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Международная
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гражданской
авиации

منظمة الطيران
المدني الدولي

国际民用
航空组织

Tel.: +1 514-954-8219 ext. 6156

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Subject: Passenger Data

Action required: To raise awareness amongst border control authorities of Standards and Recommended Practices and guidance material on passenger data

Sir/Madam,

I have the honour to refer to the decision adopted by the 38th Session of the ICAO Assembly (24 September to 4 October 2013) to request Member States to raise awareness, amongst their immigration, customs and other border control authorities, of the provisions of Annex 9 – *Facilitation*, and associated guidelines, relating to the exchange of Advance Passenger Information (API) and Passenger Name Record (PNR) data.

The use of passenger data exchange mechanisms is increasing worldwide to enhance border control operations, aviation security and the facilitation of air transport. International uniformity in the application of such programmes is essential for the effective dissemination and use of the data. Non-compliance by States with the relevant international Standards and Recommended Practices (SARPs) and guidelines affects airline operations, air transport efficiency and States and their citizens.

I strongly encourage your State Authorities to ensure national API and/or PNR data exchange mechanisms, if established, adhere to the relevant SARPs of Annex 9 and associated guidelines endorsed by ICAO, the World Customs Organization (WCO) and the International Air Transport Association (IATA). For ease of reference, the Annex 9 SARPs, as well as pertinent provisions of Resolutions adopted by the 38th Session of the Assembly, are attached. Web links to related guidance material are also provided. Finally, I would urge your border control authorities to participate in ICAO's Facilitation Regional Seminars, during which API/PNR-implementation issues are covered. Information on Seminars in your region may be obtained from www.icao.int/Security/FAL/Pages/Meetings-Seminars.aspx.

Please accept, Sir/Madam, the assurances of my highest consideration.

Raymond Benjamin
Secretary General

Enclosure:

Extracts from Annex 9 – *Facilitation* and pertinent provisions from A38 Resolutions

ATTACHMENT to State Letter EC6/3-14/63

**A. DECISIONS OF THE 38TH ICAO ASSEMBLY
(24 SEPTEMBER – 4 OCTOBER 2013)**

A38-15: Consolidated statement on continuing ICAO policies related to aviation security

In Appendix C, *Implementation of technical security measures*, the Assembly, at Operative Paragraph 8, called upon Contracting States “to examine information exchange mechanisms including the use of liaison officers and further use of Advance Passenger Information (API) provided by air carriers, to reduce the risk to passengers, while ensuring the protection of privacy and civil liberties.”

In the *Declaration on Aviation Security*, the Assembly recognized the need to strengthen aviation security worldwide and urged Member States to take action to enhance international cooperation to counter threats to civil aviation by, *inter alia*, promoting “the increased use of cooperation mechanisms among Member States and with the civil aviation industry . . . for early detection and dissemination of information on security threats to civil aviation, including through the collection and transmission of advance passenger information (API) and passenger name record (PNR) data, as an aid to security, whilst ensuring the protection of passengers’ privacy and civil liberties.”

A38-16: Consolidated statement of continuing policies and practices related to facilitation

In Appendix C, *National and international action and cooperation on facilitation matters*, the Assembly noted that cooperation amongst Contracting States and with the various national and international parties interested in facilitation matters “has become vital in the light of the proliferation of non-uniform passenger data exchange systems that adversely affect the viability of the air transport industry.” Therefore, the Assembly urged Contracting States, in their use of electronic data interchange systems “to ensure that their passenger data requirements conform to international standards adopted by relevant United Nations agencies for this purpose.”

**B. EXTRACTS FROM THE 13TH EDITION OF ANNEX 9 (JULY 2011)
INCORPORATING AMENDMENT 24**

Chapter 3 sets out the following Standards and Recommended Practices on Advance Passenger Information (API) and Passenger Name Record (PNR) data:

3.46 Each Contracting State that introduces an Advance Passenger Information (API) system under its national legislation shall adhere to international recognized standards for the transmission of Advance Passenger Information.

Note 1.— API involves the capture of a passenger’s or crew member’s biographic data and flight details by the aircraft operator prior to departure. This information is electronically transmitted to the border control agencies in the destination or departure country. Thus, passenger and/or crew details are received in advance of the departure or arrival of the flight.

