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Ricardo G. Delgado

Regional Officer Aviation Security and Facilitation

North America, Central America and Caribbean (NACC) Regional Office

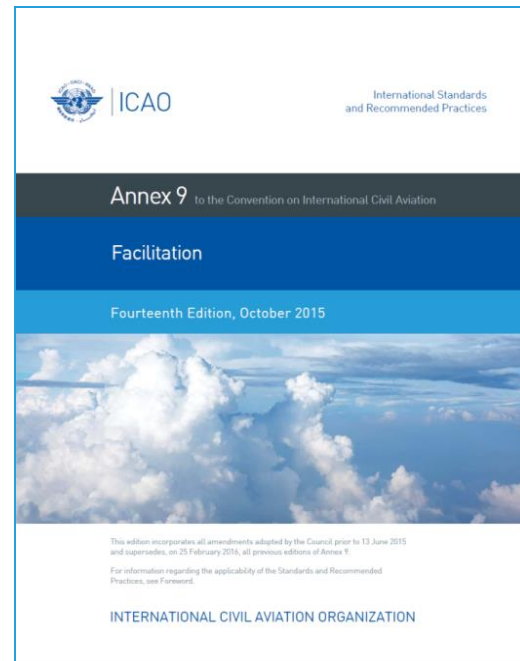
International Civil Aviation Organization (ICAO)



Content

Annex 9:

- Latest developments
- Key issues





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Annex 9 latest developments and Key issues



- **Latest Developments**

- Amendment 26 [15th Edition, Annex 9]





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Amendment 26

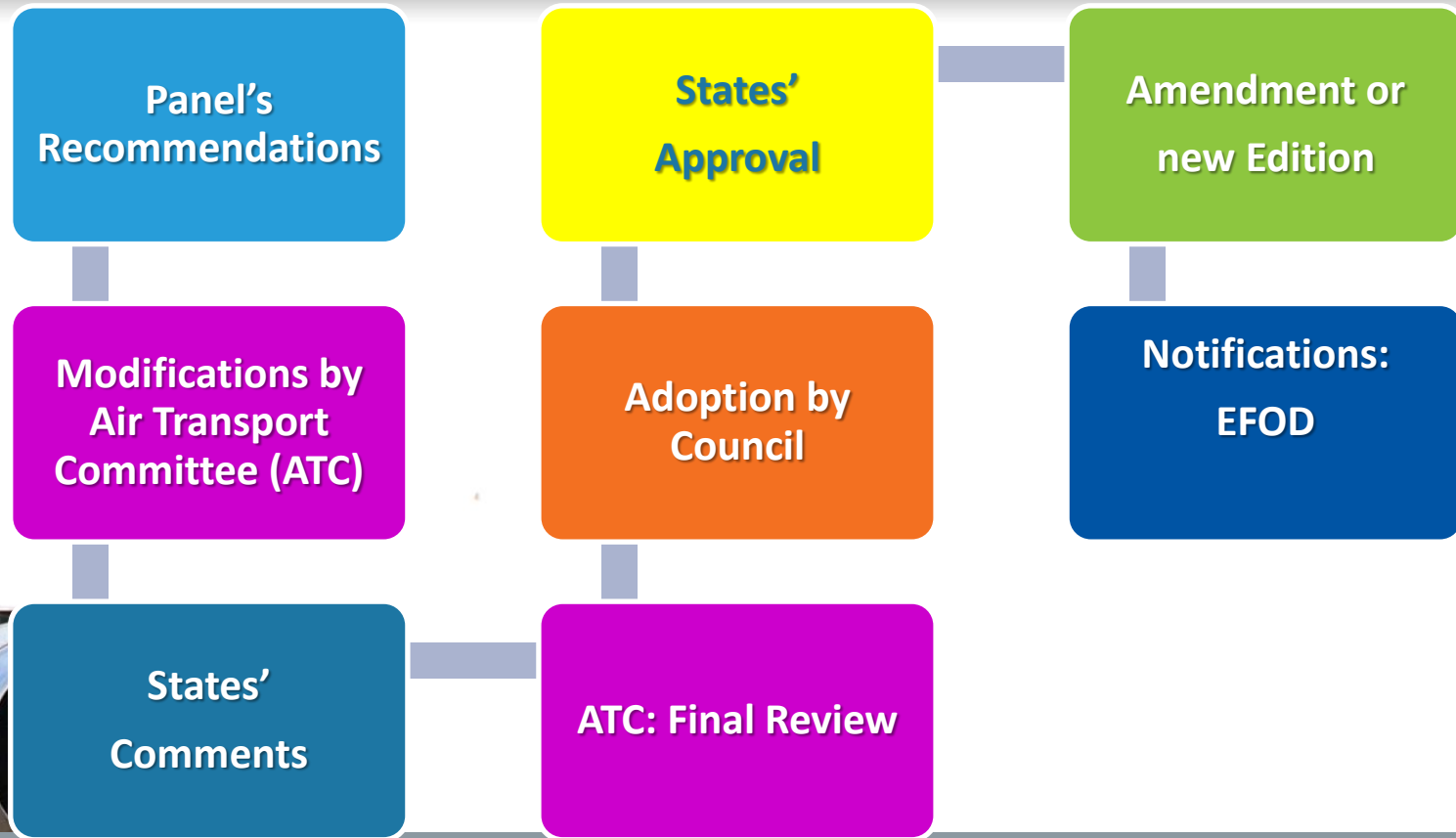
- FALP/9, 4 to 7 April 2016: Proposals to amend Annex 9
 - Machine Readable Travel Documents (MRTDs), the transport of minors by air, passenger data exchange systems and the passenger manifest
 - Amendment 26 adopted by Council on 16 June 2017
 - Convention, Article 54 (Mandatory functions of Council)
 - Convention, Article 90 (Adoption & amendment of Annexes)
 - 2/3rds vote; amendment effective 3 months after submission to States unless majority disapprove
- Effective date: 23 October 2017
 - Applicable date: 23 February 2018



