



WORKING PAPER

FACILITATION PANEL (FALP)

NINTH MEETING

Montréal, 4-7 April 2016

Agenda Item 3: Amendments to Annex 9

ADVANCE PASSENGER INFORMATION (API)

(Presented by the International Air Transport Association)

SUMMARY

This working paper proposes changes in the framework of a new Chapter within Annex 9 dedicated to Passenger Data Information Systems. This includes moving three provisions that are common to various forms of passenger data into subsection A concerning general aspects related to that chapter, strengthening provisions related to API, introducing a new Recommended Practice for iAPI, as well as transferring other related provisions from Chapter 3 into the new Chapter.

In September 2014 the UN Security Council adopted resolution 2178, which calls upon all States to implement API programs in a global effort to prevent the movement of foreign terrorist fighters. The use of API for border security has been growing over the years and has clearly accelerated since the adoption of resolution 2178. Today, more than 55 States obtain API in batch or legacy style, whereas 15 require API in the interactive format.

Clearly the growth in API necessitates the strengthening of API Standards and Recommended Practices within Annex 9 to support adherence to content, format and transmission standards, thus mitigating non-compliant API systems. Moreover, IATA is of the opinion that achieving the purposes behind UN Security Council Resolution 2178 will only be possible when interactive API is provided and vetted by the State before the passenger passes through airport security and boards an aircraft and is thus proposing a new Recommended Practice on iAPI.

Action by the FAL Panel:

The FAL Panel is invited to consider the proposals described in this paper and agree that Annex 9 be amended, as set out in the Appendix.

1. INTRODUCTION

1.1 The number of States requesting API data prior to the arrival, and in more and more cases, departure of international flights, is growing. Unfortunately, in many cases, the processes being implemented have not been aligned with existing Standards and Recommended Practices within Annex 9 nor the internationally agreed specifications contained in the WCO/IATA/ICAO Guidelines on API. This has resulted in increasing costs, system complexity and operational impacts for airlines all over the world.

1.2 IATA recognizes the potential value of API data to support pre-arrival/departure risk assessment activities which measurably improve border control effectiveness. While passenger data transmission comes with a cost for airlines, IATA supports the argument that passenger data exchange systems aligned with international standards and used effectively by law enforcement can significantly improve facilitation for entry/exit processing for the vast majority of travellers who are found to represent no or little risk to States or aviation security. Specific benefits include:

1.2.1 **Watch-list screening:** when airlines provide standardized passport data States are able to match this against watch-lists, including INTERPOL databases. Critically, States should be encouraged to share watch-lists with each other thereby enhancing the effectiveness of API.

1.2.2 **Integrated Border Management:** API serves the interest of a number of border security agencies who should be receiving API through a “**Single Window**”.

1.2.3 **Automated Border Control:** API allows for risk-based, data-driven immigration processing, allowing low-risk passengers to be steered through ABC gates.

1.2.4 **International Co-operation:** Requesting and receiving standardized API data sets will facilitate international data sharing and analysis on cross-border movements.

1.2.5 **Travel history and analysis:** Standardized API data sets will also facilitate the management of exit, entry and transit history, thus potentially eliminating the need for paper based embarkation and disembarkation cards.

1.3 Interactive API or iAPI is when API data is transmitted on a passenger-by-passenger basis while check-in is taking place. The Government receiving the data must then determine whether that passenger or crew member has the entitlement to enter or depart its jurisdiction based on a review of its own internal systems. The State, specifically the Single Window authority, advises the airline of its finding through an immediate electronic “Board” or “Do not Board” response message per individual passenger. Interactive API systems, while more complicated and costly to implement for both governments and airlines, can result in immediate benefits to governments and airlines.

2. DISCUSSION

2.1 IATA supports the introduction of a new Recommended Practice that Contracting States should introduce API systems, a concept already presented by FALP/9-WP/6, but would like to introduce benefits for passenger facilitation and border security to the initial proposal.

2.2 IATA proposes to strengthen the previous Standard 3.48 with inclusion of references to national legislation and the WCO/IATA/ICAO Guidelines.

2.3 IATA proposes the new Recommended Practice 9.7 to provide guidance to those States developing API systems, in particular adherence to the Single Window concept and API data requirements.

2.4 IATA proposes the new Recommended Practice 9.15 with a view to decreasing Inadmissible passengers, promoting facilitation measures at immigration, enhancing aviation security, as well as supporting the implementation of UN Security Council resolution 2178.

3. **RECOMMENDATIONS**

3.1 The Facilitation Panel is invited to agree with:

- a) the modification of one Standard,
- b) the introduction of three new Recommended Practices,
- c) the transfer of related provisions from Chapter 3 into the new Chapter.

APPENDIX

Amend Annex 9 as follows:

Chapter 3: Entry and Departure of Persons and their Baggage

Delete paragraphs 3.48 to 3.48.11, as well as 3.49.1, from Chapter 3 and move them to a new Chapter 9.

Chapter 9: Passenger Data Exchange Systems

A. General

~~3.48.10~~ 9.2
~~3.48.11~~ 9.3
~~3.49.1~~ 9.4

B. Advance Passenger Information (API)

9.5 Recommended Practice.---*Each Contracting State should establish an Advance Passenger Information (API) system in order to facilitate and expedite the clearance of persons and crew members entering, departing or transiting that State's territory.*

~~3.48~~ **9.6** Each Contracting State that introduces an ~~Advance Passenger Information (API)~~ system under its national legislation shall adhere to internationally recognized standards for the transmission of ~~API Advance Passenger Information~~ as defined by the WCO, IATA and ICAO Guidelines on API.

[Notes omitted]

9.7 Recommended Practice.---*Each Contracting State developing legislation for the purpose of implementing an API system should consider developing a common regulation that meets the needs of all involved agencies, defines a common set of API data elements required for that jurisdiction in accordance with message construction standards and appoints one government agency to receive, process and share API data with and on behalf of all other agencies.*

~~3.48.1~~ 9.8
~~3.48.2~~ 9.9
~~3.48.3~~ 9.10
~~3.48.4~~ 9.11
~~3.48.5~~ 9.12
~~3.48.6~~ 9.13
~~3.48.7~~ 9.14

9.15 Recommended Practice.---*Each Contracting State should consider the introduction of an interactive Advance Passenger Information (iAPI) system adherent to the internationally recognized standards and best practices as defined by the WCO, IATA and ICAO Guidelines on API.*

~~3.48.8~~ 9.16
~~3.48.9~~ 9.17

~~3.48.10~~ 9.18
~~3.48.11~~ 9.19

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