th Session, the Air Transport Committee (ATC) considered the report of FALP/11, and agreed that its recommendations be submitted to all Member States and relevant international organizations for comments. Such input will be presented to the ATC at a meeting during the 220th Session (April/May 2020), and thereafter submitted to the Council, in June, for consideration of adoption of Amendment 28 of Annex 9.

2.3 The completion of the Annex 9 compliance checklists (CC) in the Electronic Filing of Differences (EFOD) system is important, being the primary method to gauge States' compliance with Annex 9 SARPs and enables the ICAO Council to determine if further action should be taken in this regard. Therefore, NACC/SAM States should ensure that the Annex 9 CC is duly completed as stipulated in State letter EC 6/3–18/55, dated 2 May 2018.

2.4 The completion of the CC has recently become even more critical, in light of the COVID-19 outbreak. On 13 February 2020, ICAO has disseminated a State letter AN 5/28-20/15, urging States to take action to combat this outbreak, including completion of the relevant portions of the CC. It is anticipated that the twelfth meeting of the FAL Panel, tentatively scheduled to be held from 13 to 16 July 2021 will inter alia address the health-related SARPs of Annex 9.

2.5 As part of the ICAO Universal Security Audit Programme–Continuous Monitoring Approach (USAP-CMA), the Annex 9 provisions that support both border management and security objectives are audited. Since February 2018, the effective date of Amendment 26, two new Standards, namely 9.5 and 9.6 related to Advance Passenger Information (API) system implementation and its regulatory framework, are audited. **Appendix A** presents the results for NACC/SAM States of the eleven TRIP related Annex 9 Standards audited in the USAP CMA.

2.6 Under agenda item 14, Facilitation Programmes, the 40th Session of the ICAO Assembly (A/40, 20 September – 4 October 2019) adopted an updated resolution on a consolidated statement of continuing ICAO policies related to facilitation that, as is normally the case, addressed matters relating to the three FAL Programmes, i.e., Annex 9, the TRIP strategy and the ICAO PKD. Two additional resolutions were adopted under the purview of Annex 9, namely, an updated resolution relating to disinsection and

vector control methods, and a new resolution on human trafficking. Other issues addressed under Annex 9 were assistance to aircraft accident victims and their families and persons with disabilities/accessibility in aviation. A40 documentation relating to agenda item 14 is available at https://www.icao.int/Meetings/a40/Pages/WP_Agenda.aspx.

3. IMPLEMENTATION STATUS OF THE ICAO TRIP STRATEGY

3.1 To assist Member States, an ICAO TRIP implementation roadmap for each of the five TRIP elements, was developed by the Secretariat and approved by the ATC (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. In January 2019, the updated roadmap (<https://www.icao.int/Security/FAL/TRIP/Pages/Publications.aspx>) was endorsed by the ATC (AT SD 216/1 refers) incorporating notably 16 new and/or revised provisions, as shown in **Appendix B**, introduced by the Amendment 26 of Annex 9 related to the ICAO TRIP Strategy.

3.2 Building on longstanding ICAO leadership on matters related to Machine Readable Travel Documents (MRTDs), the roadmap provides guidance on the entities responsible at the national level for the implementation of the ICAO TRIP Strategy, through a National Air Transport Facilitation (NATF) Committee. In this regard, it is mandatory for States to establish an NATF Programme and associated Committees in accordance with relevant Annex 9 provisions. The related guidance can be found in Doc 10042, Model for a National Air Transport Facilitation Programme.

3.3 Before issuing an eMRTD, States have to ensure that there is a credible evidence of identity of the citizen requesting it, which involves the tracing, linkage and verification of identity against breeder documents to ensure the authenticity of the claimed identity. Furthermore, issuance of any MRTD should be done in compliance with the Doc 9303, Machine Readable Travel Documents specifications in order to enable full MRTD interoperability. Regarding some of the TRIP Interoperable Applications, as of today, 82 Member States, including 19 NACC and 10 SAM States have implemented an API system while only 48 States including 4 NACC and 4 SAM States have implemented a PNR data system (**Appendix C** refers). As per Annex 9 Standard 3.10, States are also required to report stolen, lost and revoked travel documents to the INTERPOL Stolen and Lost Travel Document (SLTD) database.

