

Overview

API-PNR

Air Passenger Data include Advance Passenger Information (API), which refers to a passenger's identity such as full name, date of birth and nationality typically obtained from travel documents such as passports ("interactive API"); and Passenger Name Records (PNR), that are collected by airlines from passengers solely for their business purposes. PNRs normally contain several different types of information, such as travel dates, travel itinerary, ticket information, contact details, travel agent at which the flight was booked, means of payment used, seat number and baggage information. The data is stored in the airlines' reservation and departure control.

In February 2011 the European Commission published a legislative proposal for an EU PNR Directive as part of the wider agenda to better protect European citizens against security threats, such as terrorism or serious crime. A copy of the proposal can be found via the useful links below.

ERA acknowledges passengers' fear of data misuse, therefore it calls for airlines to keep their passengers fully informed and reassured that such data (after being transmitted to the relevant agencies) is then deleted.

Airlines also need to be aware of certain state legislations on the use of personal information due to the different and diverging requirements imposed by certain member states. This presents an additional problem for airlines whereby they may be requested to supply PNR data to a country without the required legislation. Any reluctance to pass such information on could result in the country preventing access to its airspace by that particular airline. As a result ERA urges all Governments in the EU to build and agree an affordable and workable passenger data system that crosses all legislative boundaries. However, any future development costs for such a system must not be imposed on the airlines (and passengers) by the implementing state(s).

ERA has been working closely with IATA to make sure that the following key instances are adopted in the revision process at EU level.

Scope of the Directive: ERA is against the inclusion of intra-EU flights in the scope of the EU PNR Directive. A comprehensive impact assessment analysis should be provided by the EU Institutions to show that the collection and processing of PNR data concerning intra-EU flights is compliant with the principle of proportionality. The new EU PNR Directive should be compliant with the principles of proportionality and necessity, limited in scope, respect fundamental rights and include strict data protection safeguards, as emphasized by the European Parliament's Civil Liberties Committee.

Cost of new PNR-related requirements: ERA supports any further clarifications by the trilogue negotiators regarding the issue of cost allocation. It must be recognised that while aviation is likely to remain a high profile terrorist 'target', in all cases, the state is the real target of the terrorist not the operators, therefore States should accept their responsibilities in the field of anti-terrorist security and, in particular, for funding.

International standards and fair competition: ERA maintains that PNR request should be based upon international data transfer standards as adopted by ICAO and the World Customs Organization (WCO). Any national patchwork on data requirements and transmission standards would result in confusion, potential inconsistencies between States and, ultimately, higher costs to airlines. Requirements should also be applied to all modes of transportation and without discrimination, in order to avoid distortion to intermodal competition and to ensure a higher level of security.

