49th Conference of DGCAs
Asia and Pacific Regions
New Delhi, India
8 – 12 October 2012

AGENDA ITEM 7:
AVIATION SECURITY

Boubacar Djibo
Director, Air Transport Bureau
International Civil Aviation Organization

CHICAGO CONVENTION

CHICAGO CONVENTION

Preamble
WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, its abuse can become a threat to the general security; and;

ICAO policies related to unlawful interference
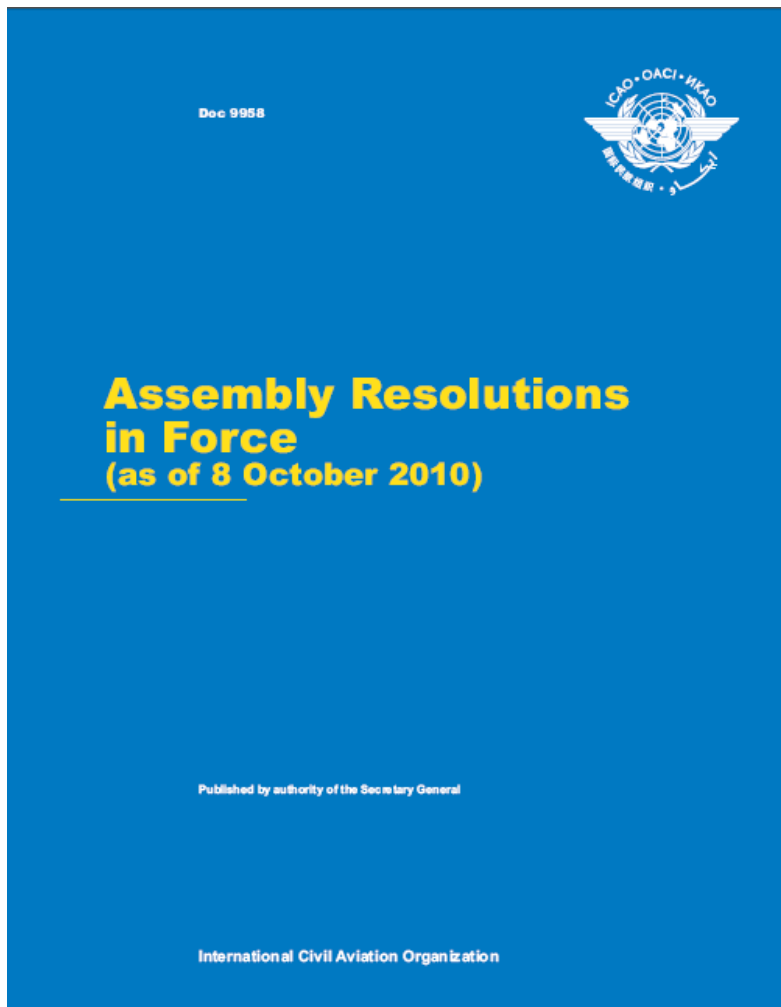
Annex 17 to the Convention on International Civil Aviation
Security - Safeguarding International Civil Aviation against Acts of Unlawful Interference

A37-17: Consolidated statement on the continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference Appendices:

ANNEXE 17 - Security

Security - Safeguarding International Civil Aviation against Acts of Unlawful Interference

The dramatic increase in crimes of violence which adversely affected the safety of civil aviation during the late 1960's, resulted in an Extraordinary Session of the ICAO Assembly in June 1970.

One of the resolutions of that Assembly called for specifications in existing or new Annexes to the Chicago Convention to specifically deal with the problem of unlawful interference, in particular with unlawful seizure of aircraft.

Of critical importance to the future of civil aviation and to the international community at large are the measures taken by ICAO to prevent and suppress all acts of unlawful interference against civil aviation throughout the world.

Security - Safeguarding International Civil Aviation against Acts of Unlawful Interference

Annex 17 is primarily concerned with administrative and co-ordination aspects, as well as with technical measures for the protection of the security of international air transport, requiring each Contracting State to establish its own civil aviation security programme with such additional security measures as may be proposed by other appropriate bodies.

Annex 17 also seeks to co-ordinate the activities of those involved in security programmes. It is recognized that airline operators themselves have a primary responsibility for protecting their passengers, assets and revenues, and therefore States must ensure that the carriers develop and implement effective complementary security programmes compatible with those of the airports out of which they operate.

