



INTERNATIONAL CIVIL AVIATION ORGANIZATION
ORGANISATION DE L'AVIATION CIVILE INTERNATIONALE
ORGANIZACIÓN DE AVIACIÓN CIVIL INTERNACIONAL
МЕЖДУНАРОДНАЯ ОРГАНИЗАЦИЯ ГРАЖДАНСКОЙ АВИАЦИИ
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URGENT - For immediate attention

Ref.: SD 35/1-01/117

29 November 2001

Subject: Invitation to High-level, Ministerial
Conference on Aviation Security, Montreal,
19 and 20 February 2002

Action required: Reply concerning attendance
by 11 January 2002

Sir/Madam,

1. I have the honour to invite your Government/Organization to a High-level, Ministerial Conference on Aviation Security which the ICAO Council is convening at ICAO Headquarters in Montreal on Tuesday, 19 and Wednesday, 20 February 2002.
2. The Conference flows from the 33rd Session of the ICAO Assembly (Montreal, 25 September to 5 October 2001) which, in the wake of the 11 September terrorist attacks in the United States, adopted Resolution A33-1, *Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation*, a copy of which appears as Attachment A to this letter.
3. Pursuant to Resolution A33-1, the Conference is aimed at "preventing, combatting and eradicating acts of terrorism involving civil aviation". To this end the Conference is expected to:
 - a) reaffirm the responsibility of States to provide aviation security for their territories;
 - b) endorse an ICAO Plan of Action for Strengthening Aviation Security, including proposals for an ICAO security audit programme;
 - c) adopt a financial and human resource plan to this end, identify resources for remedial action in States, and obtain specified commitments by governments, international organizations and industry; and

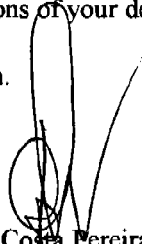
- d) consider the industry and consumer impact of the events of 11 September and adopt a public message to promote restoration of confidence and revitalization in international air transport.

The Agenda for the Conference appears at Attachment B.

4. All ICAO Contracting and non-Contracting States are invited to the Conference. Invitations are being directed at ministerial level. At the discretion of States, delegations might include transport and/or other ministers and, as required and at high level, advisers in the fields of civil aviation, security, postal services, finance, law, etc. The delegation should have the authority to make policy commitments and, to the extent possible, financial pledges.
5. A number of international organizations with direct involvement in aviation security are also being invited to participate as Observers, preferably with head of delegation at the chief executive level and also with authority to make commitments on behalf of their organizations and its members.
6. Finally a number of financial institutions are also being invited as Observers with a view to their assistance in identifying sources and channels for financing enhanced aviation security.
7. The Conference will work in the Arabic, Chinese, English, French, Russian and Spanish languages. Documentation will be action oriented. Working papers prepared by the Secretariat are expected to form a sound basis for deliberations and will address all agenda items. Every effort will be made to have these papers distributed by 24 January 2002. Papers from participants should be brief and focussed; they will not be introduced at the meeting but will be distributed, in all working languages for papers from States and in the language(s) of submission for papers from Observers, if they are received at Headquarters by 7 February 2002.
8. There will be no opening statements. If delegations wish to provide statements in writing, they will be distributed in the language(s) of submission. Interventions from the floor will be encouraged during the substantive discussions, but will need to be brief to allow for broad participation and the determination of a consensus.
9. The Secretariat will prepare brief summaries of discussions during the Conference for information purposes only. Draft conclusions and recommendations will be included in the advance Secretariat papers and, as approved, will be reissued as the Conference proceeds or immediately following the Conference. A brief report of the Conference, focussing on the conclusions and recommendations, will be prepared for dissemination and for consideration by the Council during its 165th Session (which closes on 15 March 2002).
10. The Conference will commence promptly at 0930 hours on Tuesday, 19 February. Registration and other facilities of the Organization will be available for delegates on Monday, 18 February, including some conference rooms as may be required for informal consultations. Further information on the Conference, including timetable, visa requirements, credentials, registration and conveniently located hotels, can be obtained from the ICAO web site situated at www.ICAO.int, and will be frequently updated as required.

11. I would appreciate your confirming to me as early as possible and in any event not later than **11 January 2002**, your attendance at this Conference and the names and functions of your delegates.

Accept, Sir/Madam, the assurances of my highest consideration.



