Passengers Holding Multiple Passports

This guidance material has been developed by the **IATA Control Authorities Working Group (CAWG)**. *It is the outcome of collaborative working arrangements between governments and the airline industry to find mutually acceptable solutions for border management. For more information on the* IATA CAWG.

Summary

This document[1] highlights the challenges for both airlines and governments where passengers with multiple nationalities or holding multiple passports (for instance special travel document such as diplomatic passports) may present different travel documents to airlines and border authorities during a single journey. Modernization of border control processes and tools presents both challenges for Advance Passenger Information (API) reconciliation and automated border processing, but equally offers an opportunity to process these passengers more efficiently.

Recognizing the inability for airlines to control whether a passenger will present different passports within a single journey, ICAO Annex 9 Standard 9.11 mandates States not to fine airlines in case API was collected and transmitted based on a travel document presented by a passenger which is valid for the journey and another travel document is presented to control authorities.

1. Background

1.1. The number of travelers holding more than one nationality has grown considerably in the past years and this trend is likely to continue because of increased immigration followed by naturalization, international marriages and the differences in basic nationality and citizenship regulations. States may grant citizenship based on place of birth of a child (*jus soli*) or the nationality of one or both parents (*jus sanguinis*).[2] While some States allow their nationals to hold an additional nationality, others do not permit it, or only permit it when the other nationality is not allowed to be renounced. Persons may also acquire citizenship in a new country but still (legally or illegally) hold on to their original passports, for example to re-migrate or to visit without having to require a visa.

1.2. Many countries' border processes allow certain nationalities an expedited entry or exit, for example through automated border controls. There may also be a difference in the vetting and screening procedure and corresponding waiting time at the border depending on the nationality of the passport holder. Passengers in general can choose which passport to use at a certain border crossing. Some countries require their own nationals to always use their national documents upon arrival and departure from their country, for example to check for outstanding administrative matters.

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[1] This document is based on a Working Paper presented by the Netherlands on behalf of the IATA CAWG at the 10th Meeting of the ICAO Facilitation Panel.

[2] Children may technically be born with up to 5 nationalities (or more) depending on the circumstances of their birthplace and heritage. For example, a child born in the US to a mother with dual UK/Canadian citizenship and a father with German/Filipino citizenship could technically have citizenship rights and thus passports of all five countries: US, UK, Canada, Germany and the Philippines.

2. Challenges

2.1. Airlines are responsible for transmitting Advance Passenger Information (API) data to border authorities. Discrepancies occur when a passenger, holding multiple passports, presents one document to the airline, which data is used for API purposes, and presents a different document to the departure and/or arrival control authorities. Airlines may be held responsible for these differences even though they have properly performed a document check and executed correct API data transmission based on a valid travel document. It is not known to the airline whether a passenger holds multiple travel documents unless the passenger presents another travel document which may offer, for example, visa exemption for the transit or destination State. Most importantly, airline's Departure Control Systems (DCS) do not have the capability to collect and transmit information from more than one travel document per passenger for the entire journey as the primary document.

2.2. The ICAO Annex 9 Standard 9.11[3] applicable since 2019, corrects this situation where airlines were in some instances fined even though they have submitted API data based on a valid passport check and/or data capture through swipe or scanning.

2.3. States who use API data to record travelers' entry and exit may have a mismatch when passengers use multiple passports as part of a single journey and the systems are unable to match one passenger to multiple travel documents. This may lead to the appearance that a person has entered the State and never departed and be considered as an "overstayer". Upon the next travel, an "overstayer" may experience additional checks and face delays, be refused entry and be transported back by the airline as an inadmissible passenger or have parts of the journey cancelled in the case of multiple leg's journey. Use of multiple passports can result in not being able to make use of automated border control facilities which speed up the process.

2.4. Most mismatches of this nature will require manual intervention by border agencies to resolve which slows traveller flow and may cause congestion points at the airport. This places an additional burden on government staff at ports and is not aligned with the direction most countries are taking to have as many travellers as possible self-process at their borders.

2.5. Many travelers are unaware of the problems caused by the use of multiple passports and may not realize it could delay their processing time instead of expediting entry. When marked as overstayers, travelers may experience serious delays or refusals to travel.

2.6. Similar to the API challenge, in an interactive API (iAPI) environment, the vetting result sent back to the airline is performed on a travel document which is different from the one the passenger will present at the point of entry.

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[3] Standard 9.11: Contracting States shall not penalize, or otherwise hold an aircraft operator responsible, for inconsistencies in passenger data exchanges when the aircraft operator has collected and provided accurate advance passenger information data based on a travel document presented, which is valid for the journey and the passenger presents a second travel document which is valid for the journey on arrival.

2.7. In the development of seamless travel schemes, consideration should be given to multiple passport's holders. The increased use of digital identities and biometric recognition may assist in asserting the identity of travelers based on biometrics and reconciling multiple travel documents to one person.

3. Illustration

3.1. An Arendelle/Belavia (fictional countries) dual national traveling from Arendelle to Belavia uses his Arendellen passport to check-in and go through Arendelle exit immigration. Hence, this is the passport information the airline collects and transmits through API to the Belavia authorities. Upon arrival in Belavia, the passenger opts to use his Belavian passport at immigration as this gets him through more quickly. The Belavia State compares the API data provided by the airline and the document presented by the passenger and holds the airline responsible for the mismatch of information. This isdespite that the airline has fully met its legal obligations by ensuring the traveler was properly documented for the entire journey and accurate API data was transmitted based on the travel document presented by the passenger.

3.2. When this same passenger departs Belavia utilizing his Arendellen passport, the aircraft operator will submit API data based on the Arendellen document. This causes discrepancies in both State's entry/exit systems. A Belavia national entered but never departed Belavia, while an Arendelle national departed Belavia without ever having entered and vice versa. This may result in the qualification of an overstayer with consequences when the passenger travels again and fines for the aircraft operator. Currently, States are not able to provide coherent advice to a passenger on which passport to present since the advice will vary by country and will not take into account different requirements or regimes in another country.

4. Considerations for Border Authorities

4.1. Border authorities should recognize that passengers may hold more than one valid passport, even when it is forbidden for their own citizens. States should recognize that these passengers may use them alternately during a single journey. States should review and adopt policies that recognize multiple nationalities and implement processes that support such travellers, for example with a system which can link multiple travel documents to a single passenger to enable reconciliation.

4.2. Border authorities should recognize that airline's systems are currently only able to collect and transmit API data from one travel document per passenger per journey. Airlines and authorities should work together to consider how API collection and transmission may support more than one passport for a passenger or how API data sent can be reconciled with another travel document of a passenger upon arrival.

4.3. When establishing an entry/exit system, States should establish processes to reconcile multiple passports to one passenger.