3.4 A significant body of ICAO guidance material is available for all the elements of the ICAO TRIP Strategy at <https://www.icao.int/Security/FAL/TRIP/Pages/Publications.aspx>. In support of the implementation of the Annex 9 Standard 3.12 related to Machine Readable Convention Travel Documents (MRCTD), the revised version of the joint guidelines developed by ICAO and the UN High Commissioner for Refugees (UNHCR) is available at <https://www.refworld.org/docid/52b166a34.html>.

3.5 Since 2017, ICAO has been coordinating the deliveries of the training package Control of the Authenticity and Validity of Travel Documents at Airport Borders – Level 1. This course has been developed and translated into all ICAO languages thanks to the contribution of the Government of Canada. Several sessions have been delivered to 170 trainees from 14 States. This ITP aims at consolidating the competencies of front line inspection officers from border control authorities in examining travel documents effectively. States are urged to provide their training needs by answering the State letter EC 6/8 18/100. The same State letter was also requesting to receive specimen passports to be included in the training material and only 7 NACC and 7 SAM States have provided the sought specimen. Each training session requires at least 20 specimens and all States are urged to provide at their earliest convenience specimens of their various types of passports, to enable sufficient samples for training

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4. ePassports and the ICAO public key directory (PKD)

4.1 The principal added value of electronic passports (ePassports) vis-à-vis standard Machine Readable Passports (MRPs) lies in the convenient access to biographic and biometric data stored in the electronic chip. Such access makes automation possible, speeding manual border checks and enabling implementation of automated border control (ABC) solutions. The electronic signature applied to the chip assures this security, allowing the receiving authority to confirm the true issuing authority and also ensure that no chip data has been modified post-issuance. Verification of this signature requires the availability of the relevant public keys. The PKD is a central repository which provides convenient exchange and sharing of these keys.

4.2 As of February 2020, 71 entities participate in the ICAO PKD. Three (3) of these are in the NACC and five (5) in the SAM region (**Appendix D**). Yet at least nine of the countries in the region issue ePassports. By issuing ePassports and not actively sharing one's public keys, a gap is created whereby that nation's documents become more susceptible to forgery while its citizens may be denied access to facilitated travel abroad. At least 5 NACC and 5 SAM countries have implemented e-gates, meanwhile, while not being members of the PKD, potentially leaving them in a non-optimal situation in which they lack the certificates necessary for automatically verifying documents of interest electronically.

4.3 Annex 9 Recommended Practices include indications that electronic document issuers should join the PKD and upload information (3.9.1) while border control authorities should join the PKD and use the information from the PKD to validate eMRTDs at border controls (3.9.2). States utilizing ABC systems should use the information available from the PKD to validate eMRTDs (3.35.5).

4.4 FALP/11 resulted in a recommendation that it be made obligatory for PKD Member States to upload their public key data to the ICAO PKD. With the Amendment 28 timelines in mind, ICAO PKD participants are reminded to ensure that they are fully uploading all of their public key information to the Directory. Such actions assure improved security and facilitation at border checks internationally as well as preparing for compliance with the proposed future standard.

4.5 A40 urged all Member States to join and use of the ICAO PKD to validate and authenticate ePassports. It is noteworthy that issuance of ePassport without PKD participation denies the States to optimise the benefits and primary purpose of the issuance of such a travel document. The information on how to participate in the PKD is available at <https://www.icao.int/Security/FAL/PKD/Pages/How-to-Participate.aspx>.

5. ICAO and the United Nations agenda

5.1 ICAO has continued to actively support UNSC resolutions related to facilitation and border security, notably, 2178 (2014) and 2396 (2017) which address the acute and growing threat posed by foreign terrorist fighters (FTFs). As member of the newly established UN Global Counter Terrorism Coordination Compact, ICAO actively participated to the 2018 update of the "Madrid Guiding Principles" designed as a practical tool to assist States in stemming the flow of FTFs.

5.2 ICAO continues to collaborate with the United Nations Office for Counter-Terrorism (UNOCT) to strengthen the delivery of counter-terrorism capacity-building assistance. In that context, ICAO is one of the partners of the Countering Terrorist Travel (CT Travel) Programme which is a global capacity-building initiative to support Member States to enhance their detection capacity to curb FTFs mobility by using API and PNR data – making them compliant with the requirements of the UNSC resolutions 2178 (2014) and 2396 (2017).