R.C. Costa Pereira
Secretary General

Enclosures:

- A — Assembly Resolution A33-1, *Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation*
- B — Agenda for the High-level, Ministerial Conference on Aviation Security

ASSEMBLY RESOLUTION A33-1

A33-1: Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation

Witnessing the abhorrent terrorist acts which occurred in the United States on 11 September 2001 resulting in the loss of numerous innocent lives, human suffering and great destruction;

Expressing its deepest sympathy to the United States, to the more than seventy other States worldwide which lost nationals and to the families of the victims of such unprecedented criminal acts;

Recognizing that such terrorist acts are not only contrary to elementary considerations of humanity but constitute also use of civil aircraft for an armed attack on civilized society and are incompatible with international law;

Recognizing that the new type of threat posed by terrorist organizations requires new concerted efforts and policies of cooperation on the part of States;

Recalling its Resolutions A22-5, A27-9 and A32-22 on acts of unlawful interference and terrorism aimed at the destruction of civil aircraft in flight;

Recalling United Nations General Assembly Resolution 55/158 on *measures to eliminate international terrorism* and United Nations Security Council Resolutions 1368 and 1373 on *condemning and combatting international terrorism*;

The Assembly:

1. *Strongly condemns* these terrorist acts as contrary to elementary considerations of humanity, norms of conduct of society and as violations of international law;

Solemnly

2. *Declares* that such acts of using civil aircraft as weapons of destruction are contrary to the letter and spirit of the *Convention on International Civil Aviation*, in particular its preamble and Articles 4 and 44, and that such acts and other terrorist acts involving civil aviation or civil aviation facilities constitute grave offences in violation of international law;

3. *Urges* all Contracting States to ensure, in accordance with Article 4 of the Convention, that civil aviation is not used for any purpose inconsistent with the aims of the *Convention on International Civil Aviation*, and to hold accountable and punish severely those who misuse civil aircraft as weapons of destruction, including those responsible for planning and organizing such acts or for aiding, supporting or harbouring the perpetrators;

4. *Urges* all Contracting States to strengthen cooperation in order to assist in the investigation of such acts and in the apprehension and prosecution of those responsible and to ensure that those who participated in these terrorist acts, whatever the nature of their participation, find no safe haven anywhere;

5. *Urges* all Contracting States to intensify their efforts in order to achieve the full implementation and enforcement of the multilateral conventions on aviation security, as well as of the ICAO Standards and Recommended Practices and Procedures (SARPs) relating to aviation security, to monitor such implementation, and to take within their territories appropriate additional security measures commensurate to the level of threat in order to prevent and eradicate terrorist acts involving civil aviation;

6. *Urges* all Contracting States to make contributions in the form of financial or human resources to ICAO's AVSEC mechanism to support and strengthen the combat against terrorism and unlawful interference in civil aviation; *calls on* Contracting States to agree on special funding for urgent action by ICAO in the field of aviation security referred to in paragraph 7 below; and *directs* the Council to develop proposals and take appropriate decisions for a more stable funding of ICAO action in the field of aviation security, including appropriate remedial action;

7. *Directs* the Council and the Secretary General to act urgently to address the new and emerging threats to civil aviation, in particular to review the adequacy of the existing aviation security conventions; to review the ICAO aviation security programme, including a review of Annex 17 and other related Annexes to the Convention; to consider the establishment of an ICAO Universal Security Oversight Audit Programme relating to, *inter alia*, airport security arrangements and civil aviation security programmes; and to consider any other action which it may consider useful or necessary, including technical cooperation; and

8. *Directs* the Council to convene, at the earliest date, if possible in the year 2001, an international high-level, ministerial conference on aviation security in Montreal with the objectives of preventing, combatting and eradicating acts of terrorism involving civil aviation; of strengthening ICAO's role in the adoption of SARPs in the field of security and the audit of their implementation; and of ensuring the necessary financial means as referred to in paragraph 6 above.

**HIGH-LEVEL, MINISTERIAL CONFERENCE
ON AVIATION SECURITY**

Montreal, 19 and 20 February 2002

AGENDA

1. INDUSTRY AND CONSUMER IMPACT

ANTICIPATED ACTION BY THE CONFERENCE: *Appreciation of the potential social and economic benefits of restoring health and confidence in air travel worldwide through enhanced security measures and other remedial action.*

1.1 **Assessment.** The Conference will consider a global analysis of recent significant downturns in air transport and air carrier revenues along with increased costs and uncertainty, and the consequential effects on service providers and other civil aviation suppliers and distributors, on international business, on trade and tourism, and on economies at large.

1.2 **Remedial action.** The Conference will be apprised of security and economic measures already in hand by governments to restore confidence in air travel and to restore short-term health and assure longer-term health to the air transport industry.