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CHAPTER 3, SECTION Q: MINORS (2 Standards, 5 RPs)

- **Accompanying person**. An adult who is travelling with a minor. This person will not necessarily be the parent or legal guardian of the minor.
 - **Minor**. A person who has not attained the age of majority as determined under the law applicable to the person.
 - **Unaccompanied minor**. A minor travelling alone or travelling only in the company of another minor.
 - **3.83 Contracting States shall . . . ensure that aircraft operators do not allow minors under the age of five (5) to travel without an accompanying person.**
 - **3.84 Contracting States shall . . . ensure that aircraft operators establish a programme for the handling of unaccompanied minors travelling under their supervision.**
- [+ 2 Standards in Chapter 5]**



9. PASSENGER DATA EXCHANGE SYSTEMS

- **FALP proposed a new Chapter 9: increase in the number of provisions relating to passenger data exchange**
 - **Four Sections:**
 - **A. General;**
 - **B. Advance Passenger Information (API) (incl. iAPI)**
 - **C. Electronic Travel Systems (ETS)**
 - **D. Passenger Name Record (PNR) Data**
 - **A. General**
 - → **4 Recommended Practices (“operational”)**
 - → **States should create a “Passenger Data Single Window” facility for exchange of API, iAPI & PNR data**
- [Definition of PDSW; RP 9.7]**



- **B. Advance Passenger Information (API)**
- **9.5 Each Contracting State shall establish an Advance Passenger Information (API) system.**
[Note. UNSCR 2178, para. 9]
- **9.6 The API system of each Contracting State shall be supported by appropriate **legal authority** (such as, inter alia, legislation, regulation or decree) and be consistent with **internationally recognized standards** for API.**

[4 Notes: What is API? UN/EDIFACT PAXLST . . .]





- **B. Advance Passenger Information (API) (cont.)**
- **9.7 Recommended Practice.—** Each Contracting State developing legislation . . . to consider developing aligned **regulations** that meet the needs of all involved agencies, **define a common set of API data elements** . . . and appoint **one government agency** to receive API data on behalf of all other agencies.
- **9.14 Recommended Practice.—** Each Contracting State should consider the introduction of an interactive Advance Passenger Information (iAPI) system.
 - **+ Definitions for API and iAPI + Other SARPs**



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- **C. Electronic Travel Systems (ETS)**
- **Electronic Travel Systems (ETS):** The automated process for the lodgment, acceptance and verification of a passenger's authorization to travel to a State, in lieu of the standard counterfoil paper visa.
- **9.17 Recommended Practice.—** Contracting States seeking to establish an Electronic Travel System (ETS) should integrate the **pre-travel verification system** with an interactive **Advance Passenger Information** system.
 - **+ other “operational” RPs.**



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- **D. Passenger Name Record (PNR) Data**
- **9.22.1 Contracting States requiring the transfer of PNR data shall adopt and implement the EDIFACT-based PNRGOV message as the primary method for airline-to-government PNR data transferal to ensure global interoperability.**
- **9.23 Recommended Practice.— Contracting States requiring PNR data should consider the data privacy impact of PNR data collection and electronic transfer, within their own national systems and also in other States.**

