WORKING PAPER

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Eighth Meeting of the ICAO/LACAC NAM/CAR and SAM Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG/8)
Mexico City, Mexico, 13 to 17 August 2018

Agenda Item 7:   **Training, Cooperation, and Assistance**
                          7.2   Facilitation (FAL) Section Update

RECENT DEVELOPMENTS IN FACILITATION

(Presented by the Secretariat)

EXECUTIVE SUMMARY	
This paper highlights recent developments in the Facilitation programmes describing the main changes introduced by the Amendment 26 of Annex 9 – *Facilitation* and presenting the status of the implementation of the ICAO Traveller Identification Programme (TRIP) strategy and the ICAO Public Key Directory (PKD).	
Action:	Suggested action is presented in Section 7.
Strategic Objectives:	• Security & Facilitation
References:	• 39th Session of the ICAO Assembly (A39) • Annex 9 — *Facilitation* • Doc 9303 - *Machine Readable Travel Documents (MRTDs)*

1.   Introduction

1.1   In the area of aviation security and facilitation, the 39th Session of the ICAO Assembly (A39) confirmed ICAO's emphasis on achieving greater balance between effective control measures and system-wide connectivity and efficiency. Thus, key principles such as risk management-based prioritization and mutual recognition of equivalent security measures continue to serve as foundational components to security and facilitation discussions in ICAO. Highlighting the importance of putting facilitation on equal footing with security, Strategic Objective C reflects the need for ICAO's leadership in aviation security, facilitation and related border security matters.

1.2   A39 endorsed the work plan of the Facilitation programmes and their expected outcomes for the 2017-2019 triennium. Assembly Resolution A39-20, *Consolidated statement of continuing ICAO policies related to facilitation*, identified national and international action in ensuring the security and integrity of traveller identification and border controls. Specifically, the Assembly urged Member States, through their travel document and border control programmes, to uniquely identify individuals to maximize security and facilitation benefits, including preventing acts of unlawful interference and other threats to civil aviation. Furthermore, the Assembly endorsed the development of a roadmap for the implementation of the ICAO Traveller Identification Programme (ICAO TRIP) Strategy.

2   Annex 9 — *Facilitation* Recent Developments

2.1   The ninth meeting of the Facilitation Panel (FALP/9), held at ICAO Headquarters, Montréal, from 4 to 7 April 2016, resulted in recommendations (some with a high relevance for Aviation Security) for substantive amendments to Annex 9 — *Facilitation*. The final report and other documentation of the meeting can be found on the FALP/9 website at: http://www.icao.int/Meetings/FALP/Pages/FALP9-2016.aspx.

2.2   The Panel's recommendations were submitted to the Air Transport Committee (ATC) in October 2016 for initial review, subsequently disseminated to Member States for comments and finally considered by the ICAO Council on 16 June 2017.

2.3   The Council adopted the following provisions, inter alia, for incorporation into the 15th Edition of Annex 9 (with an effective date in October 2017 and an applicable date in February 2018):

a)   a new Standard obliging each Member State to establish an Advance Passenger Information (API) system in light, inter alia, of UN Security Council Resolution 2178 (2014) and of the increasing use of API for border security and counter terrorism;

b)   enhanced Passenger Name Record (PNR)-related provisions, in response to the growth in PNR programmes and in order to support adherence to content, format and transmission standards to mitigate non-compliant PNR data requests;

c)   new Recommended Practices on Electronic Travel Systems (ETS), in response to increasing requirements by Governments to require passengers to apply for a travel authorization or to register online prior to boarding a flight for travel, so that ETS-related terminology is standardized and this technology is included within the Annex 9 policy and regulatory framework and guidance provided to governments planning implementation of an electronic version of visa issuance or travel authority;

d)   the inclusion of the nationality of passengers in Appendix 2 to Annex 9, Passenger Manifest, in order to improve the accuracy and speed of information that can be provided to families of aircraft accident victims;

e)   new Standards and Recommended Practices (SARPs) on the transport of minors, in light of increasing international awareness on the foreign fighters phenomenon and on child trafficking, and the limited availability of international guidance on the treatment of minors travelling by air, in order to help harmonize the policies and procedures followed by Member States and aircraft operators on the handling and safety of minors; and

f)   augmented provisions on Automated Border Control (ABC) systems, as a result of the increasing use of such systems.