6. ICAO TRIP events

6.1 More than 600 participants from 89 States and 14 International/Regional Organizations attended the Fifteenth Symposium and Exhibition on the ICAO TRIP, with the key theme of “Bridging the Physical – Digital Document Divide” held from 25 to 28 June 2019 in Montréal. It was the opportunity to celebrate the 70th anniversary of Annex 9 – Facilitation.

6.2 The Sixteenth Symposium and Exhibition on the ICAO TRIP, with the key theme of “Game-changing Technologies Driving Seamless Border Management” will be held from 31 March to 1 April 2020 in Montréal and it will be followed by the first joint ICAO/INTERPOL Passenger Data Exchange Forum from 2 to 3 April 2020.

7. Action by the Regional Group

7.1 The Regional Group meeting is invited to take note of this paper highlighting developments in all ICAO’s Facilitation Programmes, pointing out the importance of implementing the ICAO TRIP strategy which aims at enhancing both air transport facilitation and cross-border security.

7.2 The meeting is also invited to recommend that participating States:

- a) implement all the Annex 9 Standards and especially those related to the ICAO TRIP Strategy, such as removing all non-Machine Readable Passports from circulation, reporting stolen, lost and revoked travel documents in the INTERPOL SLTD database, issuing MRCTDs compliant with Doc 9303 specifications and implementing an API system;
- b) ensure that their respective Annex 9 compliance checklists (CC) are duly completed in the Electronic Filing of Differences (EFOD) system;
- c) establish a National Air Transport Facilitation Programme (NATFP) and associated Committees in accordance with the relevant Annex 9 Standards, 8.17 and 8.19;
- d) establish a national aviation plan in preparation for an outbreak of a communicable disease posing a public health risk or public health emergency of international concern, in accordance with Standard 8.16 of Annex 9;
- e) endeavour to provide specimens passports to be used for reference and training purposes;
- f) implement the ICAO TRIP Strategy roadmap;

- g) commit to set-up robust civil registration systems to support issuance of reliable eMRTD;
and
- h) join the ICAO PKD should they not already have done so, in particular if they are issuing ePassports; those that are already PKD participants should ensure that they are uploading all relevant public key information to the PKD.

APPENDIX A

**RESULTS OF THE FOURTEEN TRIP-RELATED AUDITED STANDARDS FOR THE NAM/CAR AND SAM
REGIONS
(19 NAM/CAR and 11 SAM States audited under USAP-CMA as per December 2019)**

ANNEX 9 Standard	PROTOCOL QUESTION	SATISFACTORY STATUS % (OUT OF THE 22) NAM/CAR	SATISFACTORY STATUS % (OUT OF THE 13) SAM
8.17	FAL 9.001 Has the State established a National Air Transport Facilitation Programme (NATFP) based on the facilitation requirements of the Chicago Convention and of Annex 9 thereto?	20	44.44
8.19	FAL 9.005 Has the State established an NATFC and Airport Facilitation Committees (AFCs) as required, or similar coordinating bodies, for the purpose of coordinating facilitation activities between departments, agencies and other organizations of the State concerned with or responsible for various aspects of international civil aviation, as well as with airport and aircraft operators?	20	44.44
3.7	FAL 9.010 Does the State incorporate security features in its current travel documents and plan to periodically update security features in new versions of its travel documents to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued?	86.67	66.67
3.8	FAL 9.015 Has the State established controls to safeguard against the theft of its blank travel documents and the misappropriation of newly issued travel documents?	73.33	77.78
3.8.1	FAL 9.020 Has the State established appropriate controls over the entire travel document application, adjudication and issuance processes to ensure a high level of integrity and security?	73.33	77.78
3.10	FAL 9.021 Has the State established a policy to promptly report accurate information about stolen, lost, and revoked travel documents, issued by the State, to INTERPOL for inclusion in the SLTD database?	80.00	80.00
3.10	FAL 9.022 Has the State designated an office or entity as responsible for reporting information about stolen, lost, and revoked travel documents, issued by the State, to INTERPOL?	80.00	80.00
3.10	FAL 9.023 Has the State developed guidelines for reporting information about stolen, lost, and revoked travel documents to INTERPOL?	80.00	80.00
3.10	FAL 9.024 Has the State established measures to ensure that accurate information about stolen, lost, and revoked travel documents, issued by the State, is promptly reported to INTERPOL for inclusion in the SLTD database?	80.00	80.00
3.11	FAL 9.025 Are all passports issued by the State machine readable, in accordance with the specifications of Doc 9303?	86.67	100.00