• **[State letter on 9.22.1, per A39]**



- **Automated Border Control (ABC) (Chapter 3)**
- **3.34.4 Recommended Practice.—** Each Contracting State should consider the introduction of Automated Border Control (ABC) systems in order to facilitate and expedite the clearance of persons entering or departing by air.
- **3.34.5 Recommended Practice.—** Contracting States utilizing ABC systems should . . . use the information available from the **PKD** to validate eMRTDs, perform **biometric matching** to establish that the passenger is the rightful holder of the document, and query INTERPOL's **SLTD database . . . to determine eligibility for border crossing.**



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Passenger Manifest

Note.— In cases of more than one nationality, only one need be supplied, consistent with the valid travel document that has been presented by the passenger.

[illegible]



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Annex 9 latest developments and Key issues



- **Key Current Issues (e.g.)**

1. API Standard
2. Non-compliance with SARPs
3. Streamlining of Annex 9
4. Aircraft accident victims & their families
5. Global Aviation Facilitation Plan (GAFP)





1. API Standard

- First step: to enact legislation/regulations/etc.
- Areas to be addressed in legislation (examples):
 - UN/EDIFACT PAXLST for API transmission (9.8, 9.9, 9.6 Notes)
 - Purposes for which API required (API Guidelines; A39-20)
 - ► Improve clearance at border controls; Combat illegal migration; More effective allocation of border control resources; improve/enhance aviation security; fight against terrorism: e.g., UN SC Res 2178 (2014) & 2309 (2016)
 - Data elements required (9.8, 9.7)
 - “Passenger Data Single Window” to receive API transmissions (RP 9.1; Definition; RP 9.7)



1. API Standard (cont.)

- Internal coordination among Government agencies (8.17-8.19; 9.7; API Guidelines):
 - Customs, immigration, police, border security, etc.
- Data privacy issues (A39-18, Appendix C, para. 8; Declaration on Aviation Security; A39-20, Appendix D)
- Operational aspects (Standards 9.11, 9.13 & RP 9.2, 9.3, 9.4, 9.10, 9.12, 9.16)



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2. Non-compliance with SARPs

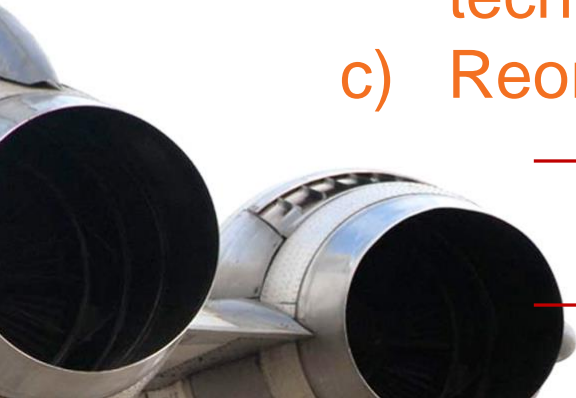
- a) Collect and assess rate of compliance;
- b) Determination of reasons for non-compliance with SARPs; and
- c) Development of strategies to assist State compliance





3. Streamlining of Annex 9

- a) Identification of common outcomes and themes in Annex 9;
- b) Determination of continued usefulness and relevance of SARPs in light of changes in technology and the needs of States; and
- c) Reorganization and simplification of SARPs
 - provide a simplified set of enhanced performance-based SARPs
 - keep existing material useful, relevant and targeted





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4. Aircraft accident victims & their families

- A39-27 (2016): “Assistance to victims of aviation accidents and their families”
 - States urged to inform ICAO, through CC in EFOD, of level of implementation of Annex 9 [RP 8.46]





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5. Global Aviation Facilitation Plan (GAFP)

- FALP WG on GAFP: Provide a report on the **viability** of a GAFP
 - General idea of Plan: examine concepts and principles for a goal-based plan to enhance facilitation worldwide by fostering collaboration among Member States & mobilizing relevant international stakeholders





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QUESTIONS?

ICAO
TRIP
2017

Passport

Passport
護照

TRIP2017

Traveller Identification Programme

Regional Seminar Montego Bay

Montego Bay, Jamaica, 28-30 November 2017



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MONTGOMERY PARK
NATIONAL PARK
TRENK
MONTGOMERY PARK
JAMAICA KINGSTON

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