3   Implementation of the ICAO TRIP STRATEGY

3.1   The ICAO TRIP Strategy (**Appendix A**) establishes a comprehensive framework for Member States, ICAO and traveller identification partners to guide and support future developments. At appropriate intervals, monitoring, reporting and review of implementation progress, and fine tuning, as appropriate, ensure that the Strategy remains up-to-date. Appendix B details the ICAO TRIP-related Annex 9 provisions.

3.2   At the regional level, ICAO provided assistance to Member States in the 2016 - 2018 triennium in the area of Annex 9 – *Facilitation*, Doc 9303, Machine Readable Travel Documents (MRTDs), and implementation of the ICAO TRIP Strategy, through regional seminars and donor-funded assistance programmes such as the Caribbean Project, funded by the Government of Canada with the support of the Caribbean Community (CARICOM) and the Organization of Eastern Caribbean States (OECS)..

3.3   The activities of the Caribbean Project related to TRIP were implemented since 2016 and were closed in June 2018. The main outcome of the project was the development of the ICAO TRIP Guide on Border Control Management (BCM) which is from now posted on the ICAO Website, as well as its companion guide, and the assessment tool. Other activities of the project included:

a) The conduct of two workshops on BCM in St. John's, Antigua and Barbuda (January to February 2017) and Jamaica (November to December 2017). Both these workshops were conducted back-to-back with a regional seminar on the ICAO TRIP Strategy;

b) The conduct of four Technical Assessment Missions (TAMs) resulting in a report with recommendations for the use by the State visited, in Kingston, Jamaica (March 2017), Santo Domingo, Dominican Republic (August 2017), Bridgetown, Barbados (September 2017) and Castries, Saint Lucia (September 2017) in partnership with the Counter-Terrorism Executive Directorate (CTED) and the International Organization for Migration (IOM).

3.4   At the international level, in addition to the existing ICAO mechanisms such as the Facilitation Panel (FALP) and the Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP), the Secretariat is developing and consolidating its working arrangements with a number of international organizations that have a key role to play in the implementation of the TRIP Strategy, such as the International Organization for Standardization (ISO), IOM, the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime (UNODC), the Organization for Security and Cooperation in Europe (OSCE), and other relevant UN entities such as the CTED.

3.5   A structured action plan for the implementation of the TRIP Strategy has to be developed by each State in cooperation with ICAO. In this regards, the ICAO TRIP roadmap aims to provide target milestones for the implementation by States of each element of the ICAO TRIP Strategy, including all of the applicable Annex 9 SARPs. Currently, five main sources of data assist in estimating the level of implementation of some items of the roadmap: the responses to four State Letters as well as statistics from the Universal Security Audit Programme-Continuous Monitoring Approach (USAP-CMA).

3.6   Guidance material, including the details of the TRIP roadmap, is available for States regarding most of the TRIP Strategy elements at http://www.icao.int/Security/FAL/TRIP/Pages/Publications.aspx. This material, along with the specifications in Doc 9303, is being updated and enhanced on a regular basis by the experts of the TAG/TRIP and its two working groups.

4   ICAO Public Key Directory (PKD): membership and benefits

4.1   As an ePassport or an eMRTD is only as good as the information contained on its chip, it requires an inspection tool, the ICAO PKD, which acts as a central broker by managing the multilateral exchange of certificates and certificate revocation lists used to validate the digital signature on the chip. Through the PKD, any attempt to alter the chip's data is immediately detected when checks are made.

4.2   As of June 2018, the ICAO PKD had grown to 61 participants including three States from North American, Central American and Caribbean Regions as PKD participants (Appendix C). However, there remains a significant gap between the number of States issuing ePassports (125), the number of PKD participants and those States using the PKD in day-to-day border control operations.

