



Department of Labour
TE TARI MAHI



THE DEPARTMENT OF INTERNAL AFFAIRS

Te Tari Taiwhenua

Bali Ministerial Process

Enabling Electronic Authentication of Travel Document Information

Wellington, New Zealand

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Lost, Stolen and Non Genuine Travel Document Survey Results

Responses

1. In total 18 countries responded to the survey including two observer countries¹. Seven of the 18 countries that responded replied to the last survey in 2005².

1. Japan*
2. New Zealand*
3. Samoa
4. Iraq
5. Bangladesh
6. The Republic of Korea*
7. Turkey*
8. Myanmar
9. Thailand*
10. Timor-Leste
11. Australia*
12. Indonesia
13. New Caledonia
14. Vanuatu
15. Republic of the Philippines*
16. Vietnam
17. Russian Federation**
18. Canada**

2. As with the 2005 survey the responses showed a substantial variation in practices for managing and handling passport and travel document information.

Responsible Agencies

3. Of the 18 respondents, responsibility for issuing passports and travel documents sits with the following agencies:

- The Ministry or Department of Foreign Affairs (seven countries)
- The Ministry or Department of Internal Affairs (three countries)

¹ These countries have been marked with an **.

² These countries have been marked with an *.

- The Immigration authority (four countries)
- The Ministry of the Interior (one country)
- The National Police (one country)
- The National Directory of Registries (one country)
- National Passport office (one country).

There were several countries that divide the issuing of passports and travel documents between two agencies, Timor-Leste uses different agencies for issuing diplomatic and standard travel documentation.

Passport Systems

4. Passport information is held electronically in 14 of the 18 respondent countries:
 - Iraq only has one class of passport in their database
 - Turkey hold their Travel Document information in a database offshore
 - While Bangladesh do not have a passport database they do have an immigration database accessible from ports that cover 92% of all border crossings.

Existing Arrangements

5. Nine countries share information on a regular/semi regular basis. The information is provided in a variety of mediums while most provide it in an electronic format, two of the respondents share the information in hardcopy (letter or fax).
6. Of the above nine, seven confirmed that they provide information to Interpol.
7. Two countries share a substantive component of their passport databases with each other. It is a requirement of the United States Visa waiver programme for eligible countries to provide a list of lost or stolen passports to the United States. There is one country that shares its lost stolen passport information in an electronic format via other agencies within their country.
8. Formal agreements to manage the exchange of immigration and passport information currently exist between:
 - New Zealand and Australia
 - New Zealand and the United States

- Pacific Forum members
 - Myanmar has arrangements with China, Lao and Thailand
 - Australia and United States
 - New Caledonia has arrangements with France
 - Australia and the Philippines
 - Indonesia and the Philippines
 - Malaysia and the Philippines.
9. Turkey has bilateral readmission agreements / protocols on illegal migrants with Ukraine, Romania, Greece, Syria and Kyrgyzstan.

Legislation

10. Identified legal barriers to providing lost and stolen passport information to other countries are³:
- Policy around the spread of computer viruses (one country)
 - Privacy issues / legislation (four Countries)
 - Official information legislation (one country)
 - Specific restrictions on the use / disclosure of passport information (two Countries).

Barriers to Collaboration

11. Identified barriers / issues were:
- IT system capability
 - Infrastructure issues (communications, power, etc...)
 - Need to have operational arrangements (24/7 response centres) to ensure that hits against supplied information are verified and are not the result of data errors or inaccuracies, and that genuine travellers are not inconvenienced unnecessarily
 - Support staff trained and in place
 - Connectivity issues
 - Insurgencies and terrorism.

Note: Many of these barriers existed the last time that the survey was completed while issues such as terrorism are new.

³ Several countries identified that there were restrictions but failed to elaborate on these in their survey response.

Issues

12. Resources are needed to fund and install immigration systems in some of the respondent countries so that they can have direct link to PTCCC and Interpol.
13. Iraq responded with the following objectives for their IT system developments:
 - A) Link Iraq with the International Information network regarding stolen, lost and non genuine travel documents
 - B) Link the Iraqi border crossing points with the Passport Department electronically for real time checks of travel documents
 - C) Link border crossing points together electronically and provide them with the information to handle unexpected circumstances.
14. Advanced Passenger Processing (APP) system and Advanced Passenger Information (API) system are expensive limiting viability of these systems for developing countries.
15. Myanmar needs effective equipment to share information and training to establish an information sharing system
16. One of the key features of RMAS is the RMAS "Broker". The Broker acts like a secure switchboard for routing queries from participants Border Management System to the passport database of another economy. Advantages of the Broker approach to accessing passport data are:
 - information is accessed, **not exchanged** protecting privacy and security of data concerns;
 - the information being accessed is up-to-date;
 - RMAS is supported by 24/7 operational support offices in each participating economy. The operational support offices enable each economy to respond to, investigate and resolve RMAS notifications with minimal disruption to existing business processes and minimises passenger inconvenience. They ensure that the data is accurate and that further information relevant to making an informed decision can be provided.
17. Indonesia agreed that having a kind of electronic system to exchange, or access, lost, stolen or non genuine travel document information was good as long as it also provided the method of exchanging information in a way that maintained that country's authority over said information. It also require reciprocal agreement on the information exchange.

18. Canada reported that as with many other countries Canadian laws protecting privacy and other human rights limit the extent to which personal information can be shared, subject to some exceptions for law enforcement and investigative purposes.
19. National laws commonly impose limits on internal information-sharing, and when personal information is shared with other countries, additional legal and practical concerns arise.
20. Limits and safeguards which apply to invasions of privacy in respect of the gathering of information often apply separately to any further disclosure or sharing of information, especially if this is for purposes which may extend beyond the purpose for which the information was initially gathered or subsequently retained, or if the information is transferred outside of the jurisdiction of the laws and courts charged with applying those safeguards.
21. Further concerns include the extent to which the State that initially gathered and shared the information is able to control subsequent transfers or uses of the information, and the need for safeguards to ensure that the information is accurate, especially where jurisdictional factors or practical circumstances make it difficult for persons identified by the information to become aware of errors and seek to have them corrected. Generally, these concerns become more acute as the information involved becomes more extensive and detailed.
22. Thus, for example, basic identity information about travel documents might be shared fairly easily, but when this discloses the possibility of specific criminal activity, the more detailed information needed to support investigations and gather evidence may be subject to mutual legal assistance requirements, additional human rights safeguards, and judicial oversight.
23. Modern communications technologies have made trans national information sharing, even on a secure basis, a relatively straightforward matter. Major challenges lie in ensuring that appropriate legal and practical safeguards are in place, and that they are used effectively, while at the same time not compromising the effective and efficient sharing of information.