

Annex 17 to the Convention on International Civil Aviation

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. Following the work of the Air Navigation Commission, the Air Transport Committee, and the Committee on Unlawful Interference, Standards and Recommended Practices on Security were adopted by the Council on 22 March 1974 and designated as Annex 17 – Security. This Annex sets out the basis for the ICAO civil aviation security programme and seeks to safeguard civil aviation and its facilities against acts of unlawful interference. 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.

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.

Some of the specifications in Annex 17 and the other Annexes recognize that it is not possible to achieve absolute security. States must ensure, nevertheless, that the safety of passengers, crew, ground personnel and the general public is a primary consideration in the safeguarding action which they initiate. States are also urged to adopt measures for the safety of the passengers and crew of unlawfully diverted aircraft until their journey can be continued.

The Annex is maintained under constant review to ensure that the specifications are current and effective. Because this document sets minimum standards for aviation security worldwide, it is subjected to careful scrutiny before undergoing any changes, additions or deletions. Since its publication, Annex 17 has been amended ten times in response to needs identified by States and is kept under review by the Aviation Security (AVSEC) Panel. This group of experts appointed by the Council includes representatives from Argentina, Australia, Belgium, Brazil, Canada, Ethiopia, France, Germany, Greece, India, Italy, Japan, Jordan, Mexico, Nigeria, the Russian Federation, Senegal, Spain, Switzerland, the United Kingdom and the United States, as well as international organizations such as the Airports Council International (ACI), the International Air Transport Association (IATA), the International Federation of Airlines Pilots Association (IFALPA) and the International Criminal Police Organization (ICPO-INTERPOL).

Prior to 1985, the significant threat to civil aviation was seen as the hijacking. As a result, the Standards and Recommended Practices tended to focus on hijacking rather than sabotage, in-flight attack or facility attack. By modifying existing technology and applying agreed upon specifications and procedures, the worldwide aviation community established a reasonably effective screening system for passengers and their carry-on luggage.

Following the three-year cycle for Annex amendments, additional changes to Annex 17 were developed in 1988 which included specifications to further assist in fighting sabotage.

Some of the changes included in Amendment 7 to Annex 17 adopted in June 1989, provide for a further clarification of the Standards dealing with reconciliation of baggage with passengers, controls over items left behind on the aircraft by disembarking passengers, security controls for commercial courier services and controls over cargo and mail under certain situations.

The latest Amendment 10 to Annex 17 was adopted by the ICAO Council on 7 December 2001 in order to address challenges posed to civil aviation by the events of 11 September 2001. It became applicable on 1 July 2002. The amendment includes various definitions and new provisions in relation to the applicability of this Annex to domestic operations; international cooperation relating to threat information; national quality control; access control; measures related to passengers and their cabin and hold baggage; in-

flight security personnel and protection of the cockpit; code-sharing/collaborative arrangements; human factors; and management of response to acts of unlawful interference.

The Attachment to Annex 17 provides officials of States responsible for implementing national programmes with a verbatim extract of all relevant specifications appearing in the other Annexes as well as the related procedures appearing in the PANS documents (Procedures for Air Navigation Services - Rules of the Air and Air Traffic Services, and Procedures for Air Navigation Services - Aircraft Operations). This material provides officials with a summary of all security-related Standards, Recommended Practices and procedures in a single document.

The aviation security specifications in Annex 17 and the other Annexes are amplified by detailed guidance material contained in the *Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference* which was first published in 1971. This restricted document provides details of how States can comply with the various Standards and Recommended Practices contained in Annex 17. The Manual has since been developed for the purpose of assisting States to promote safety and security in civil aviation through the development of the legal framework, practices, procedures and material, technical and human resources to prevent and, where necessary, respond to acts of unlawful interference.

The very existence of these documents highlights the intensive vigilance that the Contracting States of ICAO maintain to preserve the safety of international civil aviation from a threat which is non-operational in character or origin.

Although ICAO deals primarily in multilateral arrangements to establish an international framework, much has been done to encourage States to assist each other on a bilateral basis. Annex 17 encourages States to have a security clause in their air transport agreements and a model clause has been made available.

Commencing in late 2002, ICAO's Universal Security Audit Programme is auditing the implementation of Annex 17 provisions by Contracting States. In addition to helping States improve their aviation security systems by identifying deficiencies and providing suitable recommendations, the audits are expected to provide useful feedback concerning the provisions in Annex 17.

ICAO and its Council continue to treat the subject of aviation security as a matter of the highest priority. However, acts of unlawful interference continue to pose a serious threat to the safety and regularity of civil aviation. The Organization has developed and continues to update legal and technical regulations and procedures to prevent and suppress acts of unlawful interference. Since Annex 17 is the principal document giving direction on the establishment of security measures, its uniform and consistent application is paramount if the aviation security system is to be successful.