4.3   In 2017, Amendment 26 to Annex 9, effective since 23 October 2017, introduced a new Recommended Practice (RP) 3.35.5 that is targeting those ICAO Member States using Automated Border Control (ABC) systems. This RP encourages the use of the information available through the PKD as a means to validate ePassports by comparing the facial recognition to the ePassport holder's photograph.

5   **Outcome of the Second Meeting of the Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP)**

5.1   The Second meeting of the Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP) held in April 2018 in Montreal, Canada, was attended by 52 TAG/TRIP members and advisers from 21 Member States, as well as 49 observers from 29 Member States and 20 observers from seven international organizations, showing a substantial increase compared to TAG/TRIP/1 attendance.

5.2   The meeting reached a certain number of recommendations, regarding notably the new Terms of Reference of the two TAG/TRIP working groups, the New Technology Working Group (NTWG) and the Implementation and Capacity Building Working Group (ICBWG), the future potential specifications to be developed for visas in electronic format and to be included in Doc 9303, Machine Readable Travel documents (MRTDs) and the importance of providing the appropriate assistance to the "Least Developed Countries (LDCs)'' and the ''Small Islands Developing States (SIDS)''.

6   **Conclusions**

6.1   With renewed focus and in conjunction with identification management partners, and building on progress to date, ICAO will, amongst other things, continue to produce and provide globally endorsed measures, tools, services and other means to:

a)   mitigate risks to aviation security and broader national security through robust methods of identification management and border control;

b)   assist in the detection and prevention of terrorism and crime through the prevention of the fraudulent use of identification documents;

c)   facilitate genuine travellers through the airport process by automated clearance processes to increase throughout;

d)   reduce staff and training costs by standardizing and simplifying document verification processes;

e)   enable interoperability and the use of standard technologies for identification management for both States and industry, leading to efficient operations and cost reduction;

f)   increase the confidence of States in their ability to verify that documents have been appropriately issued and have not been altered; and

g)   provide for cost-effective deployment of security and border control personnel and resources on a risk-management basis.

7.   **Suggested Actions**

7.1   The Meeting is invited to:

a)   encourage all Member States of the NACC Region that, in order to comply with the Annex 9 new Standard to establish an Advance Passenger Information (API) system, Civil Aviation Authorities should coordinate with appropriate government entities to determine the national structure and assign one entity responsible for the administration and interoperability of the API, and in the future the Passenger Name

Record (PNR) exchange information with foreign counterparts to ensure and increase protection of border security and counter terrorism;

b) encourage all Member States of the NACC Region to ensure the correct implementation of provisions established in Doc 9303 – *Machine Readable Travel Documents* for the issuance of travel documents, and future electronic travel documents; and

c) to take advantage of and use the the ICAO TRIP Guide on Border Control Management (BCM), and to notify the NACC Regional Office if interested of receiving, under cost recovery basis, a Technical Assessment Mission (TAM) that will verify the effective implementation of Standards related with border security.

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APPENDIX A
ICAO TRIP STRATEGY

1.   BACKGROUND

1.1 At the centre of the ICAO TRIP Strategy is the key proposition for States, ICAO and all stakeholders to address, individually and collectively: that a holistic, coherent, coordinated approach to the interdependent elements of traveller identification management is essential, encompassing the following elements:

   a) Evidence of identity – credible evidence of identity, involving the tracing, linkage and verification of identity against breeder documents to ensure the authenticity of identity;
   b) MRTDs – the design and manufacture of standardized MRTDs, including ePassports, that comply with ICAO specifications;
   c) Document issuance and control – processes and protocols for document issuance by appropriate authorities to authorized holders, and controls to prevent theft, tampering and loss;
   d) Inspection systems and tools – inspection systems and tools for the efficient and secure reading and verification of MRTDs, including use of the ICAO PKD; and
   e) Interoperable applications – globally interoperable applications and protocols that provide for timely, secure and reliable linkage of MRTDs and their holders to available and relevant data in the course of inspection operations.

1.2 In consideration of the scope of activities involved, traveller identification management necessarily engages a broad collection of mandates and interests at the global and State levels that directly or indirectly contribute to its effectiveness and efficiency, and travel document systems.

