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225th/226th Sessions

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28 - 31 October 2019

Brussels, 9 October 2019.

Passenger Facilitation and Control

Cruise Ship Report: “Way forward to improve Cruise Ship Controls – A Customs Perspective”

(Item VI.a on the Agenda)

Background

1. As a result of the 79th Session of the Policy Commission, the Brussels Based Attaché Working Group (BBAWG) was formed to address various concerns surrounding cruise ship controls.
2. In November 2018, the BBAWG held a one-day meeting at the World Customs Organization (WCO) headquarters to discuss the current operational environment and corresponding enforcement related challenges posed by cruise ships for Customs administrations. The meeting brought together relevant stakeholders within the cruise ships industry, including the International Maritime Organization (IMO) and industry representatives such as Royal Caribbean International and Cruise Line International Association (CLIA).
3. Following the November 2018 meeting and further consultations with relevant stakeholders, the BBAWG has produced a final report entitled “Brussels-Based Attaché Working Group on Cruise Ships, Way Forward to Improve Cruise Ship Controls – A Customs Perspective”. The report is attached as an Annex to this document.
4. The report includes three recommendations as below:
 - Identify the various methods of passenger and crew clearances around the world, bearing in mind the critical importance to collaborate with relevant organizations at the international level between WCO and Members, IMO, and CLIA.

- As a result, a compendium of best practices can be shared amongst customs authorities to refer to raise their level of awareness of industry practices and customs practices that can be utilized at the national level to suit their often-unique situation and laws.
 - Equally, it is important to identify the challenges for customs that are hindering the ability to process mass volumes of passengers and crew and their luggage. This would include difficulties and adaptations made to process people and luggage vis-à-vis viability of use of tools, technology and facilities.
 - Identify the global standard for cruise ship passenger and crew data to develop Advance Passenger Information (API) and Passenger Name Record (PNR) for Maritime Cruise similar to PAXLST/PNRGOV messages in air. (Every effort should be made to standardize across modes to the extent possible.)
 - The WCO (Members and Secretariat) should develop API and PNR guidelines to establish standards, similar to the WCO/IATA/ICAO API and PNR Guidelines documents and like the ICAO Doc9944 API Standards document. These standards should be created in collaboration with the IMO and the cruise industry. In the case of IMO, this would require the involvement of the FAL Committee and in the case of WCO the WCO-IATA-ICAO API and PNR Contact Committee.
 - It is further recommended that the Brussels Based Attaché Working Group continues this work, in cooperation with other relevant WCO bodies to focus on issues of passenger controls at a future date.
5. Given the cross-cutting nature within the WCO Compliance and Facilitation Directorate, the topic of cruise ships falls under the umbrella of several WCO Working Bodies including the WCO-International Air Transport Association (IATA) International Civil Aviation Organization (ICAO) Advanced Passenger Information (API) and Passenger Name Record (PNR) Contact Committee (Members-Only meeting), the Enforcement Committee (EC) and the Permanent Technical Committee (PTC).
6. Upon its finalization, the report of the BBAWG is being submitted to the 39th session of the EC in October 2019 and these PTC sessions for their respective consideration and potential approval, prior to its presentation to the Policy Commission in December 2019.

Discussion at the 1st Members-Only Meeting of the API PNR Contact Committee

7. The BBAWG presented the final report on Cruise Ships to the 1st Members-Only meeting of the API PNR Contact Committee (API PNR Members-Only meeting) held on 2 October 2019. The API PNR Members-Only meeting commended the work of the BBAWG in preparing the report and supported the recommendation put forward by the BBAWG in the report. Accordingly, the API PNR Member -Only meeting requested relevant WCO Working Bodies to endorse the report.

8. The API PNR Members-Only meeting raised the importance of the enhanced cooperation between the WCO and relevant stakeholders as well as other international organizations. As the topic on Cruise Ships was an emerging topic within the Organization, the API PNR Members-Only meeting suggested the BBAWG to seek further guidance from relevant Working Bodies with regard to the way forward on the future envisaged work in this area: whether the work should be done by the BBAWG, or the API PNR Members-Only Meeting, or by a new working group, taking into account the availability of resources needed to establish such a working group and the overall priorities of the WCO.
9. The Delegate of the IMO informed the API PNR Members-Only meeting that should the topic on passenger controls be brought to the IMO environment, it would fall under the responsibility of the IMO Facilitation (FAL) Committee, given the IMO's structure. The FAL Committee is expected to meet at the beginning of April 2020. The delegate further explained that the relevant IMO instrument for this topic was the Annex to the IMO FAL Convention that was being reviewed by a working group. Currently, the topic of Passenger Controls on Cruise Ships had not been included as part of the review process. The delegate added that another possibility could be to develop a set of independent guidelines. Such initiative would need to be submitted to the FAL Committee for its consideration.

Action Required

10. The PTC is requested to:
- take note of the developments regarding the activities of the BBAWG;
 - consider and, if appropriate approve, the report entitled: '*Way forward to improve Cruise Ship controls – A Customs Perspective*', put forward by the BBAWG;
 - provide advice on the next steps for cruise ships related activities, particularly with regard to the BBAWG's recommendations, taking into consideration the associated resource implications; and
 - provide guidance on the most suitable working platform and related reporting structure for future work in this domain.
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