



WORKING PAPER

ASSEMBLY — 37TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 13: Security Policy

Agenda Item 14: Universal Security Audit Programme (USAP)

AVIATION SECURITY POLICY

(Presented by Belgium on behalf of the European Union and its Member States¹
and by the other States Members of the European Civil Aviation Conference²)

EXECUTIVE SUMMARY

This paper presents proposals for innovating security policy to ensure its effectiveness is not undermined by the evolving nature of terrorist threats, and presents proposals to revise Assembly Resolution A36-20: Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference. Terrorism represents a constant and evolving threat to civil aviation. Security measures for safeguarding international civil aviation against acts of unlawful interference therefore remain an inherent and necessary part of the global air transportation system. Threat and risk should be the drivers in defining an effective security policy.

Action: The Assembly is invited, when amending Resolution A36-20, to include reference to the matters mentioned in paragraph 3.1. As well, the Assembly is invited to direct the Council to instruct the Aviation Security Panel with regard to the matters noted in paragraph 3.2. Finally, the Assembly is invited to direct the Council to play the leading role in driving, facilitating and coordinating the policy actions identified above, including, in conjunction with the Aviation Security Panel, the organisation of a High Level Conference (Director General of Civil Aviation or equivalent) on Aviation Security during the next triennial period to assist in achieving the policy actions identified above.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective B — Security – <i>Enhance global civil aviation security</i>
<i>Financial implications:</i>	None
<i>References:</i>	A37-WP/32 — Universal Security Audit Programme C-WP/13496 — Security Risk Indicators and Significant Security Concerns C-DEC 189/3 Doc 9902, <i>Assembly Resolutions in Force (as of 28 September 2007)</i>

¹ Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

² Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, and Ukraine.

1. INTRODUCTION

1.1 Civil aviation remains a key means for terrorists to cause mass fatalities, both as a target and as a vehicle of attack. Security measures designed to protect against the threats posed by terrorism must not be static. The terrorist threat is innovative and evolving, and so security policy response must also be dynamic.

2. POLICY ISSUES

2.1 **Assessment of Annex 17 — Security from a threat and risk perspective**

2.2 The current review of Annex 17 usefully takes into consideration all amendments deemed necessary to Standards and Recommended Practices with regard to the existing threat situation. It follows the concept of baseline measures to be applied by all ICAO Member States in the same way. While such a prescriptive regime may continue to be useful to a certain extent, an increasingly evident challenge to Annex 17 is for its architecture to be flexible and innovative enough to address new and emerging threats (e.g. cyber threats, insider threats), and for its security measures to be targeted enough to safeguard against significant risks and adequate enough to mitigate other possible risks. A review of the conception of Annex 17 from a threat and risk perspective could assess the extent to which that challenge is addressed. Such an assessment would also provide a framework for ICAO Member States to tailor their measures so that they are targeted at the greatest areas of risk.

2.3 A review of Annex 17 should also assess the role of unpredictability and behaviour detection as tools to provide more effective security solutions. These concepts are relatively new to most States and therefore an assessment by ICAO of the possible added value of such measures would be welcome in order to broaden the understanding of States as to their objectives and to allow States to benefit from gaining knowledge of existing practice and experience.

2.4 **Transparency of ICAO USAP audit results**

2.5 ICAO's Universal Security Audit Programme (USAP) is an essential tool for overseeing the implementation of the security measures laid down in Annex 17. To reinforce the effectiveness of that programme, audit results should be used to identify where technical cooperation and capacity-building should be prioritised and coordinated to deliver a globally robust system for protecting civil aviation against acts of unlawful interference.

2.6 The results of ICAO safety audits are shared with all ICAO Member States. However, it has been argued that the results of security audits cannot be shared due to the sensitivity and confidential nature of security information contained in those audit results. There has now been a change in the USAP for the second cycle of audits which focus on the security oversight capabilities of ICAO Member States. This change presents an opportunity to deliver a higher level of transparency on audit results without necessarily sharing detailed security information of the level of implementation of Annex 17 at individual airports.

2.7 In line with the above approach, the Council, at its 189th Session, adopted a definition of 'Significant Security Concern' and approved a mechanism to address such concerns in a timely manner. This initiative is warmly welcomed. The identification of Significant Security Concerns by USAP audits should be followed by swift corrective action by the State in question and should be notified promptly to all other ICAO Member States to enable States which have operations to/from the State in question to determine whether compensatory security measures are required.

2.8 **Funding of ICAO aviation security activities**

2.9 Security is one of the Strategic Objectives of ICAO. Delivery of that Strategic Objective should be reinforced by the Aviation Security Plan of Action being funded from the Regular Budget of ICAO, and less reliance being upon on receiving voluntary contributions. However, specific ICAO assistance projects may be funded through voluntary contributions from Member States to ICAO.