1.3 For ICAO and its Member States, the vision in traveller identification management is to reach the target of: "all Member States can uniquely identify individuals''. When the elements of identification management are optimally achieved, States will be in a position to identify individuals by their travel document with the highest possible degree of certainty, security and efficiency.

2.   PILLARS OF THE IMPLEMENTATION OF THE ICAO TRIP STRATEGY

2.1 Recognizing the benefits of traveller identification management to aviation security and facilitation, and the vision that all Member States can uniquely identify individuals, ICAO's mission is to contribute to the capacity of Member States to uniquely identify individuals by providing appropriate authorities worldwide with the relevant supporting mechanisms to establish and confirm the identity of travellers.

2.2 Under the ICAO TRIP Strategy, the following pillars are fundamental for its successful implementation:

a) Compliance with relevant Standards and Recommended Practices (SARPs) of Annex 9, Chapter 3, and specifications of Doc. 9303, MRTDs;

b) Establishment of a National Air Transport Facilitation Programme and associated committees;

c) Full implementation of Machine Readable Passports as per Standard 3.11 of Annex 9 (14th Edition);

d) Assessment of compliance with the international framework of MRTDs, with emphasis on cost-effective methods to produce recommendations to address deficiencies;

e) Participation in the ICAO PKD;

f) Planning for the definition of a roadmap for the issuance of ePassports;

g) Establishing interoperable applications such as Advance Passenger Information (API) systems and linking these to watch lists; and

h) Engaging in capacity building for the benefit of States' programmes, with focus on developing assistance partnerships to recruit and mobilize financial and in-kind resources.

3. INTEROPERABLE APPLICATIONS

3.1 As part of the fifth element of the ICAO TRIP Strategy, Interoperable Applications, it is worth mentioning the use of the INTERPOL Stolen and Lost Travel Document (SLTD) database and Advance Passenger Information (API), the latter which enables the efficient and expedited clearance of low-risk persons.

3.2 New SARPs on the SLTD database were introduced in Annex 9 in October 2015, in the 14th Edition:

a) Standard 3.10 states that "Contracting States shall promptly report accurate information about stolen, lost, and revoked travel documents, issued by their State, to INTERPOL for inclusion in the Stolen and Lost Travel Documents (SLTD) database"; and

b) Recommended Practice 3.10.1 states that "Each Contracting State should, as far as practicable, query, at entry and departure border control points, the travel documents of individuals travelling internationally against the INTERPOL Stolen and Lost Travel Documents (SLTD) database".

3.3 New SARPs on API were introduced in Annex 9, 15th Edition (see paragraph 2.3).

4.   ASSISTANCE ACTIVITIES

4.1   At the centre of the ICAO TRIP Strategy is the key proposition for States, ICAO and all stakeholders to address, individually and collectively that a holistic, coherent, coordinated approach to traveller identification.

4.2   In the 2014-2016 triennium, ICAO continued to assist Member States on all matters related to the ICAO TRIP, including capacity-building activities funded by donors. The project ''Strengthening Travel Document Security and Identification Management in the Sahel region'' included activities such as regional seminars, the development and delivery of the ICAO Training Package "Control of the authenticity and validity of travel documents at airport border – Level 1" and four TAMs to identify best practices and areas to be enhanced relating to the implementation of the TRIP agenda in the States concerned.

5.   ICAO TRIP STRATEGY AND THE UNITED NATIONS AGENDA

5.1   As part of the coordination with the UN Security Council Global Strategy, ICAO actively supports UN Security Council Resolutions 1373 (2001), 1624 (2005), 2178 (2014), 2309 (2016) and 2396 (2017) as well as the Counter-Terrorism Implementation Task Force (CTITF). By doing so, ICAO makes contributions consistent with its own mandate in relation to the ICAO TRIP Strategy.

5.2   The use of false identities and fraudulent travel documents, in addition to systemic weak-points in the identification management framework of many Member States, remain major vulnerabilities which continue to be exploited by criminal and terrorist networks. The UN Security Council urged Member States to require airlines to provide passenger lists, referred to as Advanced Passenger Information (API) in Annex 9 — *Facilitation*. API is an integral component of the fifth element of the ICAO TRIP Strategy, Interoperable Applications.

