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**NOTE**

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from:	General Secretariat
to:	Working Party on Frontiers/Mixed Committee (EU/Iceland and Norway)
No. prev. doc. :	7988/03 FRONT 34 COMIX 205
Subject :	<b>Analysis of the replies to the questionnaire on the procedures for checking passengers on private flights</b>

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Delegations will find attached an analysis of contributions contained in the compilation of replies to the above-mentioned questionnaire 7988/03 FRONT 34 COMIX 205.

**1. Is a flight manifest lodged with the airport border authorities of your country on the arrival or departure of a private aircraft? If so, is the itinerary disclosed in full (airport of initial provenance- intermediate airports- airport of destination), together with the identity details of the passengers?**

Several Member States expressed difficulties in answering the first two questions due to the absence of a common definition of "Flight Manifest" and "General Manifest". Some Member States thought that they were two separate documents but others considered them to be one and the same. Some Member States have totally different names for such documents: Flight Plan, Traffic Form, Attachment's Operator Declaration etc.

The Flight Manifest is not submitted to border control authorities in the following countries: the Netherlands, Denmark, Luxembourg, Ireland and Spain.

With regard to the content of the Flight Manifest, a distinction can be made between countries where the Flight Manifest provides the itinerary and identity details on passengers (Spain, United Kingdom and Iceland) and other countries where the Flight Manifest only gives details of the itinerary but not on passengers' identity (Belgium, Germany, Greece, Finland, Italy, Ireland, Luxembourg, the Netherlands, Sweden and Norway).

**2. Is the drawing up and lodging by the captain of a General Manifest mandatory or voluntary?**

Mandatory: Spain, Greece, Belgium, Sweden, France, Denmark, Iceland and Norway

Voluntary: Ireland, the Netherlands and Finland

In Luxembourg it is only mandatory to draw it up, not to lodge it.

The United Kingdom reported that it should be mandatory but it is not always completed in full.

In Italy, flights are divided into IFR (instrumental flight i.e. flight supported by instrumentation) and VFR (visible flights). The drawing up and lodging by the captain of a General Manifest is mandatory only for IFR Flights, VFR have to present "flight notification".

**3. Are the identity details of the passengers cross-checked with those referred to in the General Manifest?**

Answers to this question refer to question 1 insofar as the Flight Manifest or General Manifest does not systematically contain information on passengers' identity. Consequently, countries where identity details are cross-checked with those given in the General Manifest are: Spain, United Kingdom, Greece, Iceland and Norway.

**4. Which body is responsible in your country for informing the competent border authorities of the arrival of private aircraft?**

<b>Ireland, Netherlands, Norway</b>	Airport Authorities
<b>Italy</b>	The National Flight Assistance Bureau
<b>Finland</b>	The Finnish Civil Aviation Authority
<b>Spain</b>	Aeropuertos Españoles y Navegación Aérea
<b>Greece, Belgium</b>	Handling company
<b>UK</b>	No central body; the port of arrival notifies the relevant border agencies
<b>Germany</b>	- At <b>commercial airports</b> the information is provided electronically by the air traffic controller - At <b>airfields and landing places</b> this is the responsibility of the locally responsible air traffic controller
<b>Sweden</b>	The pilot sends the flight manifest to the Aviation Board in advance, it is then forwarded to customs and the station master of the airport, who then informs the police authority
<b>France</b>	"les gestionnaires d'aéroports et les autorités préfectorales compétentes pour l'aéroport concerné"
<b>Denmark</b>	Only the Danish Police are authorised to carry out border control
<b>Luxembourg</b>	No authority responsible. However all general aviation plans are available from Luxembourg Airport Administration's air navigation bureau/ Aeronautical Information Service

**5. Are the competent border authorities of your country aware of the arrival of a private flight before the aircraft lands at the airport, or are they informed of it only when the aircraft approaches the special parking area for private aircraft?**

In most cases the competent borders authorities are informed of the arrival of a private aircraft **before it lands**. This is the case in Italy, Finland, Spain, Greece, United Kingdom, Germany, Belgium, Ireland, Sweden and Denmark, Norway and Iceland.

In the Netherlands and France, larger airports receive advance notice of the arrival of private aircraft but this is not always the case for smaller airports.

In Luxembourg, border control authorities are only informed **after the plane** has landed

**6. Are there difficulties in labelling such flights (intra or extra Schengen)? If so, what are the exact difficulties and to what extent do they affect checks on passengers?**

The majority of Member States do not face any difficulties in determining the provenance of a private flight.

However, the main difficulty encountered by some Member States (the Netherlands, Belgium, Sweden) and Iceland occurs when an "extra-Schengen" private flight has made a previous stop within the Schengen area (e.g; for technical reasons, refuelling, but without disembarkation of passengers). In these cases it may be difficult to know whether controls have been carried out or not.

The question does not apply to the United Kingdom and Ireland as they are outside the Schengen free movement area, in these two countries all incoming aircraft are subject to immigration checks.

**7. Give your views or suggest any measures which could be taken additionally at European Union level in order to improve the effectiveness of checks carried out on passengers on such flights.**

From the answers given by Member States, three main difficulties, closely linked to each other, can be identified:

- the absence of details concerning passengers' identity in the Flight Manifest,
- the non systematic transmission of the Flight Manifest to border control authorities,
- the difficulty in labelling "intra" or "extra" -Schengen flights in case of stop-overs.

In order to solve the above-mentioned difficulties, the majority of Member States suggested increasing the transmission of information by:

- making it compulsory (France, Luxembourg, Norway, Sweden, Iceland)
- establishing a common model for a Flight Manifest at European level (France); this could be similar to the system of documents used for Maritime Transport, e.g. the IMO/FAL forms 5 and 6 (Belgium).
- improving the labelling of "intra" or "extra Schengen" flights: Luxembourg suggests that, when a private flight coming from a non-Schengen country has landed, airport authorities affix an entry stamp in the aircraft journey log book, after checking the crew and passengers. For the UK, this problem could be solved by having access to the information of the Control Flight Monitoring Unit at Eurocontrol in Brussels

Germany pointed out that it had issued supplementary instructions at national level to solve these problems. It therefore sees no need for such a directive to be drawn up.

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