Note 2.— The UN/EDIFACT PAXLST message is a standard electronic message developed specifically, as a subset of UN/EDIFACT, to handle passenger manifest (electronic) transmissions. UN/EDIFACT stands for “United Nations rules for Electronic Data Interchange For Administration, Commerce and Transport.” The rules comprise a set of internationally agreed standards, directories and guidelines for the electronic interchange of structured data,

and in particular that related to trade in goods and services between independent, computerized information systems. The WCO, IATA and ICAO have jointly agreed on the maximum set of API data that should be incorporated in the PAXLST message to be used for the transmission of such data by aircraft operators to the border control agencies in the destination or departure country. It is to be expected that the UN/EDIFACT standard may be supplemented by modern message techniques, such as international xml standards or web-based applications.

Note 3.— Under its current format structure the UN/EDIFACT PAXLST message will not accommodate general aviation usage.

3.46.1 When specifying the identifying information on passengers to be transmitted, Contracting States shall require only data elements that are available in machine readable form in travel documents conforming to the specifications contained in Doc 9303 (series), *Machine Readable Travel Documents*. All information required shall conform to specifications for UN/EDIFACT PAXLST messages found in the WCO/IATA/ICAO API Guidelines.

3.46.2 When seeking to implement a national Advance Passenger Information (API) programme, Contracting States that are unable to comply fully with the provisions contained in 3.47.1 with respect to data element requirements shall ensure that only those data elements that have been defined for incorporation into the UN/EDIFACT PAXLST message are included in the national programme's requirement or follow the WCO's Data Maintenance Request (DMR) process for any deviation from the standard.

3.46.3 **Recommended Practice.**— *When implementing a new Advance Passenger Information (API) programme, Contracting States that are unable to accept passenger data transmitted in accordance with the UN/EDIFACT PAXLST specifications using the industry standard transmission method as described in 3.47.1 should consult users on the operational and cost impact incurred in modifying the UN/EDIFACT PAXLST message and its contents to the required alternate format.*

3.46.4 **Recommended Practice.**— *Contracting States should seek to minimize the number of times API data is transmitted for a specific flight.*

3.46.5 If a Contracting State requires API data interchange, then it shall seek, to the greatest extent possible, to limit the operational and administrative burdens on aircraft operators, while enhancing passenger facilitation.

3.46.6 **Recommended Practice.**— *Contracting States should refrain from imposing fines and penalties on aircraft operators for any errors caused by a systems failure which may have resulted in the transmission of no, or corrupted, data to the public authorities in accordance with API systems.*

3.46.7 Contracting States requiring that passenger data be transmitted electronically through an Advance Passenger Information system shall not also require a passenger manifest in paper form.

3.46.8 **Recommended Practice.**— *Contracting States seeking to implement an Interactive Advance Passenger Information (iAPI) system should:*

- a) seek to minimize the impact on existing aircraft operator systems and technical infrastructure by consulting aircraft operators before development and implementation of an iAPI system;*

- b) *work together with aircraft operators to develop iAPI systems that integrate into the aircraft operator's departure control interfaces; and*
- c) *conform to the Guidelines on Advance Passenger Information (API) adopted by WCO/ICAO/IATA when requiring iAPI.*

3.46.9 **Recommended Practice.**— *Contracting States' and aircraft operators' API systems, including iAPI, should be capable of 24/7 operation, with procedures in place to minimize disruption in the event of a system outage or failure.*

3.46.10 **Recommended Practice.**— *Contracting States and aircraft operators should, where appropriate and, as applicable, on a 24/7 (continuous) basis, provide operational and technical support to analyse and respond to any system outage or failure in order to return to standard operations as soon as practicable.*

3.46.11 **Recommended Practice.**— *Contracting States and aircraft operators should establish and implement appropriate notification and recovery procedures for both scheduled maintenance of information systems and non-scheduled system outages or failures.*

3.47 **Recommended Practice.**— *Contracting States requiring Passenger Name Record (PNR) access should align their data requirements and their 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.*

3.47.1 **Recommended Practice.**— *Contracting States and aircraft operators should provide the appropriate level (where practicable, a 24/7 arrangement) of contact support.*

3.47.2 **Recommended Practice.**— *When specifying requirements for the transfer of PNR data, Contracting 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. Depending on the specific aircraft operator's Reservation and Departure Control Systems, specific data elements can be provided.

C. The **WCO/IATA/ICAO Guidelines on Advance Passenger Information** and **PNRGOV Message Implementation Guide** and associated documents may be found on the ICAO Public Website at www.icao.int/Security/FAL/Pages/Publications.aspx.

D. IATA's "**Passenger Data Toolkit**," developed in partnership with ICAO and the WCO, may be found at www.iata.org/iata/passenger-data-toolkit/presentation.html.