ICAO policies related to unlawful interference

A37-17: Consolidated statement on the continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference Appendices:

APPENDIX A - General policy
APPENDIX B - International legal instruments, enactment of national legislation and conclusion of appropriate agreements for the suppression of acts of unlawful interference with civil aviation
APPENDIX C - Implementation of technical security measures
APPENDIX D - Action of States concerned with an act of unlawful interference
APPENDIX E - The ICAO Universal Security Audit Programme
APPENDIX F - Assistance to States in establishing aviation security oversight capacity for the protection of international civil aviation
APPENDIX G - Action by the Council with respect to multilateral and bilateral cooperation in different regions of the world
APPENDIX H - International and regional cooperation in the field of aviation security

High-level Conference on Aviation Security
Montréal, 12-14 Sept. 2012

- Over 700 participants (including 24 Ministers) from 132 States and 23 international and regional organizations

- Ministerial participation sent clear signal to the world: ICAO continues to address aviation security risks as highest priority

- Strong commitment to improve the effectiveness of aviation security while maintaining the balance between the needs of facilitation and efficiency eg peak hour and time spent by passengers in the terminal

Conference Communiqué provides 20-point blueprint for global action

- Calls for risk-based, outcome-focused approaches

- Supports establishment of Risk Context Statement

- Sets out framework for enhancing air cargo/mail security

- Addresses insider threat by strengthening Annex 17

- Encourages sharing of USAP results in secure manner

- Encourages partnership agreements for the delivery of capacity-building activities

- Encourages the exploration of mutual recognition eg US-Canada for passenger screening; US-EU for cargo

www.icao.int/meetings/avsecconf/

AIR CARGO SECURITY

Key policy developments and initiatives

- Amendment 13 to Annex 17 – *Security* to be proposed in 2013

- Guidance material: 9th Edition of *Aviation Security Manual* to appear in 2014

- Meetings of the Working Group on Air Cargo Security

AIR CARGO SECURITY (cont.)

Collaborative initiatives

- ICAO-WCO cooperation covers security, facilitation and Dangerous Goods

- ICAO-WCO joint publication on air cargo facilitation

- ICAO-WCO pilot projects in the Asia and Pacific Region: training *and* alignment of Customs and security measures and regulatory procedures

- ICAO-UPU efforts on mail security standards

- Joint Conference on Enhancing Air Cargo Security and Facilitation (Singapore, 5-6 July 2012)

- Joint Conference on Enhancing Air Cargo Security and Facilitation (Venue to TBC, Oct/Nov 2013)

- Inputs from the Industry: IATA, ACI, TIACA

- EU-US security agreement which allows cheaper and faster air cargo operations

Through the MRTD Programme, ICAO:

- Produces standardized and interoperable specifications for the issuing and verifying travel documents, including ePassports

- Supports effective document inspection procedures and data applications such as API, PNR, and "trusted" or "expedited" traveller programmes

- Contributes to *both* facilitation and aviation security

- Assists States with MRTD-related capacity-building activities

Public Key Directory

ICAO PKD is the most efficient mechanism for distributing public keys required to verify and authenticate ePassports

UNIVERSAL SECURITY AUDIT PROGRAMME

- Second Cycle of USAP audits 2008 to 2013

- 29 audits in APAC conducted as of 1 October 2012

- Average Lack of Effective Implementation of the Critical Elements of an aviation security system (LEI) in APAC is 34.48%

- Highest LEIs in the areas of:
  - Quality control obligations (52.77%);
  - Resolution of security concerns (47.08%); and
  - Certification and approval obligations (40.60%)
  - **Conclusion: there is much room for improvement**

UNIVERSAL SECURITY AUDIT PROGRAMME (cont.)

- Second cycle of USAP audits completed by end of 2013

- USAP is evolving to a continuous monitoring approach (USAP-CMA)

- Will incorporate elements of continuous monitoring and a risk-based approach

- Transition to the USAP-CMA to be complete by end 2014 – full implementation beginning in early 2015

ICAO AVIATION SECURITY ASSISTANCE AND CAPACITY BUILDING STRATEGY

New approach to assistance and capacity building approved May 2011:

- Cohesive and coordinated ICAO-wide approach
- Disciplined focus on States in greatest need
- Updated assistance offerings to respond to evolving needs and circumstances
- Stronger engagement of partners and regional mechanisms
- New accountability mechanisms focused on sustainable results

NEW STRATEGIC OBJECTIVE
## Security *and Facilitation*

This Strategic Objective reflects the need for ICAO's leadership in aviation security, facilitation and related border security matters

- **Key Security activities**:
    - AVSEC policy and regulatory framework
    - FAL policy and regulatory framework
    - Compliance oversight
    - Assistance and capacity building
    - Travel document security and facilitation (Visa, MRTD, PNR, API, PKD)
- Facilitation focuses on efficient management of border control processes to expedite clearance and prevent unnecessary delays for passengers and cargo (New Challenge: E-freight)

