



FACILITATION PANEL (FALP)

EIGHTH MEETING

Montréal, 24-28 November 2014

Agenda Item 4: Other Matters

IMPROVING INFORMATION SHARING ON PASSENGER DATA REQUIREMENTS

(Presented by Australia)

SUMMARY

A growing number of States are implementing or planning to implement passenger data related programs in support of border clearance processes. This has highlighted a need to focus on strategies to assist States implementing new passenger data systems in an effort to reduce proliferation of non-standard systems and data types, whilst also assisting aircraft operators to comply with the passenger data requirements of each State. This Working Paper proposes the establishment of an information sharing process managed by ICAO to work towards standardization and consistent processes for the distribution of information related to passenger data activity, and to assist with industry compliance.

Action by the FAL Panel:

The Facilitation Panel is invited to consider the concept of establishing an information sharing process within ICAO, and establish a Working Group to refine the concept and develop models for its implementation.

1. INTRODUCTION

1.1 There has been an increasing trend for States to collect passenger data from airlines and share it amongst agencies to increase the effectiveness of border processing systems. The number of States using passenger data has grown from less than a dozen ten years ago to more than sixty today. The exchange of passenger data is used by the State of origin and destination to identify high-risk passengers who may pose a threat to border security, aviation security or national security.

1.2 The two types of passenger data being used at present are Advance Passenger Information (API) and Passenger Name Record (PNR). States that have implemented passenger data systems consider these systems to be an effective element in their approach to border security, providing significant benefits for risk assessment.

1.3 Passenger data systems rely on secure electronic data, some being collected at the time the passenger books a ticket and some when the passenger completes check-in. The intent of passenger data systems is to prevent undesirable passengers from boarding an aircraft or entering the destination State, thereby necessitating the need for a real-time electronic exchange of passenger-related information to enable efficient use of API and PNR information.

1.4 Many States have developed their own passenger data systems in isolation, with aircraft operators required to comply with each system. Each different passenger data exchange system operates using a range of unique technical requirements, such as different message formats, and involve various transmission timeframes. The proliferation of different passenger data systems imposes an onerous compliance regime on aircraft operators, adding unnecessary costs in configuring their IT systems to enable communication with each different system.

1.5 Significant effort over the past five years by a number of States and aircraft operators has led to the development of Standards and Guidelines on the use of passenger data in an effort to standardize passenger data systems. The development and use of standardized messages for API and PNR systems will result in a range of benefits for States and aircraft operators, such as the efficient exchange of information between aircraft operators and border control authorities and assisting aircraft operators to comply with the requirements of each State.

1.6 Over time the International Air Transport Association (IATA) has managed a register of State requirements to assist its members manage a number of individual requirements. However, a more comprehensive tool is required to provide additional support and ensure ongoing development.

1.7 Establishment of this process would assist States in building passenger data systems that are standardized with other systems, would contribute to improved adherence to the SARPs of Annex 9 on the collection and use of passenger data.

2. **DISCUSSION**

2.1 Due to the recent growth in the use of passenger data a number of issues have arisen:

- Increasing requests for passenger data from States;
- Lack/absence of consistent communication between aircraft operators and States;
- Lack of awareness of existing passenger data standards and guidelines by both aircraft operators and States;
- Unclear/incomplete guidance on passenger data regime requirements with non-standard requirements causing increased costs to both aircraft operators and States;
- Conflicts in laws between two or more States on the transfer of passenger data (the aircraft operator is obliged to observe the laws of both the State from which it transports passengers (State of departure) and the State to which these passengers are transported (destination State)); and
- Non-standard requirements adding complexity to the provision of passenger data.

2.2 The proposed information sharing process would essentially take the form of a database, or register. All States implementing a passenger data system would register on the database the existence of their system, the requirements it places on operators, and the technical specifications such as message format; this database would not record or retain any actual passenger data. This would serve four main functions:

- Encourage the use of existing standards and systems;
- Provide guidance for States seeking to implement a passenger data system;
- Support compliance with passenger data system requirements by aircraft operators; and
- Improve the ability for States to share passenger data.

2.3 This will enable the ongoing coordinated management of passenger data systems for the benefit of government and aircraft operators, supporting implementation based on international standards and guidelines. It would contain details about each State's passenger data requirements, providing a centralized resource that can be consulted by aircraft operators and government agencies. It would also serve as a resource for States investigating the implementation of a new passenger data regime, providing details about other passenger data systems currently in use.

2.4 The proposal would be managed by ICAO with support from IATA and the WCO. Under the tripartite agreement between ICAO, IATA and the WCO there is an opportunity to support and assist in the development, implementation and ongoing maintenance of passenger data standards and guidelines. With the increasing use of passenger data systems, an opportunity exists for ICAO, IATA and the WCO to provide additional support and assistance to their respective members.

2.5 The key roles and responsibilities in management, amongst IATA, the WCO and ICAO, would be:

- a) **IATA** – The development of industry standards for aircraft operator related activities and raising awareness of existing standards and guidelines amongst Members;
- b) **ICAO** – Increasing the awareness of existing SARPs and guidance material including the uniform distribution of existing passenger data standards and guidance material to States; and
- c) **WCO** – The custodian for message maintenance of passenger data standards and guidelines along with the Secretariat for WCO/ICAO/IATA API/PNR Contact Committee.

2.6 Endorsement by the panel would be required to progress this work through the establishment of a Working Group of the Panel to examine and develop cost models for the creation of this process is desirable.

3. **RECOMMENDATION**

3.1 The Panel is invited to endorse, in principle, the concept of developing an information sharing process, and to establish a Working Group of the Panel to refine the concept and develop appropriately cost models for the creation of this information sharing tool for consideration by the Panel at a future meeting.