Passenger data requests to airlines from industry stakeholders

Airlines are increasingly facing requests to provide passenger data from industry stakeholders for different purposes (such as airport flow control or resource management). Airlines are already providing passenger data to Governments upon a corresponding legal basis, in the form of API/PNR. The international principle of "single window" must prevail.

SITUATION

- Airlines, upon legal mandate from authorities share the reservation data they used for their commercial and operational purposes (Passenger Name Record or PNR), and/or collect and share, the advance passenger information (API).

- Airlines send API and PNR data to government authorities upon corresponding legal basis for different purposes than mere "crowd control" (such as countering terrorism and serious crime, trafficking in persons, illicit goods, aviation and border security, law enforcement, risk assessment, among others.).

- Likewise, airlines, as part of their business with other airlines and/or ground handling companies, do exchange information, in some cases, according to industry messages such as the Passenger Name List (PNL) or the Passenger Reconciliation List (PRL)

- The PNL and PRL messages:
    - are Recommended Practices, meaning IATA Member Airlines are not mandated to implement/use these message formats.
    - like PNR, contain many data elements subject to data privacy regulations worldwide.
    - contain significantly more information than what should be necessary for crowd control/resource allocation purposes at an airport.

- Against the above background, airlines are receiving ad-hoc requests from non-government stakeholders (e.g. airports), asking for passenger data in the form of PNL or PRL messages for different purposes (e.g. in preparation for some programs such as the Entry Exit System (EES) in the EU, flows arrangements at airport, etc.)

- The requests received are heterogenous and not based on any legal basis, preventing airlines from complying with them, even in their best intent.

- Those additional requests do impose further burden and inefficiencies for airlines which are already fulfilling their obligation to provide passenger data to governments.

- In addition to the operational burden and possible legal implications, airlines have to undertake significant IT and infrastructure costs to establish a message transmission platform to address these ad-hoc requests for passenger information.

INTERNATIONAL PRINCIPLES

- The international framework for passenger data is prescribed in the appropriate Standards and Recommended Practices within ICAO Annex 9 – Facilitation.
    - The Standard 9.1 requires Contracting States to establish a Passenger Data Single Window which acts as the single-entry point to fulfil all related passenger data requirements.,
    - the Standard 9.13 mandates Contracting States requiring API data to limit the operational and administrative burdens on aircraft operators. Several other Standards also support other aspects such as the legislation, message format as well as limiting of access to data.

IATA POSITION

- Compliance with applicable legislation, including data privacy and protection, adherence to international standards and efficiency, are cornerstone principles for airlines when assessing passenger data requests.

- None of the above principles are fulfilled by the previously described heterogeneous data request that airlines may receive from non-government stakeholders.

- Based on the information provided by airlines to authorities well before a flight's arrival into their borders, the number of passengers (including nationalities) would be easily extracted by the receiving authorities. This may be already in place in some jurisdictions, for resource allocation purposes at the border control checkpoints.

- Therefore, those industry stakeholders who may need a set of data for their own purposes (such as crowd control at an airport environment), should direct their request to the designated national authority, highlighting the operational need on their end, so the authority can assess it. This should replace placing ad-hoc requests to airlines over the information they are already sending to authorities and therefore contradicting the international principle of single window.