

# 24 November 2015 Deadline in Annex 9: Addressing the Challenge

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### **Outline**



- Standard 3.10.1 provisions --- and obligations of Member States
- Estimated levels of compliance
- Consequences of non-compliance
- Managing non-compliance in practice: legal requirements and good practices
- Contacts and resources

## Standard 3.10.1 provisions



#### What the Standard says:

→ Standard 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."

#### What the Standard means:

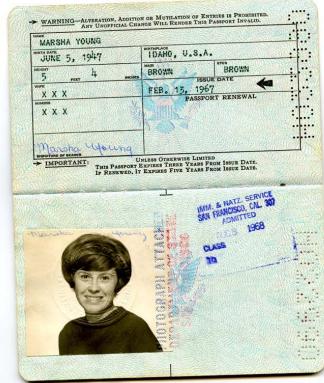
→ No current non-MRPs to be in circulation after 24 November 2015. (All non-MRPs should have expired by the deadline)

Related to Standard 3.10: 1 April 2010 deadline on issuance of MRPs

## **Defining a non-MRP**







## **Defining a non-MRP**

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 Non-MRPs – not compliant with the provisions of Doc 9303 Part 1 Vol. 1

Scope of Standard 3.10.1 – applies to:

- all types of passports (Ordinary, Diplomatic Service, etc.)
- Does not apply to "passports or temporary travel documents of limited validity in cases of emergency"

# Is Standard 3.10.1 relevant to ePassports?







- The 24 NOV 2015 is not a deadline for ePassports!
   (No eMRP Standard exists so far)
- Some States and industry partners mistakenly believe that the 2015 date is a deadline for the introduction of ePassports. It is a misconception that needs to be dispelled.
- A Standard on obligatory ePassport may appear some day in the future if ICAO Member States agree to it. But nothing in the immediate future

## Level of compliance: estimates



- Universal compliance likely? Not quite
- Anecdotal evidence (from the industry and ICAO TAG/MRTD working groups suggests a "considerable" number of non-MRPs in circulation that expire after 24 NOV 2015
- Official figures needed

# STATE LETTER EC6/3-12/70



- ICBWG/TAG-MRTD:
- → a) raise awareness; b) ensure States have adequate time to comply with Standard
- State Letter dated 31 December 2012
  - → Brief background of issue
- → Governments urged to invite citizens holding non-MRPs to apply for MRPs
- → Questionnaire: gather information on worldwide application of 3.10.1 – determine action to promote implementation

# STATE LETTER EC6/3-12/70



#### **QUESTIONNAIRE**

NAME	E OF STATE:				
Please circle the appropriate response.					
1.	All <i>non-machine readable passports</i> have expired, or are due to expire, before 24 November 2015				
If the a	nswer is "Yes", please skip to Question 3.				
2.	If the answer to Question 1 is "No", please respond to the following questions:				
2.1	The number of non-machine readable passports in circulation beyond 24 November 2015 will be approximately				
2.2	All non-machine readable passports are due to expire by (date)				

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# STATUS OF RESPONSES (as of 6 June 2013)



REGION	TOTAL RESPONSES	Q1: YES	Q1: NO	REMARKS Q. 2.1/2.2
APAC	16/38	14	2	217/2016 1.5m/2020
ESAF	6/24	6	_	_
EURNAT	25/56	23	2	300,000/2017 50,000/2018
MID	9/15	9	_	_
NACC	10/21	9	1	<b>-/2017</b>
SAM	3/13	3	_	_
WACAF	5/24	5	_	_
TOTALS	71/191	66	5	

NB: The State Letter still available to Govt Officials upon request!

## Potential consequences of non-compliance



No official ICAO views. However ---

TAG/MRTD ICBWG has identified the following potential consequences of non-compliance with Standard 3.10.1:

- For the non-complying State -- some embarrassment and loss of face in the international community
- Other Member States may apply bilateral sanctions after 24 NOV 2015, eg:
  - Refuse the admittance to holders of non-MRPs , or
  - Make visa processing more onerous and costly because of associated risks
- (No official info but anecdotal evidence suggests that a few major States are considering such approach)
- Potential costs to holders of non-MRPs after the deadline: losses – increased costs – delays – cancelled trips disappointment

# Managing the challenge



- If it is likely that your State will be unable to meet the 24 NOV 2015 deadline, it is important to put together a constructive plan of action.
- Most problems can be solved except those that have never been addressed!

## Managing the challenge – Contd.



### Recommended practical steps:

- Assess the extent of the problem (how many passports in your State expire after 24 NOV 2015, and when)
- Inform ICAO responding to the Questionnaire in the State Letter EC6/3-12/70
- File a difference with ICAO concerning Standard 3.10.1 as required by Art 38 of the Chicago Convention (form available upon request)

## Managing the challenge - Contd.



- Carry out an information campaign to inform your citizens about the 24 NOV 2015 deadline! Encourage them to renew their passports.
- If practicable, apply facilitated processing of such applications (a separate counter with shorter waiting times, reduced renewal fee, or similar). At the issuing authority's discretion!
- Keep an eye for any updates on the 24 NOV 2015
   Deadline Webpage (Coming soon!) on the MRTD
   Programme website at
   <a href="http://www.icao.int/Security/mrtd/Pages/default.aspx">http://www.icao.int/Security/mrtd/Pages/default.aspx</a>

### **Contacts and Resources**



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Inquiries related to filing a difference for Standard 3.10.1; responses to the Questionnaire in the State Letter EC6/3-12/70

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Any other inquiries or information and assistance requests related to the implementation of Standard 3.10.1, incl. requests for copies of the State Letter or filing a difference form

The 24 NOV 2015 Deadline Webpage (Coming soon!) on the MRTD Programme website at <a href="http://www.icao.int/Security/mrtd/Pages/default.aspx">http://www.icao.int/Security/mrtd/Pages/default.aspx</a>

Document 9303 and Supplement - free download at <a href="http://www.icao.int/Security/mrtd/Pages/Document9303.aspx">http://www.icao.int/Security/mrtd/Pages/Document9303.aspx</a>

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## THANK YOU!

Questions? Comments?

http://www.icao.int/Security/mrtd/Pages/default.aspx

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