

**ASSOCIATION OF ASIA PACIFIC AIRLINES
RESOLUTION NO. 5
Series of 2006**

**A RESOLUTION FOCUSING ON ADVANCE PASSENGER
INFORMATION (API) INITIATIVES**

The AAPA ASSEMBLY OF PRESIDENTS, in its 50th meeting duly assembled,

RECOGNISING THAT:

- I. Every State has the sovereign right to secure its borders;
- II. Enhanced border control measures have been adopted by many governments in the light of perceived heightened threats to national security;
- III. An increasing number of governments are mandating the provision of Advance Passenger Information (API) as part of their intelligence gathering efforts in dealing with such national security threats;
- IV. Some governments have plans to introduce or have already introduced real-time interactive API systems to expedite passenger processing;
- V. The International Civil Aviation Organization (ICAO), World Customs Organization (WCO), and International Air Transport Association (IATA) have jointly issued Guidelines on API;
- VI. Annex 9 of the Chicago Convention provides guidelines on the type and scope of passenger information to be collected;
- VII. Certain regulations that require the transfer of various types of passenger data may violate applicable data privacy laws;
- VIII. AAPA has, in the past, issued Resolution No. 6, Series of 2003, calling for a standardised regime on API, as attached and form part of this Resolution;

ts
102

BELIEVING THAT:

- IX. The collection and transfer of API data by airlines can have a serious impact on passenger facilitation processes and thus the quality of services provided to the travelling public;
- X. The fragmented manner in which API legislation is introduced, and the multiplicity of data elements demanded by different governments, with inadequate consideration of the benefits of international standardisation and harmonisation, has led to unnecessary duplication of effort for the air transport industry and added inconvenience for the travelling public;
- XI. The use of flexible, interactive and largely automated advance passenger pre-clearance systems is a positive attempt to expedite passenger processing;

RESOLVES:

- XII. TO CALL on governments to follow internationally recognised standards, recommended practices, when introducing API systems;
- XIII. TO CALL on governments to give serious consideration to the global nature of the airline industry and to refrain from introducing API legislation that would place airlines in positions of conflict with local or foreign laws, including privacy rules where applicable;
- XIV. TO CALL on governments to ensure that interactive API systems, if introduced, are effective, accurate, and reliable, with quick response times, and seek to minimise the impact on passenger processing times, airport handling capacity, airline systems and other technical infrastructure; and



XV. TO REITERATE THE CALL on governments to refrain from imposing punitive penalties on airlines and their staff for non-compliance, and consider only administrative, not criminal, measures to enforce compliance.

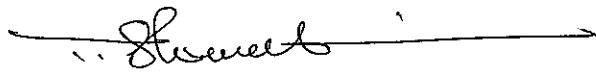
APPROVED this 17th day of November 2006.

Certified correct:



ANDREW HERDMAN
Director General

Attested by:



TOSHIYUKI SHINMACHI
AAPA Chairman – 2006