



Permanent Technical Committee

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243rd/244th Sessions

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23 – 26 April 2024

Brussels, 06 March 2024

TRAVELER FACILITATION AND CONTROL

(Item VIII on the Agenda)

SUMMARY

Purpose of document

The purpose of this document is to provide the Permanent Technical Committee (PTC) with updates on recent developments in Traveller Facilitation and Control work at the WCO.

Action required of the Permanent Technical Committee

The Permanent Technical Committee (PTC) is invited to:

- endorse the updated Terms of Reference (ToR) for the API and BRI/PNR Contact Committee, attached as Annex I;
- take note the submission to the International Maritime Organization (IMO) for an amendment to the Convention on Facilitation of International Maritime Traffic (FAL Convention) presented in April 2024, attached as Annex II; and
- take note the work of the Booking and Reservation Information (BRI) Cruise Ship Pilot.

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I. API and BRI/PNR Contact Committee

1. The *Passenger Facilitation and Control Working Group* (PFCWG) was established in December 2020 for discussion and decision making on all passenger controls and facilitation matters, regardless of mode of transport for an initial period of three years, ending December 2023.
2. Prior to the PFCWG, the WCO/International Air Transport Association (IATA)/International Civil Aviation Organization (ICAO) Advance Passenger Information (API)-Passenger Name Record (PNR) Contact Committee (API/PNR CC) addressed passenger related information for aviation, but no group existed for traveller related information in other modes of transport.
3. While the API/PNR CC was established for the aviation mode, WCO Members first raised the implications of other modes of transport and their inclusion in API standards in 2009 and an agreement was reached for this to be analysed further in the future.
4. The concern for global standards for other modes of transport was raised again in 2017 with the possibility of establishing a harmonized or standardized dataset for advance passenger reporting when Members raised concerns regarding the growing size of cruise ships and the resulting impact on Customs controls for passengers and crew.
5. The three-year term of the PFCWG ended in December 2023 with the group achieving its main objectives and deliverables from the ToR, but there is still work to be done. The work of the PFCWG has also highlighted a need for Customs administrations and industry partners to meet regularly to address all traveller (passenger and crew) related work, global data standards and operations across all modes of transport such as aviation, cruise ships, ferries, railways, roads, and other non-commercial means of travel.
6. As agreed at the PTC's last meeting, the WCO has worked with IATA and ICAO to amend the API/PNR Contact Committee ToR to include other modes of transport and industry partners.
7. The 18th Meeting of the API/PNR Contact Committee was held virtually via email in February 2024, to endorse its updated Terms of Reference to reflect its expansion to cover all modes of transport. The new ToR is included as Annex I to this document.
8. The new ToR proposed a new name for working group The Contact Committee on Advance Passenger Information (API) and Booking & Reservation Information (BRI) / Passenger Name Record (PNR) Data. Other amendments included:
 - Expansion of the mandate to enable discussion, decision making and development, maintenance, and promotion of the implementation of international instruments and tools on all traveller (passenger and crew) controls and facilitation matters, regardless of the mode of transport;
 - promote the implementation of guidelines and such other instruments, tools and guidelines for use of API, and BRI/PNR data for traveller facilitation and enforcement purposes;
 - Addition of the Cruise Line International Association (CLIA) and the International Maritime Organization (IMO) and other interested Partner Organizations; and
 - Expansion of the purpose and scope to include all modes of international transport.

9. At the closing of the virtual meeting, the WCO received support for the endorsement of the revised ToR from several (21) members of the API PNR Contact Committee. No members of the Contact Committee expressed any objections/reservations regarding the endorsement of the revised ToR. The Chair noted, however, that a member of the Contact Committee proposed, as part of its endorsement notification, that the reconstituted Contact Committee should be given the opportunity to review the ToR at its next meeting.

II. Information on submission to the International Maritime Organization (IMO) for an amendment to the Convention on Facilitation of International Maritime Traffic (FAL Convention)

10. As noted in the oral report from the 6th PFCWG meeting, the WCO submitted a proposed amendment to the IMO FAL Convention to include mandatory reporting on API and BRI/PNR.
11. This would provide an international legal framework and instruments for cruise ships to transfer API and BRI data to border control agencies, noting similar legal instruments were in place for aviation API and PNR, i.e., in Annex 9 of the Chicago Convention (Standards and Recommended Practices). The FAL Convention contains standards, recommended practices and rules for simplifying formalities, documentary requirements and procedures on ships' arrival, stay and departure.
12. The WCO, sponsored by Australia, submitted the requested amendments to the IMO, for discussion at the IMO FAL 48 Sessions on 8-10 April 2024. The WCO will provide the PTC with an update on this initiative verbally due to the timing of the IMO FAL sessions and this PTC meeting.
13. In March, the WCO Secretary General wrote to Members seeking support for the IMO proposal, noting that many governments' IMO representatives are not Customs administrations. The letter included information on the proposal and the work done by the WCO in the lead up to the proposed amendment.
14. The submitted IMO FAL document is attached as Annex II to this document.

III. Booking and Reservation Information Pilot

15. The WCO, CLIA, IMO and five WCO Members are participating in a pilot on the use of BRI data in international cruise ship travel.
16. The Pilot mini group has worked with the Data Model Project Team (DMPT) and Princess Cruises to refine the BRI aspect of the WCO Data Model (DM) and confirm useability of message implementation guides.
17. Princess Cruises has created packages for sending departure/arrival information in the WCO agreed formats and testing with fictional data.
18. API and BRI/PNR output files are about 15% new items not reported by Princess Cruises before to border control agencies. However, Princess Cruises has confirmed that it was a straight forward process using the WCO DM which should assist other cruise lines in implementing API and BRI/PNR processes on completion of the Pilot.

19. Princess Cruises and some of the participating WCO Members, will make a presentation to the PTC on the progress of the BRI Pilot.

IV. Next Steps

20. With the PTC's and Policy Commission's endorsement and the Council's approval of the new ToR for the Contact Committee on Advance Passenger Information (API) and Booking & Reservation Information (BRI) / Passenger Name Record (PNR) Data, the Secretariat will prepare for the first meeting of the Contact Committee under its new ToR in Autumn 2024.

V. Conclusion

21. The PTC is invited to :

- endorse the updated Terms of Reference (ToR) for the API and BRI/PNR Contact Committee;
- take note the submission to the International Maritime Organization (IMO) for an amendment to the Convention on Facilitation of International Maritime Traffic (FAL Convention) presented in April 2024; and
- take note the work of the Booking and Reservation Information (BRI) Cruise Ship Pilot.
