



AFI COMPREHENSIVE REGIONAL IMPLEMENTATION PLAN FOR AVIATION SECURITY AND FACILITATION IN AFRICA (AFI SECFAL PLAN)

THIRD AFI SECFAL PLAN STEERING COMMITTEE MEETING

Malabo, Equatorial Guinea, 1 July 2016

Agenda Item 1: Joint WCO - ICAO initiatives to improve air cargo and passenger security

(Presented by the WCO Secretariat)

EXECUTIVE SUMMARY

This paper describes co-operative initiatives by the WCO and ICAO with regard to improving air cargo and passenger security and facilitation.

Action: *The Steering Committee is invited to:*

- a) take note of the joint WCO-ICAO initiatives with regard to air cargo and passenger security and facilitation, and
- b) discuss and provide guidance on opportunities for related national and regional joint activities between Customs and aviation authorities.

1. INTRODUCTION

1.1 Recognizing the common interest in securing and protecting the international trade supply chain from any unlawful intrusion while ensuring facilitation of legitimate trade, the WCO and ICAO signed a Memorandum of Understanding on 24 June 2011. Since then, the WCO and ICAO have initiated a number of joint projects in the field of air cargo and mail as well as passenger security and facilitation.

1.2 Additionally, the WCO and the ICAO together with some of their respective Members regularly participate and contribute in each other's meeting and working Groups, for example the WCO Technical Expert Group on Air Cargo Security (TEGACS), SAFE Working Group (SWG) and the ICAO Working Group on Air Cargo Security (WGACS), Aviation Security Panel (AVSECP), Facilitation Panel (FALP).

2. THE WCO-ICAO JOINT ACTION PLAN

2.1 The WCO and ICAO agreed on a Joint Action Plan following their first Joint Conference on Enhancing Air Cargo Security and Facilitation, held in 2012 in Singapore. This Plan is regularly updated to take into account latest developments. In November 2015, the Secretaries General of the two Organizations also agreed to include joint activities which might impact on cargo security, such as cargo economic issues and the use of advance data for passenger security issues as well as focus on capacity-building assistance to support the implementation of air cargo security and facilitation measures.

3. THE WCO-ICAO JOINT WORKING GROUP ON ADVANCE CARGO INFORMATION (JWGACI)

3.1 The JWGACI was set up to discuss and recommend modalities for sharing and use of advance cargo information (ACI) in carrying out security risk analysis by Customs and Civil Aviation Authorities to mutually support each other and strengthen air cargo security. The Group is comprised of eight Members and one additional Member to co-chair, from each organisation (side), and six nominated representatives of relevant stakeholders.

3.2 The operation of JWGACI follows a two-phased approach: Phase I is based on study of ongoing pilot projects and assessing cost and benefits, challenges and impact on aviation security and its operations, for better understanding of mutual cooperation on ACI; and Phase II is based on an assessment of the outcome of Phase I, moving to technical details of identification of data elements and determining the processes and methods for collection, sharing and use of advance electronic cargo information.

3.3 A report on Phase I activities was produced and endorsed by the WCO TEGACS at its meeting held in February 2015, and by the ICAO Aviation Security Panel (AVSECP) in April 2015.

3.4 Advancing to Phase II that focuses on issues of practical implementation, the JWGACI at its meeting on 19 and 20 January 2016 in Geneva, produced an Interim Report which documents and highlights the areas on which consensus has been reached, and identifies several challenges that require additional practical experience and analysis, in order to finalize the concept of operations for the implementation of PLACI, being a deliverable, under the Group's Terms of Reference for Phase II activities. More detailed guidance will be developed as the necessary information becomes available from ongoing pilot projects and other sources.

3.5 The Interim Report was subsequently endorsed by the 9th Meeting of the ICAO Working Group on Air Cargo Security (WGACS) and the ICAO Aviation Security Panel (AVSECP) in January and March 2016 as well as the 10th meeting of the WCO TEGACS in March 2016.

