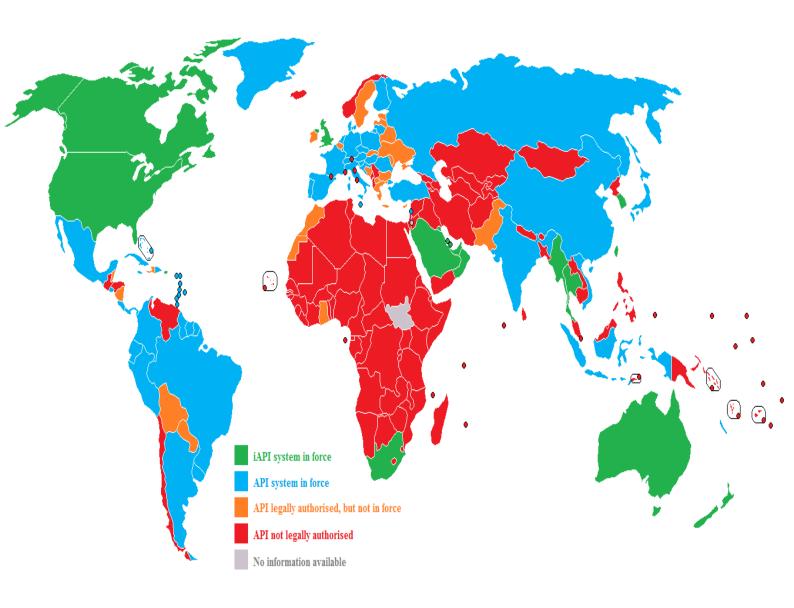


Overview of the use of Advance Passenger Information (API) in the OSCE Area

16 March 2018



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This document aims at highlighting the use of Advance Passenger Information (API) systems among OSCE participating States and Partners for Co-operation in line with MC.DEC/6/16. It also outlines the support the Transnational Threats Department (TNTD) offers through national workshops and follow-up consultations in exploring the functions and benefits of API in combatting terrorism and transnational crime, in determining the technical assistance needs of participating States, and in identifying potential donor assistance for capacity building.

1. What is an Advance Passenger Information (API) system?

An API system is an electronic communication system by which...



...biographic data from a passenger's passport are collected by airlines and transmitted to border control agencies before a flight's departure or arrival at the airport of destination.



If checked against watch lists and risk indicators, API allows law enforcement officials to know, in advance, whether inadmissible persons or suspicions profiles are attempting to enter their countries thereby allowing for a focus on high-risk individuals.

To learn more about the different types of passenger data exchange systems (such as interactive API and Passenger Name Record – PNR), please watch the <u>online videos</u> included in the International Air Transport Association's (IATA) Passenger Data Toolkit and/or read the 2017 'Overview of the use of Advance Passenger Information (API) in the OSCE Area'.

2. What are the international commitments of the OSCE participating States regarding API?

Firstly, <u>United Nations (UN) Security Council Resolution 2178</u> (2014) was adopted under Chapter VII of the UN Charter and explicitly calls upon UN Member States to require airlines to provide API data to them. This call was further reiterated in <u>Resolutions 2309</u> (2016) and <u>2396</u> (2017).





Since 23 February 2018, the establishment of national API systems is an International Civil Aviation Organization (ICAO) standard, which makes it mandatory for all Contracting States to the Convention on International Civil Aviation (Chicago Convention).

Additionally, the 57 OSCE participating States adopted in December 2016 a politically-binding Ministerial Decision on Enhancing the Use of API. This Decision commits participating States to:

- 1. Setting up national API system in accordance with the provisions contained in <u>ICAO's Annex 9</u> and aligned with the WCO/IATA/ICAO <u>Guidelines on API</u>, including those on privacy and data protection;
- 2. Collaborating with all relevant national stakeholders and considering the establishment of a single window for collecting API data:
- 3. Cross-checking the data against watch lists and databases.

