



**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

*A United Nations Specialized Agency*

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

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- **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:

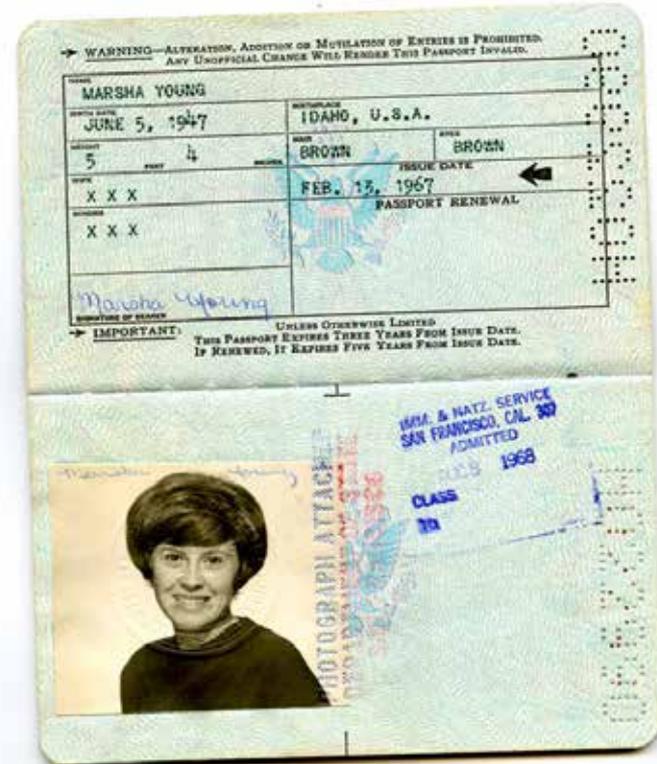
→ Standard 3.10.1: “For passports issued after 24 November 2005 and which are not machine readable, Contracting States shall ensure the expiration date falls before 24 November 2015.”

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



- 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?



- No!
- 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 with Standard 3.10.1: estimates



- Universal compliance likely? Alas
- 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 OF STATE: \_\_\_\_\_

**Please circle the appropriate response.**

1. All *non-machine readable passports* have expired, or are due to expire, before 24 November 2015 ..... **Yes/No**

If the answer 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) .....

# STATUS OF RESPONSES

## (as of 1/3/2014)



REGION	TOTAL RESPONSES	Q1: YES	Q1: NO	REMARKS Q. 2.1/2.2
APAC	17/38	14	3	217/2016 1.5m/2020 60000/2017
ESAF	6/24	6	–	–
EURNAT	27/56	26	1	300,000/2017
MID	9/15	9	–	–
NACC	10/21	9	1	–/2017
SAM	3/13	3	–	–
WACAF	5/24	5	–	–
<b>TOTALS</b>	<b>77/191</b>	<b>72</b>	<b>5</b>	

# Potential consequences of non-compliance



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 received by ICAO yet – but anecdotal evidence suggests that a few major States are considering such approach)
- Potential costs to holders of non-MRPs after the deadline: financial loss – 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.



- **Most important** - 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** on the MRTD Programme website at <http://www.icao.int/Security/mrtd/Pages/24-NOV-2015.aspx>

# Contacts and Resources



**Mr. Jitu Thaker**, Technical Officer, Facilitation, ICAO

[jthaker@icao.int](mailto:jthaker@icao.int)

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

**Mr. Erik Slavenas**, Programme Officer, ICAO

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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 on the MRTD Programme website at

<http://www.icao.int/Security/mrtd/Pages/24-NOV-2015.aspx>

Document 9303 and Supplement - free download at

<http://www.icao.int/Security/mrtd/Pages/Document9303.aspx>

# THANK YOU!

## Questions? Comments?

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

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