3.6 As a way forward, the JWGACI agreed that the Pilot States will provide a prioritized list based on the identified challenges, which will be subject to testing or further discussion. Arrangements for testing, including a provisional time-frame, will be agreed with the industry. The next JWGACI meeting will be convened when sufficient information is available from the testing, with a view to then concluding Phase II.

4. THE WCO-ICAO JOINT TRAINING MODULE

4.1 In order to better understand the international air cargo supply chain, each other's roles and the roles of the other actors involved in the supply chain with regard to air cargo security and facilitation, and to harness the synergies, a Joint Training Module for the training of both Customs and aviation security officers has been developed by the WCO and ICAO Secretariats.

4.2 The initial workshop to use the joint training module was held for the Asia/Pacific region from 28 to 30 April 2015 in Bangkok, Thailand. Over 50 participants from both Customs and civil aviation security administrations attended the Workshop, which explained the aviation security mandates of WCO and ICAO, along with their respective instruments and tools governing international air cargo movements.

4.3 The nine (9) modules will form the basis of further Joint Training Workshops for Customs and Aviation Security officers, which will probably be held at either a WCO or an ICAO Regional Training Centre in other regions, including Africa. The next workshop - is scheduled to take place in Morocco in September 2016.

5. JOINT AUTHORIZED ECONOMIC OPERATOR (AEO)/REGULATED AGENT (RA) PILOT

5.1 In accordance with the Joint Action Plan referenced in (2.1) above, and considering that work on the AEO/RA harmonization is progressing well, the ICAO and WCO Secretariats have agreed on the need to conduct a joint AEO/RA pilot and a draft Terms of Reference for such a joint pilot has been developed.

5.2 An AEO/RA guidance document and a Joint AEO/RA Security Programme template have also been developed. These documents include all appropriate ICAO and WCO references, as well as a structure that allows a comprehensive comparison of the two security regimes.

5.3 At the request of Vietnam, in September 2015 the WCO and ICAO, together with Vietnam Customs and aviation authorities, started a joint pilot on the potential alignment of WCO AEO and ICAO's RA programmes in Vietnam. The first phase involved an assessment of Vietnam's supply chain security with a focus on air cargo supply chains. Specific next steps, to be carried out by both authorities, were discussed to enhance and harmonize their respective security regimes.

6. JOINT PUBLICATION

6.1 In 2013, the WCO and ICAO published the joint brochure "Moving Air Cargo Globally" as an introductory guide to the air cargo and mail secure supply chain, including the facilitation side. This brochure describes the related regulatory framework and provides details of the roles played by the WCO, ICAO and UPU, national authorities and aviation industry stakeholders. The brochure is available in all six UN languages and can be accessed via the link: (<http://www.wcoomd.org/en/topics/facilitation/instrument-and-tools/tools/joint-wco-icao-brochure.aspx>).

6.2 Both Secretariats in consultation with their respective Members and partner international organizations have worked on the second edition of this brochure. The brochure has been endorsed by the 10th meeting of the WCO TEGACS in March 2016, and will be launched at the 3rd ICAO-WCO Joint Conference on Air Cargo Security and Facilitation, to be held in Kuala Lumpur, Malaysia from 26 to 28 July 2016.

7. JOINT CONFERENCES

7.1 The first Joint WCO/ICAO Conference was held on 5 and 6 July 2012, and explored possible opportunities for enhancing coordination between aviation security and Customs authorities with a view to strengthening air cargo security and facilitation through collaborative means. It laid the foundation for mutual cooperation by issuing a Joint Communiqué.

7.2 The second Joint Conference was organized from 16 to 17 April 2014 in Manama, Bahrain, reinforcing the common message that a secure and efficient air cargo supply chain is essential for international trade and world economic development.

7.3 A Joint Communiqué describing the way forward with key deliverables for both Organizations was released, which among others included intensifying regional and national cooperation, including coordinated implementation of risk-based and outcomes-focused international air cargo and mail security measures adaptable to local circumstances, conducting joint national/regional workshops; supporting each other on advance cargo information for security risk analysis and expanding cooperation in the areas of dangerous goods, economic development and environmental protection.