**2. ICAO PLAN OF ACTION FOR STRENGTHENING
AVIATION SECURITY**

ANTICIPATED ACTION BY THE CONFERENCE: *Endorsement of the ICAO Plan of Action and reaffirmation of the responsibility of States.*

2.1 **Concept.** The Conference will review the plan under development by the Council of ICAO regarding the identification and analysis of new, emerging and potential threats to civil aviation, strategy to deal with the threats, modular application (for example, airport terminal, airside, air traffic control, aircraft design, cabin, cockpit, etc.) and prioritization of actions.

2.2 **Role of States.** The Conference will reaffirm the responsibility of States to comply with ICAO Standards and to provide adequate security at their airports and for the provision of air navigation services, and will consider means of assuring security where the provision of airports and air navigation services is delegated or contracted out.

2.3 **Partnership.** The Conference will be advised of proposals for strengthened partnership on aviation security matters between aviation and other authorities, and between government and industry, including global, inter-regional and regional cooperation and the role and activities of ICAO at each of these geographic levels.

2.4 **Actions already in hand.** The Conference will be advised of actions by ICAO to: review legal instruments; enhance Annex 17 — *Security — Safeguarding International Civil Aviation against Acts of Unlawful Interference* to the *Convention on International Civil Aviation* and introduce or strengthen security-

related provisions in a wide range of the other Annexes to the Convention, place additional emphasis on the Aviation Security (AVSEC) Mechanism, notably in the undertaking of security assessments as a precursor to full security audits; expedite work on Machine Readable Travel Documents (MRTDs), biometric identification and travel document security and on improving border security systems; review certain Procedures for Air Navigation Services (PANS); revise a range of ICAO manuals and other guidance material; further develop Standardized Training Packages (STPs) and Aviation Security Training Packages (ASTPs), training programmes, workshops and seminars.

3. ICAO SECURITY AUDIT PROGRAMME

ANTICIPATED ACTION BY THE CONFERENCE: *Endorsement of an ICAO security audit programme with agreed parameters and including procedures to assist States in taking remedial action, for incorporation in the ICAO Plan of Action for Strengthening Aviation Security.*

3.1 **Audit.** The Conference will consider the concept of an ICAO security audit programme including its nature (selective or universal, voluntary or mandatory, frequency and depth), possible scope of application (for example, audit of national AVSEC arrangements and civil aviation security programmes, including assessment of security arrangements of airport and air navigation services providers as required, elements for application to domestic operations as in the case of international operations), and the issues of jurisdiction, audit evaluation, confidentiality and appropriate response by third parties.

3.2 **Remedial action.** The Conference will consider procedures for assisting States in taking remedial action, for deficiencies identified by audits through further strengthening of the AVSEC Mechanism and other follow-up as required, including technical cooperation.

4. FINANCIAL AND HUMAN RESOURCES

ANTICIPATED ACTION BY THE CONFERENCE: *Adoption of a financial and human resource plan for ICAO activities and identification of resources for remedial action in States, with specified commitments by governments, international organizations and industry as well as encouragement for further contributions.*

4.1 **ICAO financial and human resource plan.** The Conference will review a plan designed to ensure the necessary short-term and stable long-term resources for any agreed additional ICAO activities (encompassing regional enhancements) including budgeting options for strengthening security provisions and partnership (Item 2 above) and for security audit (Item 3.1 above), taking into account the related provisions in the *Programme Budget of the Organization for 2002, 2003 and 2004* and supplementary provisions including the AVSEC Mechanism.

4.2 **Security charges.** The Conference will review the Council's policy on the recovery of security costs contained in Doc 9082/6, *ICAO's Policies on Charges for Airports and Air Navigation Services* and consider the sources and availability of financial and human resources for security projects at the national and regional level, including the use of security charges to fund specific projects and institutional funding (for example, by development banks).

4.3 **ICAO assistance to States for remedial action.** The Conference will consider resource channels including the AVSEC Mechanism, technical cooperation (including the ICAO Objectives Implementation Mechanism) and the potential extension to aviation security of the International Financial Facility for Aviation Safety (IFFAS).

4.4 **Pledging of resources.** The Conference will seek immediate pledges in terms of funding and contributions in kind for the ICAO financial and human resource plan and its various budgeting options, and encourage subsequent voluntary donations from States, international organizations and industry both for the ICAO plan and for assistance to States for remedial action.

5. **CONFERENCE DECLARATION**

ANTICIPATED ACTION BY THE CONFERENCE: *Adoption of a public message to reflect the outcome of the Conference and promote restoration of confidence and revitalization in international air transport.*

— END —