Passenger Data Charges

Airlines invest significant resources to format and transmit passenger data to border control authorities; the receiving and processing of this data should be funded by states and not by airlines or passengers.

SITUATION

In order to enhance border control and general security as well as to strengthen their intelligence capabilities, public authorities have requested airlines to electronically transmit passenger data. Airlines already collect data such as Passenger Name Records (PNR) for commercial purposes. In the case of Advance Passenger Information (API) or interactive API, however, airlines are asked to capture additional information such as passport data, then to format and transmit it electronically to immigration and other agencies. Airlines invest significant resources in setting up sophisticated IT systems to comply with an increasing number of API and PNR demands. Public authorities must equally invest in the development, implementation and maintenance of the IT systems receiving the information. Recently, some governments have started to recover all or part of their costs by charging users in the form of a passenger-based charge.

IATA POSITION

IATA strongly opposes charges which fund the transmission and processing of passenger data or support the necessary connectivity between airline and government systems. As per ICAO’s policies on charges, these are typical state functions which should not be funded through user charges.

The airline industry understands its responsibility and its unique position in assisting states to perform their security functions and is already transmitting passenger data to government entities such as immigration, customs or police for the purposes of border control, intelligence and security. The airlines have indeed funded the development of systems that can collect, format and transmit data in compliance with the requirements in over 70 countries at their own cost. Developing such systems costs in the range of hundreds of thousands of dollars, and it is reasonable to expect that the costs of the system development by the government receiving that mandatory data would be borne at public expense.

KEY REASONS WHY AIRLINES SHOULD NOT PAY FOR GOVERNMENT SYSTEMS ON PASSENGER DATA

1. Airlines, in compliance with national and international requirements, have already developed IT systems at their own costs to ensure the electronic transmission of passenger data to state authorities.

2. It is the responsibility of states to be able to receive and process such data once transmitted by the airlines. It is not up to the airlines to pay for government-used IT software.

3. Passenger data transmission is required for border control, security and intelligence purposes. As per ICAO’s policies, airlines should not be charged for any costs that would be incurred for more general security functions performed by states such as general policing, intelligence gathering and national security.

4. Increased travel costs will negatively impact the competitiveness of the aviation industry in the regions concerned, acting as a restriction on economic growth and tourism.

1ICAO Doc 9082 (ninth edition), paragraph 7 iv) of Section II refers