ANNEX 9 Standard	PROTOCOL QUESTION	SATISFACTORY STATUS % (OUT OF THE 22) NAM/CAR	SATISFACTORY STATUS % (OUT OF THE 13) SAM
3.12	FAL 9.027 Are travel documents for refugees and stateless persons issued by the State (Convention Travel Documents) machine readable, in accordance with the Doc 9303 specifications?	75.00	80.00
9.5	FAL 9.070 Has the State established an API system?	78.57	66.67
9.6	FAL 9.073 Has the State ensured that the API system is supported by appropriate legal authority?	71.43	100.00
9.8	FAL 9.075 Is the API system consistent with internationally recognized standards for API?	84.62	50.00

APPENDIX B

ICAO TRAVELLER IDENTIFICATION PROGRAMME (TRIP) STRATEGY ELEMENTS AND RELATED ANNEX 9 SARPS (TOTAL: 67 SARPS)

(Amendment 27, 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: NIL

Total: 0

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, 9.1, 9.5, 9.6, 9.8, 9.9, 9.10, 9.13, 9.14, 9.23, 9.23.1

Recommended Practices 3.10.1, 3.34.4, 3.34.5, 3.34.6, 9.1.1, 9.2, 9.3, 9.4, 9.7, 9.10, 9.11, 9.12, 9.13, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.24

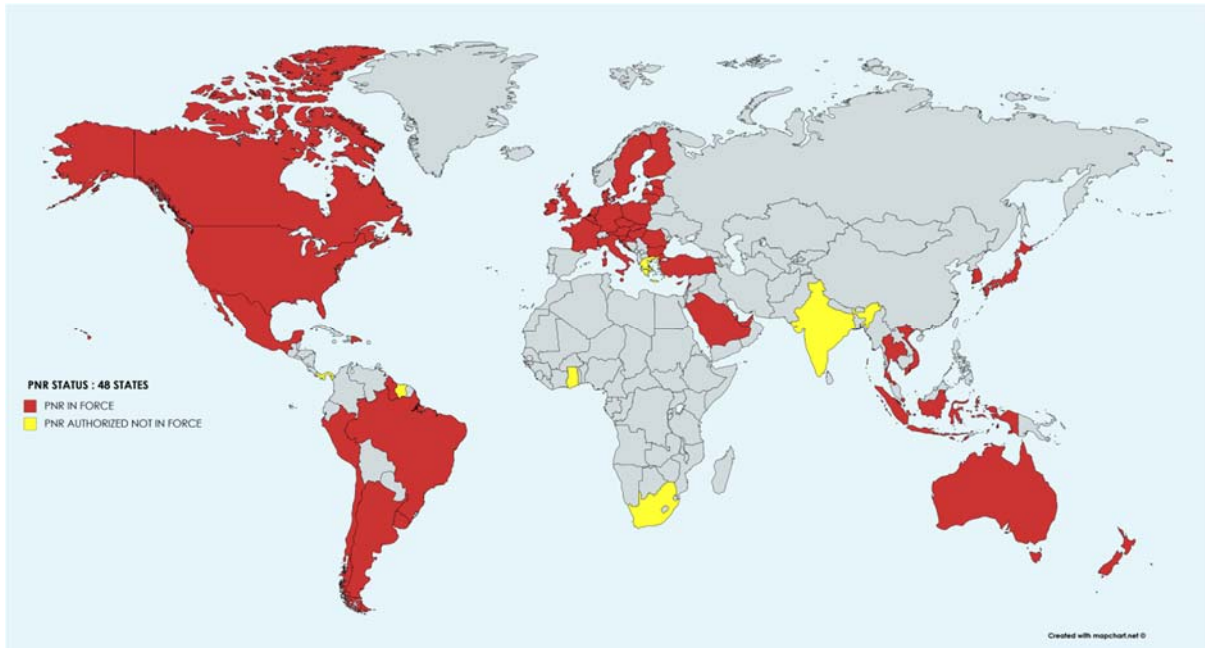
APPENDIX C

STATUS OF API AND PNR IMPLEMENTATION BY STATES (as of March 2020)

