INTERNATIONAL CIVIL AVIATION ORGANIZATION

A United Nations Specialized Agency

ICAO Regional FAL Seminar
Cairo, Egypt
24-27 February 2014

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

25 February 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/behalf 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)

API & PNR: OVERVIEW

1. API & PNR: Why?

2. ICAO's interest in API and PNR

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4. Guidelines

3. REGULATORY FRAMEWORK: API

Annex 9: States' obligation to standardize API requirements

1. Standard 3.47

2. Standard 3.47.1

3. Standard 3.47.2

4. Standard 3.47.5

5. Standard 3.47.7

All Mandatory

3. REGULATORY FRAMEWORK: API

Standard 3.47: State to adhere to int'. Standards

- ►Note 1: Brief description of API

- ►Note 2: Information on UN/EDIFACT

- ►Note 3: Non-applicability to general aviation

- Standard 3.47.1

- ►Personal & TD information: Doc 9303

- ►All information: conform to Paxlst Message

3. REGULATORY FRAMEWORK: API

- Standard 3.47.2:

  ►More information than 3.47.1 required, restrict to Paxlst Message elements, or

  ►Request DMR process [►API CC]

- Standard 3.47.5: States to limit burden on airlines

- Standard 3.47.7: If electronic API, then no paper passenger manifest [>2.13+Appendix 2]

PASSENGER MANIFEST

Operator ....

Marks of Nationality and Registration*... Flight No. .... Date ....

Point of embarkation .... Point of disembarkation ....
                  (Place)   (Place)

Surname and initials	For use by operator only	For official use only

297 mm (or 11 3/4 inches) (vertical dimension)

Size of document to be 210 mm × 297 mm (or 8 1/4 × 11 3/4 inches).
* To be completed only when required by the State.

210 mm (or 8 1/4 inches)

3. REGULATORY FRAMEWORK: API

Summary of 3.47, 3.47.1, 3.47.2

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 3.47.3:

    ►If State unable to use Paxlst, consult users on operational and cost impact

- Recommended Practice 3.47.4:

    ►State to minimize number of times API is transmitted for a specific flight

- Recommended Practice 3.47.6:

    ►State to refrain from fines/penalties for errors due to system failures: transmission of data

Amendment 24

- 3 new RPs address operational issues:

  → 24/7 operation

  → procedures for system outage/failure

  → tech support, notification & recovery procedures

- **iAPI**:   a) RP: consult & work with aircraft operators & conform to WCO/ICAO/IATA Guidelines

  b) iAPI defined

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: PNR

Annex 9: **RP 3.48** on PNR data:

Contracting States requiring Passenger Name Record (PNR) access should conform their data requirements and their handling of such data to guidelines developed by ICAO.

Amendment 24

→ 3.48 Amended: Specific reference to 9944 & PNRGOV message implementation guidance

→ (new 3.48.1): States & Operators: provide 24/7 support

→ (new 3.48.2): When requiring PNR data, States should consider the adoption and implementation of the PNRGOV message as a method of transferral of PNR data.

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 <u>single API & iAPI reporting requirement</u> based on international standards, and a <u>single agency</u> be identified to receive data and for internal dissemination to other agencies;

→ States <u>align</u> the various data exchange systems with the international data transmission <u>standards adopted by relevant United Nations</u> agencies . . .;

→ PNR systems, <u>based on the PNRGOV message format</u>, 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 <u>new SARPs into Annex 9</u>; **[▶]**

→ ICAO provide States with <u>assistance and training</u> on the implementation of API

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

38th 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

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

3. WCO/IATA/ICAO API GUIDELINES

API Guidelines & PNR Reporting Standards:

►ICAO Public Site → Strategic Objectives → Security → Facilitation → Publications

http://www2.icao.int/en/AVSEC/FAL/Pages /Publications.aspx

5. PNR: REGULATORY FRAMEWORK

API & PNR: What Next?

→ State Letter (April 2014)

→ FAL Panel (24-28 November 2014)

→ Follow-up: IATA (+ ICAO, WCO)

API & PNR

QUESTIONS?