**TECHNICAL ADVISORY GROUP ON
MACHINE READABLE TRAVEL DOCUMENTS**

Fifteenth Meeting

(Montreal, 17 to 21 May 2004)

Agenda Item 6:Other business

**COPING WITH SUCCESS — THE COST CONSEQUENCES OF
AN EXPANDED ICAO FAL ROLE IN OPERATIONAL AFFAIRS**

(Presented by the Document Content & Format Working Group (DCFWG))

1.   **BACKGROUND**

1.1   The Facilitation (FAL) Section has as its charter ten articles in the Chicago Convention at least three of which relate directly to the work programme of the TAG/MRTD. Article 37 provides *inter alia* that "ICAO shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with … customs and immigration procedures and such other matters concerned with the safety, regularity and efficiency of air navigation ...".

1.2   Article 22 obligates each Contracting State to "adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation of aircraft between territories of Contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of laws relating to immigration, quarantine, customs and clearance".

1.3   Article 23 of the Convention expresses the undertaking of each Contracting State "so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time pursuant to this Convention".

1.4   The realization of these objectives has led to the establishment of a number of recurring meetings, such as the TAG/MRTD, the FAL Panel meetings and the FAL Division meeting. Other responsibilities include oversight of regional FAL efforts and the drafting, amendment, editing, translation, publication and distribution of Annex 9 to the Convention, Doc 9303, circulars, manuals and other publications.

1.5   The FAL Secretariat accomplishes these tasks with a staff of three people (the FAL Section Chief, a Technical Officer and a secretary) along with occasional part-time officers contracted for finite time periods.

1.6   The bulk of the work of the FAL programme is accomplished with essentially volunteer labor: knowledgeable people in their field, paid by their employer to do work leading to improvements in standards and recommended practices for Annex 9 and specifications for Doc 9303. Most of this work is event related,

such as attending Panel and Working Group meetings, writing Working Papers for an upcoming plenary meeting, and traveling to and attendance at the meetings.

1.7   In the last year, two new mandates have come in, with the potential to require work far beyond the present funding or organizational structure of the FAL Section. The first is the support for the PKI key management programme and the consequent administration of the test programme to qualify States' contactless chip passports as being interoperable. The second is comprised of the tasks arising from the FAL/12 Division meeting (Cairo, 22 March - 1 April 2004), including the establishment of a FAL audit programme, similar to the Security Annex 17 audit programme.

1.8   The purpose of compiling this list is to highlight the disparity between the resources currently available, and the tasks which have been assigned, and the need for creative solutions in order to accomplish the tasks, including the support of the biometric passport PKI key management.

2.   THE NEW WORK ITEMS AND CONSEQUENCES

2.1   **Key repository**. One of the "four pillars" of the ICAO Blueprint for biometric-enabled passports is the use of ICAO as the central repository for the participating States' public keys to decrypt the digital signatures on passport information stored in the integrated circuit chip. There is no other candidate organization besides ICAO to do this function. The level of staffing and systems and communication support necessary is not known at this time, but it will not be trivial.

2.2   **MRTD quality assurance Programme**. Although mentioned at FAL/12, this programme dates back to at least TAG/14 with the Working Paper on Audit Methodology. With the Security Standards published as Annex 1 to Section III of Doc 9303, and the G-8 Minimum Issuance standards accepted, the baseline has been established for an audit programme. Aviation Security has such a programme, and to establish a similar programme for FAL issues, and particularly travel document issuance will greatly improve the performance of travel documents, but cannot be done on the cheap. Resources will be required, similar in amount to funding required to operate the AVSEC audits.

2.3   **Assistance to Developing States**. ICAO was charged with identifying the "ways and means of providing technical assistance to those States needing assistance to issue MRPs". This recommendation followed adoption of another recommendation, for a new Annex 9 Standard that all Contracting States begin issuing MRPs by April 2010. According to information provided by the Secretariat, only about half of all Contracting States are issuing MRPs. In order to meet the 2010 deadline, funding must be sought and resources mobilized in order to realize MRPs for the other half of the ICAO membership. One can expect the administration and oversight of this project to become the responsibility of the FAL Section.

2.4   **PNR-access Study Group**. Per FAL/12, ICAO is to form a Study Group to prepare guidelines for the provision of Passenger Name Record (PNR) data by the airlines to government authorities. Conforming to such guidelines is the necessary condition to require PNR data. While the Study Group may be composed of "volunteers", the administration of the group and its conclusions will belong to the FAL Section.

2.5   **Guidance material**. ICAO FAL was called upon to develop and issue guidance material for many programmes, including Advance Passenger Information (API), PNR-access, Risk Management regarding Aviation Security, Airport Planning, and health-emergency contingency plans including eight anti-SARS recommendations. This is in addition to the Panel of Experts to continue drafting Chapter 6 of Annex 9 – *Facilitation*, and the FAL Manual Drafting Group to write guidance material on handling inadmissible persons and deportees.

2.6   **Security**. ICAO FAL was tasked to coordinate a study to establish principles of the authorized supply chain concept and to make a study group on regulated agents and authorized traders.

3.   **REQUIREMENTS FOR EXTRA-BUDGETARY**
      RESOURCES

3.1   Human resources in addition to regular programme staff are required to perform the following sets of tasks of direct interest to the TAG/MRTD.

   a) *Specifications and technology administration.* This includes coordinating with DCFWG and NTWG to update Doc 9303, specifically to convert the biometrics technical reports to formal specifications, to organize quality assurance examinations of prototype passports and other documents at the request of individual States, and to keep the MRTD web site up to date.

   b) *Universal implementation of MRTDs (UIMRTD) project management.* This involves coordinating with EPWG to set up teams, rosters of consultants, and funding sources, liaison with donor States, arranging for appropriate technical assistance, carrying out the communications plan, and responding to queries of all kinds.

   c) *PKI Directory management.* This will involve both oversight of the development of the Directory and day-to-day management of its implementation.

4.   **ACTION BY THE TAG/MRTD**

4.1   The TAG/MRTD is requested to:

   a) note the volume and importance of the work requested of the FAL Section;

   b) concur with the impossibility of accomplishing all these tasks given the present staffing and funding constraints; and

   c) consider ways of assisting the Secretariat in the accomplishment of these tasks, such as providing personnel on a short-term loan basis or establishing a mechanism fund.

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