



**WORKING PAPER**

**FACILITATION PANEL (FALP)**

**NINTH MEETING**

**Montréal, 4-7 April 2016**

**Agenda Item 3: Amendments to Annex 9**

**PROPOSED AMENDMENTS TO ANNEX 9:  
RECOMMENDED PRACTICE 3.9**

(Presented by the Secretariat)

**SUMMARY**

This paper proposes that Recommended Practice 3.9 be amended because of the reasons set out in paragraphs 2.3 to 2.6, both inclusive, below.

**Action by the FAL Panel:**

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

**1. INTRODUCTION**

1.1 The seventh meeting of the Facilitation Panel (FALP/7, October 2012) observed that there may be a need to focus as intensely on updating existing Annex 9 Standards and Recommended Practices (SARPs) as on the development of new provisions. Also discussed were the benefits of increased collaboration between the FAL Panel and other technical bodies such as the Technical Advisory Group on Machine Readable Travel Documents (TAG/MRTD). The TAG/MRTD and its sub-groups, the New Technologies Working Group (NTWG) and the Implementation and Capacity Building Working Group (ICBWG) thus began to review, in cooperation with the ICAO Public Key Directory (PKD) Board, Annex 9's SARPs related to travel documents, in order to consider the need for new or revised SARPs.

1.2 The results of the work of the TAG/MRTD led to several proposals for amendments to travel document SARPs at the eighth meeting of the Panel (FALP/8, November 2014). The proposals resulted in the adoption by the Council, in June 2015, of new/revised SARPs for Annex 9. In the meantime, the ICBWG continued its work and developed an additional proposal for amendment to Recommended 3.9 to the Annex. This proposal normally would have first been presented to the first meeting of the (newly formed) Technical Advisory Group on the ICAO Traveller Identification Programme (TAG/TRIP-1, 30 March to 1 April 2016) for consideration and approval, before being

submitted to the FAL Panel for its consideration. However, as both meetings are being held back-to-back, the Secretariat's deadline of 22 February 2016 for submission of papers to FALP/9 has precluded prior consideration of the ICBWG's proposals by the TAG/TRIP meeting. As a result, the Secretariat has agreed to present the proposal concerning Recommended Practice 3.9 directly to the FAL Panel, instead.

## 2. DISCUSSION

2.1 At the Twelfth Session of the Facilitation Division (FAL/12, Cairo, 22 March – 1 April 2004), the Secretariat presented FAL/12-WP/3 that proposed the following new Recommended Practice to promote the use of biometric data in MRPs, in line with ICAO's approval of a global, harmonized blueprint for the integration of biometric data in Machine Readable Travel Documents (MRTDs): **“Recommended Practice.—Contracting States should incorporate biometric data into their machine readable travel documents, using one or more optional data storage technologies to supplement the machine readable zone, as specified in Doc 9303, Machine Readable Travel Documents (series).”**

2.2 After a lengthy debate, the Division adopted a recommendation which amplified the one proposed by the Secretariat with informative statements about the selection of certain biometrics and their storage in a contactless integrated circuit. A new Recommended Practice 3.9 was eventually incorporated into Annex 9. It reads as follows: **“Recommended Practice.— Contracting States should incorporate biometric data in their machine readable passports, visas and other official travel documents, using one or more optional data storage technologies to supplement the machine readable zone, as specified in Doc 9303, Machine Readable Travel Documents. The required data stored on the integrated circuit chip is the same as that printed on the data page, that is, the data contained in the machine-readable zone plus the digitized photographic image. Fingerprint image(s) and/or iris image(s) are optional biometrics for Contracting States wishing to supplement the facial image with another biometric in the passport. Contracting States incorporating biometric data in their Machine Readable Passports are to store the data in a contactless integrated circuit chip complying with ISO/IEC 14443 and programmed according to the Logical Data Structure as specified by ICAO.”**

2.3 The TAG/MRTD has developed technical specifications for the incorporation of biometric data in machine readable passports and other official travel documents. These are currently found in the 7th Edition of Doc 9303. However, specifications for the inclusion of biometric data in visas do not exist. The NTWG, the group responsible for the development of Doc 9303 specifications, concluded after working for several years on the matter that it is impracticable to come up with global specifications and policy guidance materials on so-called “eVisas.” These are viewed, in the sense of an integrated online application system, as part of an “eGovernment” system where citizens are able to interact with government agencies and obtain services and entitlements online. From the NTWG perspective, visas are a control and risk assessment mechanism that often involves interviews, requests for additional documents, or the capture of biometric data. The NTWG maintains that there is no single way to address this and solutions are likely to remain State-specific.

2.4 Additionally, it is not recommended that States issue visas containing contactless integrated circuit chips as they may cause interference with the chip in the travel document. Furthermore, the ICBWG is not aware of any States issuing visas with electronic chips.

2.5 The current wording of Recommended Practice 3.9 may cause confusion in its wording as the first sentence recommends the incorporation of biometric data in passports, visas and other official travel documents; however, in the descriptive part of the provision on how this is to be achieved, only passports are mentioned e.g. “States wishing to supplement the facial image with another biometric in the passport” and “Contracting States incorporating biometric data in the Machine Readable Passports are to

store data . . . ”. Since the Recommended Practice pertains to all machine readable travel documents, details about its application should apply equally to machine readable travel documents not only to passports.

2.6 Recommended Practice 3.9 includes a technical description. While it was useful when the concept of electronic machine readable travel documents was introduced in 2004, familiarity with the ‘e’ no longer necessitates a technical description in Annex 9. Technical requirements are clearly specified in Doc 9303 and additional references can be made in the Facilitation Manual, as necessary.

2.7 The proposal, therefore, is to amend Recommended Practice 3.9 by deleting the technical details and to making the provision applicable to machine readable travel documents, generally.

### 3. **RECOMMENDATION**

3.1 The FAL Panel is thus invited to consider the proposal to amend Annex 9 as set out in the Appendix.

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**APPENDIX**

*Amend* Annex 9 as follows:

**Chapter 3. Entry and Departure of Persons and their Baggage**

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**3.9 Recommended Practice.**— *Contracting States should incorporate biometric data in their machine readable ~~passports, visas and other official~~ travel documents, using one or more optional data storage technologies to supplement the machine readable zone, as specified in Doc 9303, Machine Readable Travel Documents. ~~The required data stored on the integrated circuit chip is the same as that printed on the data page, that is, the data contained in the machine readable zone plus the digitized photographic image. Fingerprint image(s) and/or iris image(s) are optional biometrics for Contracting States wishing to supplement the facial image with another biometric in the passport. Contracting States incorporating biometric data in their Machine Readable Passports are to store the data in a contactless integrated circuit chip complying with ISO/IEC 14443 and programmed according to the Logical Data Structure as specified by ICAO.~~*

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