3. What countries have already implemented API systems?

Currently, 24
OSCE
participating
States and 66 UN
Member States
use API systems.

of approximately 20% in the use of API among OSCE participating States and UN Member States in comparison to 2017. Despite these positive figures, the countries that have set up national API systems comprise less than half of all OSCE participating States and a third of all UN Member States.

There are numerous reasons that explain the low incidence of API use:

Firstly, API systems are complex and therefore require a high degree of technical capacity and skills to use them.

They can also be expensive to purchase, maintain and operate.

Moreover, to implement API effectively, several legal and institutional changes might be required to ensure suitable data privacy oversight and regulation by States.

4. What types of support does the OSCE offer to participating States in relation to API?

The OSCE Transnational
Threats Department (TNTD)
organizes Workshops on
Establishing an API System.
To date, TNTD has
conducted these activities in
Belgrade, Podgorica,
Kyrgyzstan, Tirana, Skopje,
and Prishtinë/Priština.

These workshops involve all agencies working on passenger processing in a specific country, including border control authorities, customs officers and data protection experts in order to promote co-operation and synergies between them.





The aim is to draft a Roadmap for implementing an API system covering the relevant administrative, technological, operational and financial procedures. These workshops are then followed-up with four-day consultations to provide legislative and technical support to local authorities and assist them with the implementation of the Roadmaps. The first of these consultations has taken place in Montenegro.

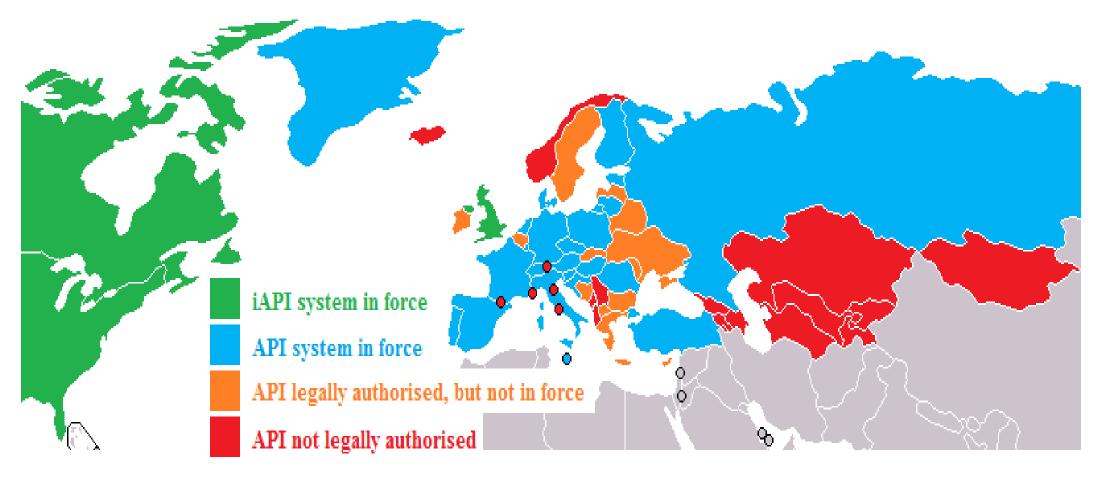
Additionally, an OSCE-wide <u>Seminar on Passenger Data Exchange</u> took place in Vienna in September 2017, during which participating States shared their experiences in establishing API and PNR systems and learned about <u>good practices and potential pitfalls to avoid</u> when setting up national passenger data exchange programmes. After the success of the 2017 Seminar, which attracted more than 120 participants, TNTD is planning to organise a second Seminar in the final quarter of 2018.

States interested in requesting the above-mentioned OSCE support or in providing donor funding should contact TNTD for further information on this subject:

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Annex 1 – Map on API use in the OSCE area



Sources: IATA API/PNR World Tracker and consultations with participating States