UN SC Resolution 2178 and passenger data exchange

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ICAO TRIP Strategy

Globally interoperable applications that provide for timely, secure and reliable linkage of MRTDs and their holders to relevant data in the course of inspection operations: API/PNR, watch lists, INTERPOL SLTD, information sharing…

Credible evidence of identity, involving the tracing, linkage and verification of identity against breeder documents to ensure the authenticity of identity

EVIDENCE OF IDENTITY

INTEROPERABLE APPLICATIONS

MRTDs

IDENTIFICATION MANAGEMENT

INSPECTION SYSTEMS AND TOOLS

DOCUMENT ISSUANCE & CONTROL

Manufacture of standardized MRTDs, that comply with ICAO specifications (Doc 9303)

For the efficient and secure reading and verification of MRTDs (PKD, forensic travel Doc examination, etc..)

Processes for document issuance by appropriate authorities, and controls to prevent theft, tampering and loss

Objective: All Member States can uniquely identify individuals

High-Level Conference on Aviation Security (2012)
Conclusions & Recommendations on data exchange:

❖ essential that States **standardize their data requirements** and **adopt a standard format** for the electronic transmission of passenger data;

❖ States develop a **single API & iAPI reporting requirement** based on international standards, and a **single agency** be identified to receive data and for internal dissemination to other agencies;

❖ States align the various data exchange systems with the international data transmission **standards adopted by relevant UN** agencies . . .;

❖ ICAO to provide States with **assistance and training** on the implementation of API

Declaration on Aviation Security

▶States urged to use API & PNR as an aid to aviation security

▶States should ensure the protection of passengers' privacy.

Objectives of data exchange

► Improve/enhance security (generally) & aviation security

► Improve clearance at border controls

► Fight against terrorism (**UN SC Res 2178**)

► Combat illegal migration

► Identify passengers who are a known immigration or security threat

► More effective allocation of border control and law enforcement resources

► Allow threat assessment value from analysis of data

ICAO's role is focused entirely on improving the sharing of information on all travellers by air and not only on FTFs

UN Security Council Resolution 2178 (2014)

● Growing threat posed by foreign terrorist fighter

● "Acting under **Chapter VII**" of the UN Charter:

→(2) Encourages Member States to collect & analyse travel data

→(9) **Calls upon** [i.e. "recommends"] Member States to:

–Require airlines to provide advance passenger information (API)

–Share information with State of nationality

July 2015: Special meeting of UN CTC in Madrid

Meeting of the UN Counter Terrorism Committee (CTC) on stemming the flow of foreign terrorist fighters focused on three broader themes:

1) Detection, intervention against, and prevention of incitement, recruitment, and facilitation of foreign terrorist fighters (FTFs);

2) Prevention of FTF's travel, including through operational measures, the use of API, and strengthening border security; and

3) Criminalization, prosecution (including prosecution strategies for returnees), international cooperation, and the rehabilitation and reintegration of returnees.

Meeting recommendations linked to API

- Provision of dedicated resources and automated tools, including API, access to watch lists, and centralized databases.

- Introduction of measures and practices to enhance the capacities of competent border authorities and consider sharing this information with competent authorities.

- API is an essential source of information about passengers, both prior to their departure and prior to their arrival.

- Standardization of the data transmitted and the means of transmittal, establishing a **single point of collection of the information**, **use of interactive API (iAPI),** and importance of support to Member States to implement API systems.

Advanced Passenger Information (API) system

An electronic communications system whereby required data elements are collected and transmitted to border control agencies prior to flight departure or arrival and made available on the primary line at the airport of entry.

→ Collected: Available in Departure Control Systems when the flight is "open" for check-in (48hrs)

Interactive API: iAPI

An electronic system that transmits, during check-in, API data elements collected by the aircraft operator to public authorities who, within existing business processing times for passenger check-in, return to the operator a response message for each passenger and/or crew member.

iAPI: useful for aviation security, since the information is available before the flight takes off

API and iAPI help identify people you know about.
Such as people on a watchlist
Useful for Immigration, Customs and Security

Why do States want API?