7.4 The **3rd ICAO-WCO Joint Conference on Air Cargo Security and Facilitation** will be held in Kuala Lumpur, Malaysia from 26 to 28 July 2016. The main focus of Joint Conference will be effective implementation and enhancing capacity building. Further details about the Conference can be accessed via <http://www.wcoomd.org/en/events/upcoming-events/icao-wco-joint-conference.aspx> and <http://www.icao.int/Meetings/jointconferencemalaysia/Pages/default.aspx>.

8. AMENDMENT TO ANNEX 9 OF THE CHICAGO CONVENTION TO ALIGN WITH THE WCO REVISED KYOTO CONVENTION (RKC) AND THE SAFE FRAMEWORK OF STANDARDS (SAFE FOS) PROVISIONS

8.1 At the 8th Meeting of the ICAO Facilitation Panel (FALP 8) held in Montreal from 24 to 28 November 2014, the Panel adopted proposals put forward by the Netherlands (strongly supported by the WCO) on *Authorised Economic Operator (AEO) and Single Window definitions* as well as Recommended Practices on facilitation measures *regarding Travellers and air cargo facilitation* to be included in Annex 9 of the Convention on International Civil Aviation (Chicago Convention), and in line with the respective provisions of the SAFE Framework of Standards (FoS) and the Revised Kyoto Convention.

8.2 Subsequently, these proposals were agreed to by the ICAO Air Transport Committee and adopted by the ICAO Council in 2015.

9. **ADVANCE PASSENGER INFORMATION(API)/PASSENGER NAME RECORD (PNR)**

9.1 With regard to the traveling passengers, the WCO and the ICAO together with IATA through the WCO/ICAO/IATA API/PNR Contact Committee (which meets annually besides carrying out intersessional work, where necessary) has been collaborating to develop and maintain standards, tools and guidelines concerning the implementation of the API/PNR system in a harmonized manner.

9.2 All the required tools, data sets, messaging standards and guidelines, such as, API EDIFACT PAXLST Message, API Implementation Guidance, PNRGOV Message and PNR GOV EDIFACT Message and Implementation Guide have already been jointly developed and are being updated from time to time.

9.3 API/PNR data is increasingly becoming an effective tool for an efficient risk profiling of passengers and their baggage. It not only assists in identifying passenger transporting drugs, counterfeit goods, and illicit goods, but also supports in deterring the threats of terrorism, organized crime and illegal immigration, whilst providing enhanced facilitation to legitimate international travel.

9.4 Following the UN Security Council Resolution 2178 (2014) which also recognized the potential use of advance passenger information in the effective implementation of travel bans against sanctioned individuals, the WCO updated its API/PNR Recommendation (2012) and the API Guidelines (2013). In June 2015, the WCO Council adopted the updated Recommendation Concerning the use API and PNR for Efficient and Effective Customs Control, specifically incorporating - **“Members should effectively support the implementation of UN travel bans against sanctioned individuals”**.

9.5 In its ‘Action Plan on Countering Terrorism and Violent Extremism’, the G7 Ise-Shima Summit held on 26-27 May 2016 specifically emphasised to:

- a) *strengthen cooperation among border agencies and support greater use of existing border security programs such as the World Customs Organization (WCO)’s Security Programme as well as to expand the use of Passenger Name Record (PNR) and Advance Passenger Information (API) in traveler screening.*
- b) *called upon all states to duly implement the standards of Annex 17 to the Convention on International Civil Aviation (the Chicago Convention) and consider in view of the 39th session of the ICAO Assembly (27 September – 7 October 2016) the need for applying security measures, processes and equipment that go beyond the standards and recommended practices in light of the current level of threat.*

10. ACTION BY THE STEERING COMMITTEE

10.1 The Steering Committee is requested to:

- c) take note of the joint WCO-ICAO initiatives with regard to air cargo and passenger security and facilitation, and
- d) discuss and provide guidance on opportunities for related national and regional joint activities between Customs and aviation authorities.

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