5.3   Annex 9 — *Facilitation* to the Chicago Convention contains international Standards and Recommended Practices on Advance Passenger Information (API) and Passenger Name Record (PNR) data exchange systems. Annex 9 does oblige States to set up API systems. ICAO is presently participating in the Counter-Terrorism Committee (CTC)-led API workshops being conducted in various regions of the world. Annex 9 also contains recommendations relating to PNR requirements by States. These are complemented by guidelines that were published in 2010. The 27 April 2016 EU Directives on the use of PNR data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime provide that ICAO's guidelines be the basis for adopting supported data formats for transfers of PNR data by air carriers to Member States.

5.4   The Implementation of the ICAO TRIP calls for an intensification of capacity-building and assistance efforts and enhanced cooperation with the Counter-Terrorism Committee Executive Directorate (CTED) and CTITF. As a CTITF partner, ICAO works with other 40 other international organizations and agencies to minimize duplication of effort, optimize our complementary programmes, and thereby more efficiently assist States in their fulfilment of the relevant Security Council and General Assembly Resolution obligations. ICAO, CTITF and CTED have already conducted joint-initiatives among which various country assessment visits and regional seminars and workshops.

5.5   On 25 September 2015, the UN Member States adopted a set of goals for a new sustainable development agenda for the 2030 horizon. It is noteworthy that when assisting ICAO Member States in implementing some Annex 9 SARPs and related Specifications, it directly supports the achievement of 6 of 17 UN Sustainable Development Goals (SDGs). A specific target to be reached under Goal 16, is "by 2030, to provide legal identity for all, including birth registration", which is directly linked to the first element of the ICAO TRIP Strategy, Evidence of Identity.

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APPENDIX B
ICAO Traveller Identification Programme (TRIP) Strategy Elements:
Related Annex 9 SARPs (Total: 64 SARPs)
(Amendment 26, 15th Edition, October 2017)

1. **Evidence of Identity**: "credible evidence of identity, involving the tracing, linkage and verification of identity against breeder documents to ensure the authenticity of identity."

Related Annex 9 SARPs: **Total: Nil**

It should be noted that A39–20 provides a framework for "evidence of identity".

2. **MRTDs**: "the design and manufacture of standardized MRTDs, including ePassports, that comply with ICAO [Doc 9303] specifications."

Related Annex 9 SARPs: Standards 3.4, 3.11, 3.12, 3.63;
Recommended Practices 3.9, 3.13, 3.26, 3.64   **Total: 8**

3. **Document Issuance and Control**: "processes and protocols for document issuance by appropriate authorities to authorized holders, and controls to prevent theft, tampering and loss."