▶ Improve clearance at border controls

▶ Combat illegal migration

▶ Identify passengers who are a known immigration or security threat

▶ More effective allocation of border control and law enforcement resources

iAPI provides the best answer

- iAPI allows pre-board vetting and government guidance on boarding

- iAPI can prevent travel versus identifying threat while flight is in the air

- iAPI can respond to UNSCR 2178 more effectively

What is a Passenger Name record (PNR)?

PNR : records created by aircraft operators for each journey booked for any passenger and used by operators for their own commercial and operational purposes and stored in the operator's automated reservations systems.

PNRs may or may not include elements such as:

Passenger name (may be limited to surname and first initial) ;

Itinerary;

Ticketing information;

General contact information;

Form of payment;etc…

- used to identify a person, about whom you may not have other information
- valuable in the identification of suspicious travel patterns

PNR is useful For customs and law enforcement and To assist in risk assessment

Passenger Name Record (PNR): standardization and support

→ RP. 3.47.1: States & Operators: provide 24/7 support

→ RP. 3.47.2: When requiring PNR data, States should consider the adoption and implementation of the PNRGOV message as a method of transferral of PNR data.

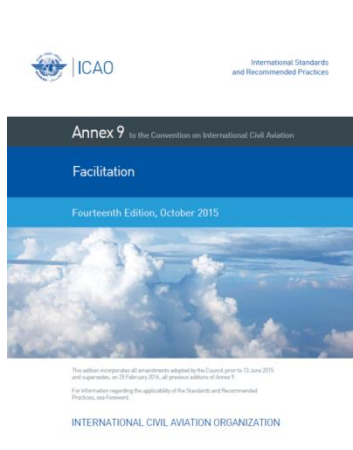Note: The PNRGOV message is a standard electronic message endorsed jointly by WCO/ICAO/IATA . . .
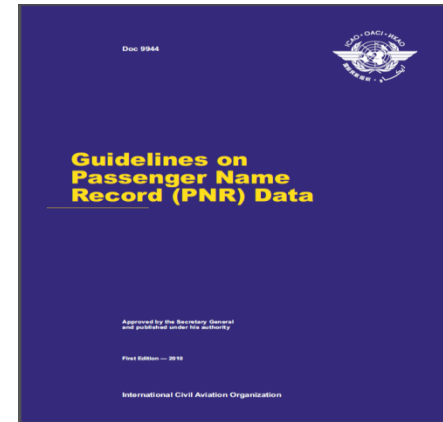
Where to find the list of data elements?

Standards and Recommended Practices for API, iAPI and PNR
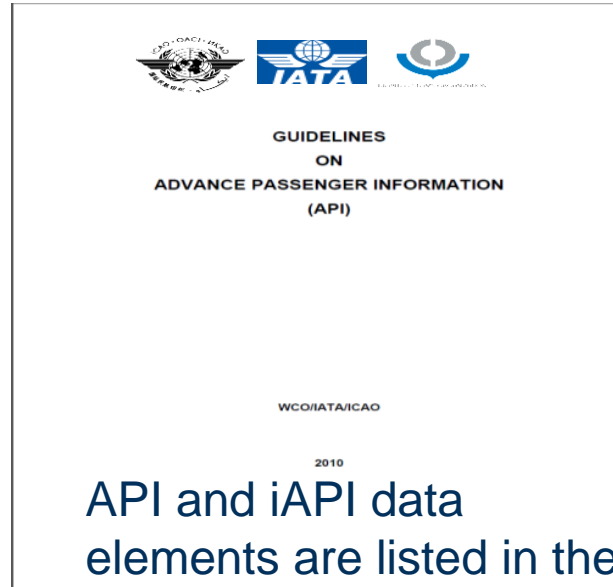
API and iAPI data elements are listed in the WCO-IATA-ICAO Guidelines on API

PNR data elements are listed in the ICAO Guidelines on PNR Data (Doc. 9944)

Latest developments in the EU (Dec 2015)

- **Scope**: The Directive requires Member States (MS) to request **EU PNR only for extra-EU flights**.