API

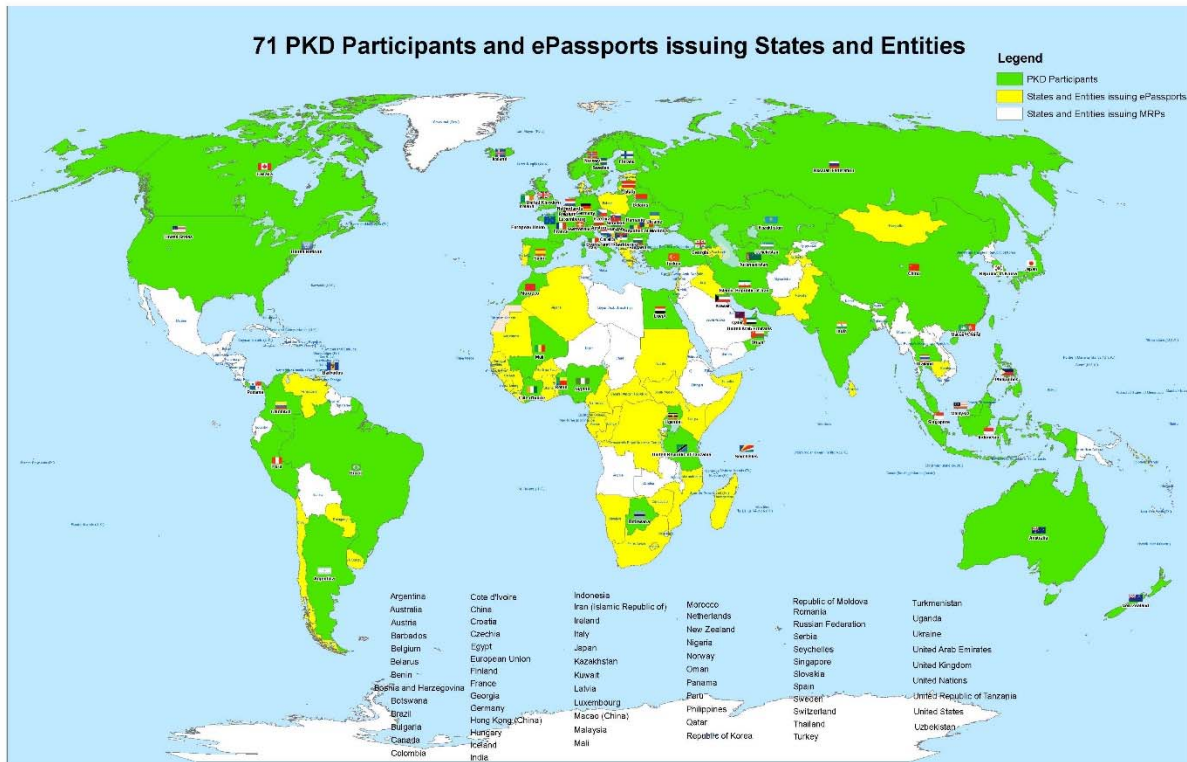


PNR



APPENDIX D

ISSUANCE OF ePASSPORTS AND PARTICIPATION TO THE ICAO PKD



**LIST OF CAR/NAM AND SAM STATES ISSUING ePASSPORTS
(As of February 2020)**

Region	Member States
NAM/CAR	Bahamas, Barbados, Canada, Grenada, Saint Kitts and Nevis, Saint Vincent and the Grenadines, United States
Total	7 out of 22 NAM/CAR States
Region	Member States
SAM	Argentina, Brazil, Chile, Colombia, Panama, Paraguay (diplomatic), Perú, Uruguay and Venezuela
Total	9 out of 13 SAM States