2.10 **Equivalency and mutual recognition of security measures**

2.11 It is essential, in the situation where any State requests of another State the application of security measures to protect aircraft flying into the former State's territory, but departing from the latter State's territory, that those two States cooperate fully prior to and during the implementation of the requested measures. Prior consultation is imperative in order to understand whether equivalency of security standards exists, and thus whether or not the requested measures will serve to strengthen or not the level of security. Requested measures should only be implemented for the time during which they are relevant, objective, and proportionate for countering the identified threat. Unilateral imposition of security measures by any given State upon another State should be avoided and must be dissuaded in favour of using other means to address security vulnerabilities.

2.12 It is important to exchange information on the screening technologies that States have approved for use in their jurisdiction and on States' experience in employing screening technologies in the airport environment. Such information exchange can provide assurances to ICAO Member States concerning the performance of such technologies from both the technical and operational standpoints, and ensuing implementation of such technologies can assist in acknowledging equivalency of security standards or in achieving mutual recognition between States.

2.13 **The passenger security checkpoint of the future**

2.14 Terrorist attacks and plots over the last decade have focussed upon overcoming security measures implemented at passenger security checkpoints. Security measures put in place to address those threats have sometimes had a negative impact on passenger facilitation. Such negative impacts need to be mitigated by the conception of a passenger security checkpoint of the future that simultaneously accomplishes security objectives and delivers travel convenience. Avenues to explore to achieve this goal include:

- a) migration from the restrictions on the carriage of liquids, aerosols and gels (LAGs) in cabin baggage to the use of technology for screening for liquid explosives. For its part, Europe has established a roadmap for the removing of all restrictions on the carriage of LAGs in favour of screening of LAGs by April 2013; and
- b) consideration of the use of new methods and/or technologies for enhancing the detection of no or low metal explosive devices; e.g. security scanners with due regard to addressing the range of issues surrounding their use, notably health, privacy, data protection, and importantly information to passengers.

2.15 **Screening of persons other than passengers**

2.16 The objective of screening of all persons other than passengers is to prevent the carriage of prohibited items into areas in which screened passengers, screened hold baggage, and/or secured aircraft are present. Such a security measure is critical for combating insider threat whereby prohibited items can be carried into those areas, either intentionally or by coercion of a threatened individual. With regard to the range of approaches in existence in ICAO Member States for screening of persons other than passengers, common recognition of the importance of screening all persons other than passengers is required and must be accompanied by the further development of the related Standards in Annex 17.

2.17 **Human factors**

2.18 To ensure the professionalization of security personnel, it is essential to ensure that persons who will be responsible for performing and/or implementing security measures are appropriately recruited and trained (initially and recurrently). ICAO Member States should apply approval/certification processes to security personnel in order to attest to their possession and/or acquisition of the necessary skills in the recruitment and training process.

3. **CONCLUSIONS**

3.1 The Assembly is invited, when amending Resolution A36-20 on the consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference, to include reference to:

- a) endorsing a policy of further transparency of security audit results for the second cycle of the USAP to facilitate effective technical cooperation and capacity-building amongst ICAO Member States, particularly relating to the prompt notification of Significant Security Concerns;
- b) endorsing a policy of replacing restrictions on the carriage of liquids, aerosols and gels (LAGs) in cabin baggage by screening of LAGs for the security checkpoint of the future;
- c) mandating the funding of the Aviation Security Plan of Action from ICAO's Regular Budget;
- d) recognising the importance of screening all persons other than passengers to prevent the carriage of prohibited items by unscreened persons into areas in which screened passengers, screened hold baggage, and/or secured aircraft are present; and
- e) recognising the importance of human factors for the implementation of an effective aviation security system, with due regard to ensuring appropriate training of and certification/approval process for persons responsible for performing and/or implementing security measures;

3.2 The Assembly is invited to direct the Council to instruct the Aviation Security Panel to:

- a) evaluate the effectiveness of Annex 17 on Security from a threat and risk perspective;
- b) conduct an assessment of the possible role of new technologies (e.g. security scanners) and new concepts (e.g. unpredictability and behaviour detection) for the passenger security checkpoint of the future and for addressing insider threat;
- c) ensure the exchange of information on screening technologies, notably on screening technologies for liquid explosives, that States have approved for use and information on States' practical experience in using screening technologies; and
- d) make proposals for the further development and enhancement of the scope of relevant Standards in Annex 17 on: i) the screening of persons, other than passengers; and ii) the training of and certification/approval process for persons responsible for performing and/or implementing security measures.

3.3 The Assembly is invited to direct the Council to play the leading role in driving, facilitating and coordinating the policy actions identified above, including, in conjunction with the Aviation Security Panel, the organisation of a High Level Conference (Director General of Civil Aviation or equivalent) on Aviation Security during the next triennial period to assist in achieving the policy actions identified above.