- **Non-carrier economic operators:** The necessity to include non-carrier economic operators(travel agencies, tour operators) in the scope of the Directive will be reviewed within the next 4 years.

- **Alignment with international standards**: it confirms that **ICAO guidelines should be the basis for adopting data formats and transfer protocols.** The list of accepted common protocols and supported data formats will be drawn up by the Commission. This will hopefully contribute to harmonization of the requirements across all 28 EU MS.

The European Commission will have to develop, in the course of 2016, implementing acts (regulations) to define formats and protocols for sending data.

Annex 9 related Standards to API (2015)

States' **obligation** to **standardize** API requirements

1. Standard 3.48

2. Standard 3.48.1

3. Standard 3.48.2

4. Standard 3.48.5

5. Standard 3.48.7

6. Std. 1.4, Annex 9: States: use I.T. to increase efficiency & effectiveness of procedures at airports Implementation of Annex 9

All Mandatory (binding)

Expected that States' Ministry of Transport or civil aviation authority has responsibility for managing the coordinated implementation of Annex 9

3.10.1   For passports issued after 24 November 2005 and which are not machine readable, Contracting States shall ensure the expiration date falls before 24 November 2015.

Summary of Standards 3.48 to 3.48.7

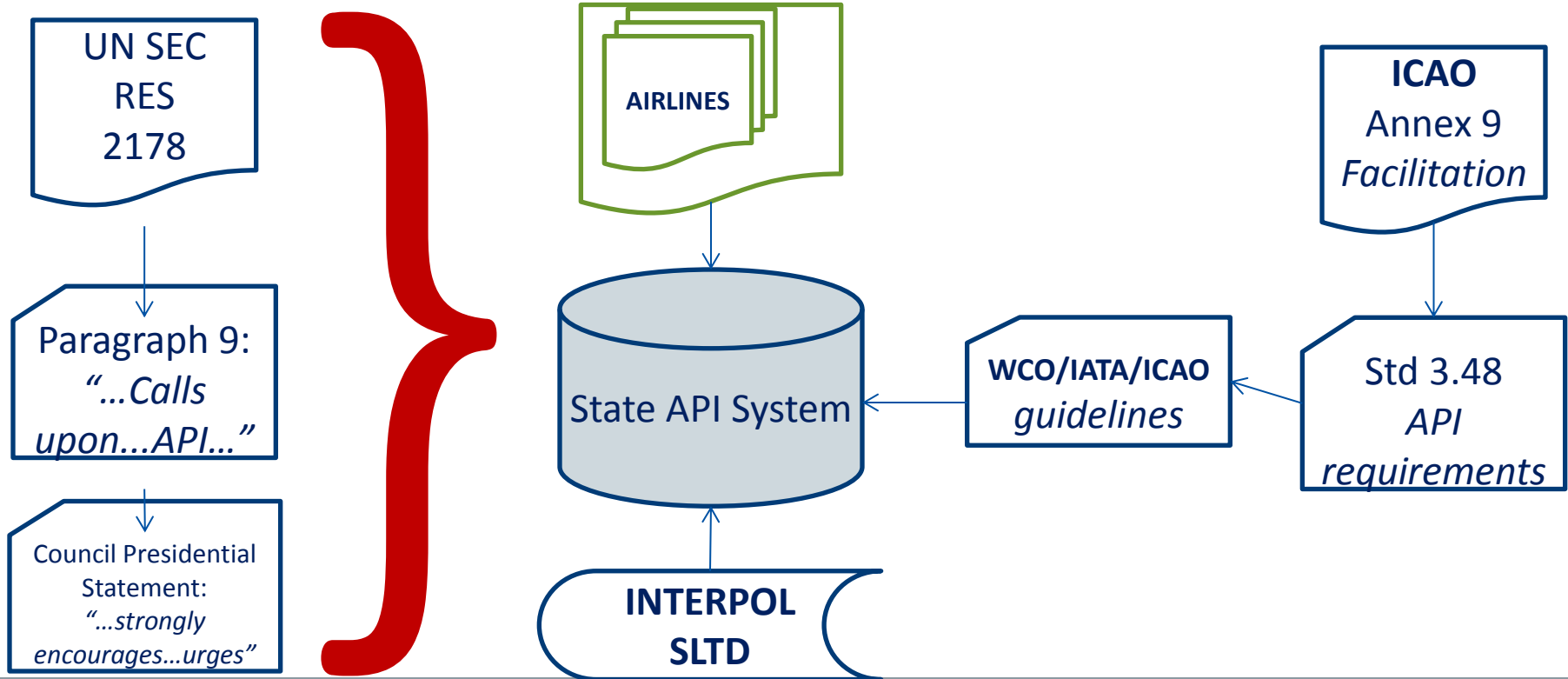**As per today, States are not obliged to implement API systems**

