

USAP-CMA REGIONAL SEMINAR

STUDENT HANDOUTS

Module 4

Critical Elements of a State's Aviation Security Oversight System

ICAO Member States, in their effort to establish and implement an effective civil aviation security oversight system, need to consider the critical elements (CEs) for aviation security oversight, which are required for the effective implementation of security-related policies and associated procedures. States are expected to implement the CEs in a way that assumes shared responsibility among government entities, with a management role provided by the appropriate authority for aviation security. The effective implementation of the CEs is an indication of a State's capability for security oversight. ICAO has identified and defined the following CEs of a State's civil aviation security oversight system:

ICAO has identified and defined the following CEs of a State's civil aviation security oversight system in the ICAO Doc 9734, Oversight Manual, Part C - The Establishment and Management of a State's Aviation Security Oversight System:

CE-1. *Primary aviation security legislation.* The provision of a comprehensive and effective legislative framework, consistent with the environment and complexity of the State's civil aviation operations, to effect the establishment and implementation of the State's aviation security policies and requirements in conformance with Annex 17 SARPs and security-related provisions contained in other Annexes to the Chicago Convention.

CE-2. *Aviation security programmes and regulations.* The provision of necessary national-level programmes and adequate regulations to address, at a minimum, national requirements emanating from the primary aviation security legislation and providing for standardized implementation procedures, equipment and infrastructures (including security management and training systems) in conformance with Annex 17 SARPs and security-related provisions contained in other Annexes to the Chicago Convention.

Note.— The term “regulations” is used in a generic sense to include policies, requirements, rules, instructions, edicts, directives, orders, etc., that are enforceable in the State. The specific status given to a regulation when it is applied within the State and the penalty assigned in the event of non-compliance are internal matters subject to the discretion of individual States, taking into account their responsibilities under the Chicago Convention.

CE-3. *State appropriate authority for aviation security and its responsibilities.* The designation of an appropriate national authority for aviation security supported by appropriate technical and non-technical staff and provided with adequate financial resources. The State appropriate authority must have aviation security regulatory functions, objectives and policies. This element also includes the definition and allocation of tasks and coordination of activities between government agencies and airport-level entities concerned with or responsible for the implementation of various aspects of the NCASP, as well as arranging for the supporting resources and facilities required for aviation security to be available at airports serving civil aviation.

CE-4. *Personnel qualifications and training.* The establishment of minimum knowledge and experience requirements for the technical personnel performing aviation security oversight functions and the provision of appropriate training to these personnel to maintain and enhance their competence at the desired level. The training should include initial, on-the-job and recurrent training. This element also includes the provision of training to entities involved in the implementation of applicable aviation security requirements, measures and procedures.

Note.— The technical personnel may be from an organization engaged by the appropriate authority to provide State oversight functions on its behalf.

- CE-5.** *Provision of technical guidance, tools and security-critical information.* The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and security-critical information, as applicable, to the technical personnel to enable them to perform their aviation security oversight functions in accordance with established requirements and in a standardized manner. This element also includes the provision of technical guidance by the appropriate authority to entities responsible for the implementation of applicable aviation security requirements, measures and procedures.
- CE-6.** *Certification and approval obligations.* The implementation of processes and procedures to ensure that personnel and entities performing an aviation security activity meet the established requirements (such as certification systems for security screeners and aviation security instructors, and a system to ensure that entities responsible for the implementation of security measures and procedures have established security programmes consistent with all relevant national requirements) before they are allowed to conduct the relevant activity.
- CE-7.** *Quality control obligations.* The implementation of processes, such as audits, inspections, surveys and tests, to proactively ensure that entities authorized and/or approved to perform an aviation security activity continue to meet the established requirements and operate at the level of competency and security required by the State. This includes the monitoring of designated personnel who perform security oversight functions on behalf of the appropriate authority.
- CE-8.** *Resolution of security concerns.* The implementation of processes and procedures to resolve identified deficiencies impacting aviation security, which may have been residing in the aviation security system and have been detected by the appropriate authority or other appropriate bodies. This includes the ability to analyse security deficiencies, provide recommendations, support the resolution of identified deficiencies by implementing follow-up procedures to validate the effective implementation of corrective actions, as well as take enforcement action when appropriate.