ICAO policies related to unlawful interference
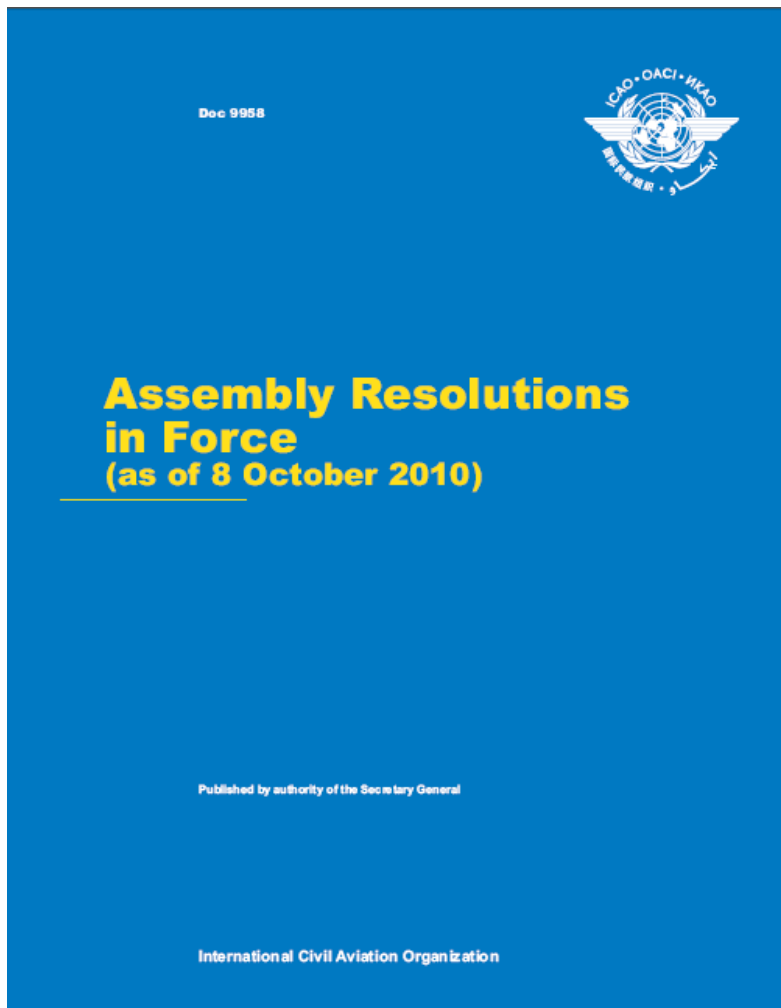
ANNEXE 9
to the Convention on
International Civil Aviation
Facilitation

A37-17: Consolidated statement on the continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference Appendices:

ANNEXE 9 – Facilitation

Chicago Convention related articles.

Article 37 obliges ICAO to adopt and amend from time to time international standards and recommended practices and procedures dealing with, *inter alia*, customs and immigration procedures.

Article 22 obliges each Contracting State to adopt all practicable measures to facilitate and expedite navigation by aircraft between the territories of Contracting States, and to prevent unnecessary delays to aircraft, crews, passengers, and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.

Article 23 of the Convention expresses the undertaking of each Contracting State to establish customs and immigration procedures affecting international air navigation in accordance with the practices established or recommended pursuant to the Convention.

Chicago Convention

Other relevant articles

Article 10, which requires all aircraft entering the territory of a Contracting State to land at, and depart from, an airport designated by that State for customs and other examination; *Article 13*, which require compliance of a Contracting State's entry, clearance, immigration, passports, customs and quarantine laws and regulations, by or on behalf of passengers, crew or cargo;
Article 14, which obliges each Contracting State to take effective measures to prevent the spread by means of air navigation of communicable diseases; and
Article 24 (customs duty),
Article 29 (documents carried in aircraft) and
Article 35 (cargo restrictions).

- **New York Times 04 October 2012**

- The familiar drudgery was under way along the security line at JFK Airport on a recent afternoon. Shoes were fumbled off feet, laptops unearthed from satchels and belts tugged from their loops. But mostly people waited, shuffled and waited as they wound their way to the front of the line. But one couple had a different experience. Pushed along in the wheelchairs each airline provides by request, they whizzed past the line to a specially designated and briskly efficient Transportation Security Administration screener. Once cleared, the woman suddenly sprang up from her wheelchair, hoisted two huge carry-on bags from the magnetometer's conveyor belt and plopped back in the wheelchair. She gave a nod to the person pushing her, and they rolled off to the gate. In the modern airport experience, where the tedium of long lines, sudden delays and ever-more-invasive security checks is the norm, little can be done to avoid the frustrations increasingly endemic to travel. So it may be an expected, if uncomfortable, fact that some travelers appear to exploit perhaps the only remaining loophole to a breezy airport experience — the line-cutting privileges given to people who request airport wheelchairs, for which no proof of a disability is required.

Thank You, Merci, Shukran, Spasiba, Xie Xie, Gracias