



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Working Party on Customs Union

Subject: World Customs Organisation
1st Meeting of the Passenger Facilitation and Control Working Group
- Preparation of the position

Delegations will find in the Annex a document regarding the preparation of the positions concerning the WCO 1st Meeting of the Passenger Facilitation and Control Working Group:

Delegations are kindly requested to provide their written comments to the Presidency (fcp@reper-portugal.be) and the Secretariat (customs2B@consilium.europa.eu) by 31 March 2021, at 12:00, in the absence of which the positions will be deemed to be prepared.

DRAFT COORDINATION PAPER

WORLD CUSTOMS ORGANISATION

1st Meeting of the Passenger Facilitation and Control Working Group

(8 April 2021 - 9 April 2021, starting at 13.00 and ending 16.00)

I. Opening and adoption of the Agenda

- a) **Opening Remarks by the Secretary General, WCO**
- b) **Election of the Chair and the Vice-Chair**

No position is necessary

- c) **Adoption of the agenda (Doc: PF0001)**

Common position:

The EU and its Member States support the adoption of the agenda.

II. Developments and challenges in the Maritime passenger environment (no Doc)

There will be presentations from International Organizations on developments and challenges in the maritime passenger environment and how Maritime passenger movements might look in the future, and what would be key drivers and enablers to possible solutions.

- a) Presentation from International Maritime Organization (IMO)
- b) Presentation from International Association of Ports and Harbors (IAPH)
- c) Presentation from Cruise Lines International Association (CLIA)

Common position:

The EU and its Member States take note of the presentations.

III. Develop a Compendium of Best Practices (Cruise Ship Final Report Recommendation #1)

a) Results of WCO Maritime Passenger Survey (Doc: PF0002)

Following the Terms of Reference, the Working Group will commence by initiating work to deliver the recommendations outlined in the Cruise Ship Final Report (recommendation #1 to develop a Compendium of Best Practices and recommendation #2 to establish an API and PNR Data standard for cruise ships). In this Agenda Item, the Group is invited to take note of the results of WCO maritime passenger survey related to recommendation #1 and provide guidance on the way forward.

WCO Members are invited to share, under this agenda item, the conditions under which maritime passenger operations will recommence, challenges and their expectations of the new requirements, if any, and what the gaps have been found between 2019 and 2021 for maritime operations.

The Group should ensure that the needs of Customs administrations, specifically in relation to the safe operation of Cruise ships in the post COVID-19 travel environment, are prioritised and informed by best practices, including cooperation between Customs and relevant authorities.

Common position:

The EU and its Member States note that less than 22% of WCO Members have responded to the Survey. Therefore, it could be questioned whether the outcome is sufficiently representative for this issue. We also note that some WCO Members for whom the Cruise ship industry is important have not responded to the Survey. We would recommend that Members have another opportunity to respond to the Survey to get a more complete view.

(The EU Member States might wish to comment on the conditions under which maritime passenger operations will recommence in their territory.)

IV. Establish an API and PNR Data standard for cruise ships (Cruise Ship Final Report Recommendation #2)

a) Results of WCO Maritime Passenger Survey (Doc: PF0002)

Following the Terms of Reference, the Working Group will commence by initiating work to deliver the recommendations outlined in the Cruise Ship Final Report (recommendation #1 to develop a Compendium of Best Practices and recommendation #2 to establish an API and PNR Data standard for cruise ships). In this session, the Group is invited to take note of the results of WCO maritime passenger survey related to recommendation #2 and provide guidance on the way forward.

The Group should also ensure that the needs of Customs administrations, specifically in relation to the safe operation of Cruise ships in the post COVID-19 travel environment, are prioritised and informed by best practices, including cooperation between Customs and relevant authorities.

b) Presentation from the Private Sector

c) Presentation from United Nations Office of Counter-Terrorism(UNOCT)

Common position

The EU and its Member States take note of the presentations and of the discussions on the possible extension of PNR and API collection to maritime sector.

V. Bio-secure Borders (Doc: Green Paper bio secure borders)

The Working Group is invited to discuss the Customs role to support a coordinated and harmonised resumption of international travel in a bio-secure way to boost our domestic and global economic recoveries through travel and tourism.

The Group is also invited to discuss cooperating with other government agencies to include the passenger data related to vaccine status, vaccination type and date, COVID test status, travel history with the minimum number of fields for maritime passengers and interoperability with other modes of transport to the greatest extent possible (air, road, rail), with consideration of the existing purpose and use limitation of API and PNR and their definitions to include terrorism, serious transnational crime and pandemic.

- a) **Discussion on defining a [human] bio-secure border and how Customs supports resumption of international travel**
- b) **Presentations on international efforts to support bio-secure borders**
 - Presentation from World Health Organization (WHO) (TBC)**
 - Presentation from International Civil Aviation Organization (ICAO)**
 - Presentation from International Air Transport Association (IATA)**
- c) **Discussion on how Customs can support establishment of international standards for international bio-secure travel in coordination with partners**
- d) **Guiding Principles for Customs to Develop Data Standards for a Bio-secure Border**

Common position

The EU and its Member States take note of the presentations and of the discussion on passenger data and bio-secure travel.

VI. Draft Work Plan of the PFCWG

a) Draft Work Plan including the delivery of workshops (Doc: PF0003)

The PFCWG will discuss and guide the Draft Work Plan based on the Terms of Reference.

Common position:

The EU and its Member States have some comments as regards the Draft Work Plan.

According to the Draft Work Plan, 4x2 workshops are scheduled within a period of two years, with the second round of workshops being held face-to-face in a date to be determined if possible. The ToR for the Working Group states that “general administrative arrangements and provision of support services shall be the responsibility of the WCO Secretariat”, however we believe that the workshops goes beyond that. It is therefore recommend that the Secretariat clarify if they will be financed through the ECO budget for both the FY 2021/2022 and for 2022/2023.

As regards the way forward for the discussion on bio security, the EU and its Member States consider that this issue is both relevant to this WG and to the API/PNR Contact Committee, so there should be a mechanism that ensures that both of them are involved in the discussions. For this reason, none of the three options proposed provide us with a satisfactory solution as none of them involve this WG and the API/PNR Contact Committee. We agree that if this WG is going to deal with bio secure borders, then we would need to amend the ToR.

b) Engagement with other international organizations

Common position:

The EU and its Member States regret that a working document has not been produced for this particular agenda Item as this would have facilitated the discussion.

The EU and its Member States welcome the engagement with other international organizations. However, we would like to receive further details about how and with whom the WCO and this WG is going to engage.

VII. Possible agenda items for the 2nd Meeting of the PFCWG

The Group is invited to make recommendations on agenda items for the 2nd Meeting of the PFCWG that will be held back to back with the API-PNR Contact Committee in the Fall 2021.

No position is necessary

VIII. Closing

No position is necessary