



FACILITATION PANEL (FALP)

NINTH MEETING

Montréal, 4-7 April 2016

Agenda Item 3: Amendments to Annex 9

PASSENGER NAME RECORD (PNR) DATA

(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. The paper proposes to move two Recommended Practices on Passenger Name Record (PNR) data from Chapter 3 to subsection D of Chapter 9 and to elevate these to Standards, as well as to introduce a new Recommended Practice concerning data privacy.

The recent growth in PNR programmes necessitates the strengthening of related provisions within Annex 9 to support adherence to content, format and transmission standards, thus mitigating non-compliant PNR data requests.

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 PNR data for international flights is growing. Unfortunately, in many cases, the processes being implemented have not been aligned with existing Recommended Practices within Annex 9 nor the internationally agreed specifications contained in the ICAO Doc 9944, Guidelines on PNR Data.

1.2 Additionally, a number of States are requesting PNR data without the requisite State-to-State legal agreements that are needed to govern the exchange of sensitive personal data contained in PNRs. This has resulted in political impasses, delays in PNR programme implementation, and operational uncertainty for airlines all over the world.

1.3 IATA recognizes the potential value of PNR 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.

2. DISCUSSION

2.1 For those States choosing to implement PNR programmes, IATA supports strengthening the existing Recommended Practice concerning alignment of PNR data transfer with international standards to a Standard.

2.2 For those States choosing to implement PNR programmes IATA also supports strengthening the existing Recommended Practice concerning PNR data transfer format (PNRGOV messaging standards) to a Standard. IATA is recommending to delete UN/EDIFACT from the provision since PNRGOV messages are based on IATA PADIS EDIFACT.

2.3 To alleviate political impasses, IATA proposes to introduce a new Recommended Practice concerning data privacy and State-to-State legal agreements governing PNR data exchange.

3. RECOMMENDATIONS

3.1 The Facilitation Panel is invited to agree with:

- a) the transfer of two PNR related provisions from Chapter 3 into the new Chapter and the elevation of those provisions to Standards,
- b) the introduction of one new Recommended Practice.

APPENDIX

Amend Annex 9 as follows:

Chapter 9: Passenger Data Exchange Systems

D. Passenger Name Record (PNR) data

~~3.49~~ **9.26 Recommended Practice.**—Each Contracting States requiring Passenger Name Record (PNR) data ~~access~~ shall ~~should~~ align its data requirements and its handling of such data with the guidelines contained in ICAO Doc 9944, Guidelines on Passenger Name Record (PNR) Data, and in PNRGOV message implementation guidance materials published by the WCO and endorsed by ICAO and IATA.

~~3.49.2~~ **9.26.1 Recommended Practice.**—Contracting States requiring ~~When specifying requirements for~~ the transfer of PNR data, ~~Contracting States~~ shall ~~should consider the~~ adoption and implementation of the ~~UN/EDIFACT~~ EDIFACT-based PNRGOV message as the ~~a~~ primary method for airline-to-government PNR data transferral.

[Notes omitted]

9.27 Recommended Practice.—~~Contracting States requiring PNR data should consider the data privacy impact of PNR data collection and electronic transfer, within their own national systems and also in third countries, and engage early in cooperation to align legal requirements.~~

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