But if they do so, they are obliged to:

1. adhere to international recognized API standards;

2. require only data elements available in Machine Readable Travel Documents (MRTDs), and information to conform to the PAXLST message structure; and,

3. only data elements found in the PAXLST message to be included in API requirements;

4. States to limit burden on airlines

5. If electronic API, then no paper passenger manifest

►NB: Not applicable to general aviation

Data exchange process and rules

Maximum personal data Elements in API for MRPs

1. SURNAME	2. GIVEN NAME(S)
3. GENDER	4. DATE OF BIRTH
5. PLACE OF BIRTH	6. NATIONALITY
7. TYPE OF TRAVEL DOCUMENT	8. TRAVEL DOCUMENT NUMBER
9. NAME OF ISSUING STATE/ORGN.	10. EXPIRATION DATE OF TD

VIZ

All are in the Machine Readable Zone (MRZ) except
Place of birth in the Visual Inspection Zone (VIZ)

Machine Readable Zone


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P<UTOERIKSSON<<ANNA<MARIA<<<<<<<<<<<<<<<<<<<
L898902C<3UTO6908061F9406236ZE184226B<<<<<14
```

Case of other secondary MRTD

+ 3 if Machine Readable Visa Used

11.VISA NUMBER	12.DATE OF ISSUANCE	13. PLACE OF ISSUANCE

+ 2 if other secondary travel document used

14.TYPE OF TRAVEL DOCUMENT (e.g. Canadian PRC)	15. NUMBER OF OTHER TD

Elements of <u>Flight</u> Details in API

- Airline Code and Flight Number
- Last Place/Port of Call for Aircraft
- Place/Port of Initial Arrival for Aircraft
- Scheduled Local Departure Dates/Times
- Scheduled Local Arrival Dates/Time
- Subsequent Place(s)/Port(s) of Call within the Country (for Progressive Flights)
- Place/Port of Final Destination within the Country (for Progressive Flights)
- Number of Passengers and Number of Crew Members

<u>All information</u> required shall conform to specifications for **UN/EDIFACT PAXLST** messages found in the **WCO/IATA/ICAO API Guidelines.**
http://www.icao.int/Security/FAL/Pages/Publications.aspx

Additional personalized Data Elements in API (eg.'s)

- **Seat Assignment**

- **Bag Tag Identification**

- **Checked Bag Quantity**

- **Place/Port of Original Embarkation**

- **Place/Port of Clearance**

- **Place/Port of Onward Foreign Destination**

- **Passenger Name Record Locator Num**ber (or unique identifier)

- **Country of Primary Residence** (Country where the traveller resides for the most of the year)

- **Address**(Location identification such as street name and number.) and **City**

- **State/Province/County**(Name of the State, Province, County, as appropriate)

- **Postal code**

- **Destination Address**(Location identification such as street name and number.)

- **Traveller's Status** (Passenger, Crew, In-transit)

Recommendations on API/iAPI/PNR