Related Annex 9 SARPs: Standards 3.3, 3.7, 3.8, 3.8.1, 3.11.1, 3.15, 3.16, 3.23, 3.25, 3.62, 3.65, 5.26, 5.27, 5.28, 5.29, 8.44;
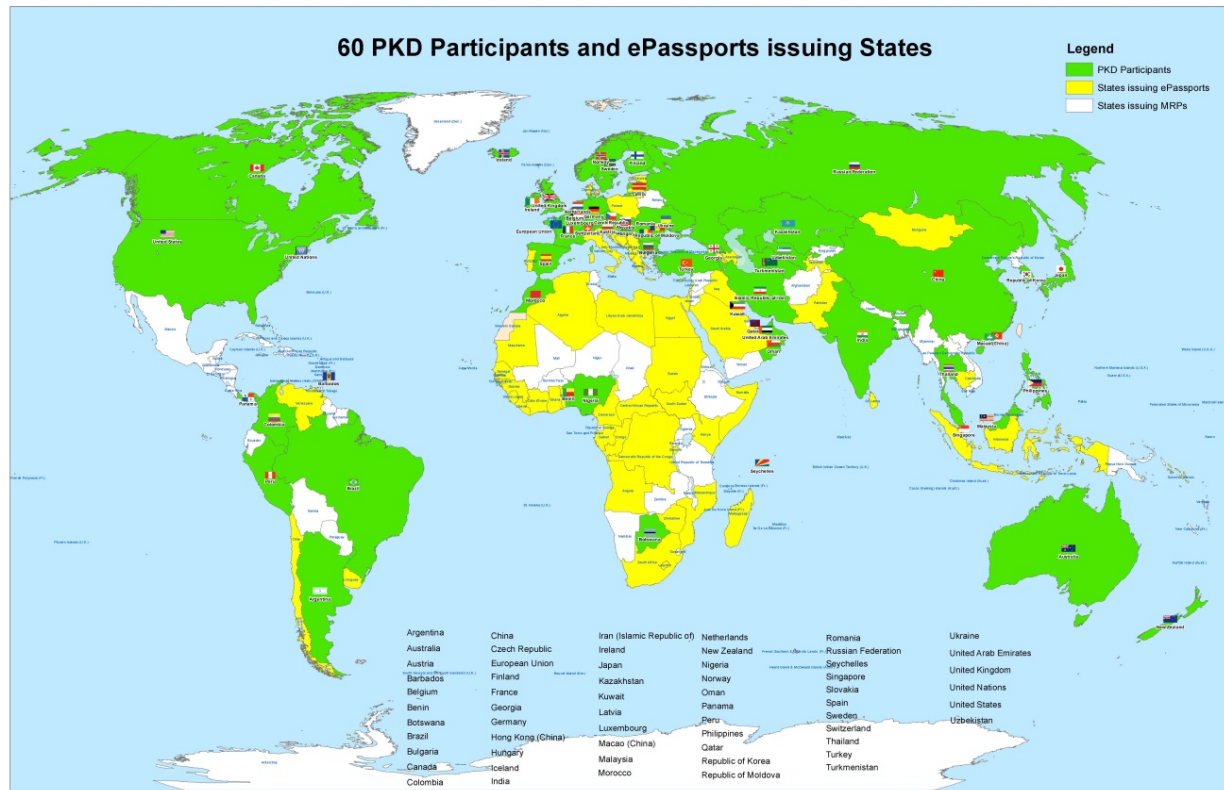Recommended Practices 3.14, 3.15.1, 3.17, 3.24, 3.63.1, 3.64.1, 3.69, 8.43;   **Total: 24**

4. **Inspection Systems and Tools**: "inspection systems and tools for the efficient and secure reading and verification of MRTDs, including use of the ICAO PKD."

Related Annex 9 SARPs: Recommended Practices 3.9.1, 3.9.2, 3.27   **Total: 3**

5. **Interoperable Applications** (including API and PNR): "globally interoperable applications and protocols that provide for timely, secure and reliable linkage of MRTDs and their holders to available and relevant data in the course of inspection operations."

Related Annex 9 SARPs: Standards 3.10, 9.5, 9.6, 9.8, 9.9, 9.11, 9.13, 9.22, 9.22.1;
Recommended Practices 3.10.1, 3.34.4, 3.34.5, 3.34.6, 9.1, 9.2, 9.3, 9.4, 9.7, 9.10, 9.12, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.23;

Total: 29

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APPENDIX C

60 PKD Participants and ePassports issuing States

Legend
- PKD Participants
- States issuing ePassports
- States issuing MRPs

Argentina	China	Iran (Islamic Republic of)	Netherlands	Romania	Ukraine
Australia	Czech Republic	Ireland	New Zealand	Russian Federation	United Arab Emirates
Austria	European Union	Japan	Nigeria	Seychelles	United Kingdom
Barbados	Finland	Kazakhstan	Norway	Singapore	United Nations
Belgium	France	Kuwait	Oman	Slovakia	United States
Benin	Georgia	Latvia	Panama	Spain	Uzbekistan
Botswana	Germany	Luxembourg	Peru	Sweden	
Brazil	Hong Kong (China)	Macao (China)	Philippines	Switzerland	
Bulgaria	Hungary	Malaysia	Qatar	Thailand	
Canada	Iceland	Morocco	Republic of Korea	Turkey	
Colombia	India		Republic of Moldova	Turkmenistan	

(picture updated for 60 PKD participants, as of June 2018)

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