

# ICAO REGIONAL FACILITATION SEMINAR

## INFORMATION PAPER

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#### ICAO ANNEX 9: FACILITATION AND IMPLEMENTATION STATUS

##### INTRODUCTION

The Republic of South Africa through the Department of Home Affairs (DHA) is responsible, inter alia, for the issuance of passports and travel documents to eligible citizens, the issuing of visas to eligible foreigners and the secure management of the admission and departure process of persons to and from the country. The execution of these mandates is in compliance with Annex 9 to the International Convention on Civil Aviation ("The Chicago Convention"). During 2011 the Department has not only received a clean audit from ICAO but in some instances excelled as far as the following areas are concerned:

##### **1. Advance Passenger Information (API) and Passenger Name Record (PNR)**

DHA has led the implementation of interactive Advance Passenger Information (iAPI) on behalf of the South African Government, placing the country amongst the leading nations of the world insofar as the pre-clearance of persons is concerned. Since the launch of the Advance Passenger Processing (APP) system in 2009, Republic of South Africa has used it to establish an individual's preliminary eligibility to enter or exit the country before a boarding pass is issued for the flight.

The APP based pre-departure screening of all travellers to, from or through South Africa enables the country to be pro-active in dealing with a variety of security threats rather than reacting to such instances on the person's arrival.

This was achieved through interfacing the system with the check-in systems of airlines operating international flights to and from South Africa. Airlines electronically submit biographical/ passport information of each traveller through the APP system which in turn provides a real-time directive to the carrier advising whether or not that passenger may board his/her flight.

Passengers who receive a positive boarding directive will then present themselves to the Primary Inspection Line on their arrival in or prior to their departure from South Africa.

The implementation of APP is fully ICAO compliant, e.g. insofar as the following are concerned:

- Standards for the transmission of Advance Passenger Information;
- the data elements of passengers to be transmitted; and
- limiting the operational and administrative burdens on aircraft operators, while enhancing passenger facilitation.

In addition, the system benefits the state and industry alike costly airline returns are averted whilst the security considerations relating to undesirable persons are fully satisfied.

The next phase of implementation would be Passenger Name Record (PNR), which involves the transmission of reservation information in addition to APIS data for the purpose of more in depth pre-screening of persons prior to their appearance before an immigration officer.

## **2. - Inadmissible Persons and Deportees**

ICAO requirements are that States consult the aircraft operator on the time frame for removal of Inadmissible Persons and Deportees, the issuing of a removal order to the aircraft operator, and the information to be contained on the removal order. The Department has outsourced the process of deportation facilitation to a service provider, who is responsible for obtaining travel documents from the state of which the deportee is a national, making arrangements with the airline operator for the removal of the deportee as well as proper handing over procedures between the department and the airline. These and other related Standard Operating Procedures stood the test of scrutiny of the audit team, inter alia on the following aspects:

- The issuing of a covering letter to a person who has destroyed his or her travel document or an impostor;
- Seizure of the travel document unlawfully used by an impostor; and
- Processes for the return of such documents to the issuing state.

### **3. Visa Waiver Programme**

ICAO recommends that Contracting States should waive or abolish, for a maximum number of States, the requirement for an entry visa for nationals seeking entry as visitors. Currently 76 countries' nationals enjoy visa free entry for the purpose of entering South Africa as visitors.

### **CONCLUSION**

South Africa is a key participant in of ensuring the facilitation of travel by air of all legitimate travellers to the South African and in so doing continues to strive for close cooperation with its Government and industry stakeholders.