→ States develop a **single API & iAPI reporting requirement** based on international standards, and a **single agency** be identified to receive data and for internal dissemination to other agencies;

→ States **align** the various data exchange systems with the international data transmission **standards adopted by relevant United Nations** agencies;

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Caution on Privacy and data protection

PNR contains personal data

Countries have different perspectives on how much is "private" or can be shared

Sensitive data should not be required

Possible next steps for States

1) Implementation of Annex 9- *Facilitation*:

Three additional standards that may be considered as a mechanism to coordinate the implementation of API/iAPI/PNR

- STD 8.17 – establish a NFALP
- STD 8.18 – programme objective to adopt all practicable facilitation measures
- STD 8.19 – establish a NATFC

2) Implementation of the ICAO TRIP Strategy

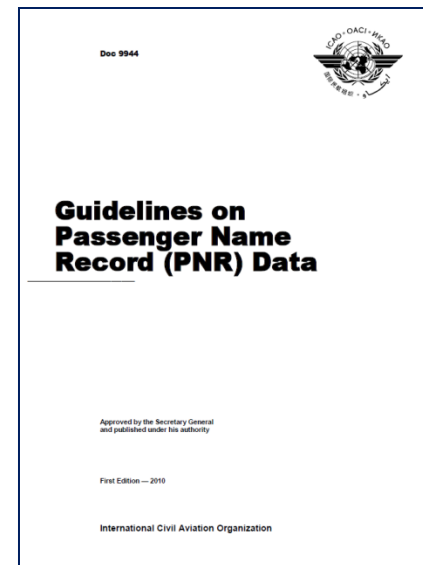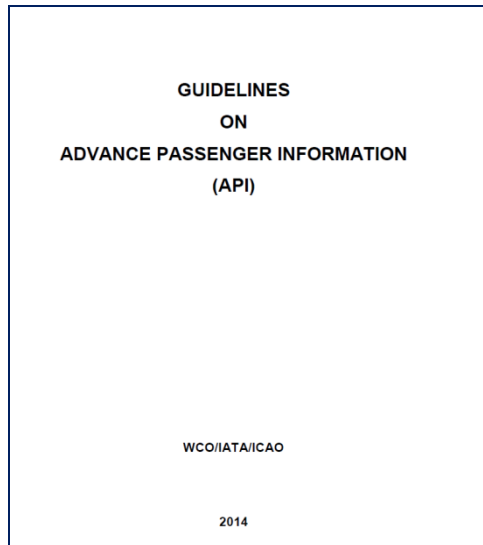# Main recommendations of the Facilitation Panel (4-7 April 2016)

a new Standard obliging each Contracting State to **establish an API system** in light, inter alia, of UN Security Council Resolution 2178 (2014) and of the **increasing use of API** for border security and counter-terrorism;

- **enhanced PNR-related provisions**, in response to the growth in PNR programmes and in order to support adherence to content, format and transmission standards to mitigate non-compliant PNR data requests;

- new Standards and Recommended Practices on the transport of minors, in light of increasing international awareness on the foreign fighters phenomenon and on child trafficking, and the limited availability of international guidance on the treatment of minors travelling by air, in order to help harmonise the policies and procedures followed by Contracting States and aircraft operators on the handling and safety of minors;

- augmented provisions on ABC systems, as a result of the increasing use of such systems.

The Panel also agreed that a Working Group should be established to examine, during the inter-session, the concepts and principles concerning a planned Global Aviation Facilitation Plan (GAFP), with a report on its deliberations to be presented to the next meeting of the Panel scheduled in 2018.

Guidance material API guidelines & PNR reporting standards

GUIDELINES
ON
ADVANCE PASSENGER INFORMATION
(API)

WCO/IATA/ICAO

2014

Doc 9944

**Guidelines on
Passenger Name
Record (PNR) Data**

Approved by the Secretary General
and published under his authority

First Edition — 2010

International Civil Aviation Organization

http://www.icao.int/Security/FAL/Pages/Publications.aspx

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