

## ASSEMBLY – 35TH SESSION

### EXECUTIVE COMMITTEE

#### Agenda Item 14: Aviation security

#### AVIATION SECURITY IN NEPAL

(Presented by Nepal)

#### INFORMATION PAPER

##### SUMMARY

This paper provides information on the status of aviation security and measures taken to re-strengthen the security system in Nepal.

### 1. INTRODUCTION

Air transport and tourism have been recognized as the major economic sectors for Nepal. Following the adoption of liberal sky policy in 1992, there have been unprecedented proliferations of airlines, aircraft fleet strength and air traffic movement in the domestic sector. With a view to coping with fast paced technological changes at global level and to ensure safe, secured, efficient and standard civil aviation, Civil Aviation Authority of Nepal (CAAN) was established on 31 December 1998. This is a major policy shift to nurture the civil aviation sector as an independent and autonomous commercial entity. Nepal nurtures 50 airports and over 120 helipads, which are distributed unevenly within its diverse mountainous topography. Air transport is the only viable mode of transport domestically and internationally.

The unprecedented use of civil aircraft as weapons of mass destruction and other terrorist acts against civil aviation has posed challenges to the world aviation community. It is deemed essential to meet the obligations on the subject of unlawful interference in international civil aviation and also to employ such obligations to domestic operations and to take strong measures to counter the potential threats. The cost of the terrorist attack in terms of lives lost, disruption to air services and the far-reaching adverse economic impact at global level is catastrophic. All the States are urged to react in a proactive fashion to reach a long-term means and mechanism to prevent or to combat terrorism against international civil aviation. Following the event of 11 September, a high-level Civil Aviation Security Committee reviewed and revised the procedures and measures for further strengthening aviation security system in Nepal.

Pursuant to ICAO Assembly Resolutions A33-1, Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation and A33-2, Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference, a comprehensive and integrated Plan of Action for aviation security was developed and subsequently approved by the ICAO Assembly.

Following participation in the 33rd ICAO Assembly and High-level Ministerial Conference and the adoption of Resolutions A33-1 and A33-2, Nepal is intensifying its effort 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 (SARPs) relating to aviation security and to take appropriate additional security measures commensurate to the level of threat.

A key component of the comprehensive and global strategy for strengthening aviation security is the introduction of regular, mandatory, systematic and harmonized audits. It could provide States with assistance in correcting deficiencies identified through the audits. Nepal supports these new initiatives of ICAO and will take active participation in the ICAO Universal Security Oversight Audit and implementation of the programme on priority basis.

As a host country and member State of the Co-operative Development of Operational Safety and Continuing Airworthiness Programme in South Asia (COSCAP-SA), Nepal supported the subject of using the regional co-operative arrangement under the project to address the need of AVSEC training. The 9th Steering Committee Meeting held in Sri Lanka during 30-31 January 2002 discussed on the cost-effectiveness of the COSCAP approach in the case of integrated interventions in the area of aviation security enhancement in the region. The meeting agreed on the immediate need to organize aviation security workshop/seminars for the region to focus on the changes to requirements as a result of the ICAO Action Plan adopted by the High-level Ministerial Conference. Based on the updated information on the training needs and the outputs of the Conference, ICAO was requested to draft a revised Project Document that reflects the current needs of member States and requirement of technical assistance in accordance with COSCAP-SA modalities.

## **2. REGULATORY ARRANGEMENTS AND ENFORCEMENT**

The vision to enhance aviation security in Nepal was conceived in the early seventies. The Civil Aviation Act 1959 enacted on 28 July 1960, Civil Aviation Security (Management) Rules enacted in 1989 and Civil Aviation Authority Act 1996 enacted on 31st December 1998 are the basic aviation legislation in Nepal. Aviation Security Provisions are included in Civil Aviation Act in 1973. The Act incorporates some provisions of Aviation Security such as defining crimes against civil aviation and measures to prevent the crimes such as screening of passengers and their baggage, access control, etc. The provisions of Aviation Security thus included in the Act were developed on the basis of Annex-17 and the Conventions on Aviation Security. As a Contracting State of ICAO, Nepal has been adhering to the Standards and Recommended Practices (SARPs) relating to Aviation Security.

Unlawful interference against the safety of civil aviation has been considered as serious crime punishable with severe penalties such as life imprisonment with confiscation of properties. Such provisions are incorporated in Civil Aviation Act.

Nepal has ratified the Tokyo, The Hague and Montreal Conventions. The Convention on the Marking of Plastic Explosives for the purpose of Detection held at Montreal on 1 March 1991, and the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful acts against the Safety of Civil Aviation held at Montreal on 23 September 1971 and signed at Montreal on 24 February 1988 are under ratification process.

In compliance with the provisions made in Annex-17 and considering the sentiments of Tokyo, The Hague and Montreal Conventions, security measures like access control, screening of passengers and their goods, guarding, patrolling etc have been implemented in international and all domestic airports of Nepal.

### **3. STATUS OF AVSEC**

Within the framework of the Aviation Security (Management) Rules 1989, a National Civil Aviation Security Committee has been formed under the Chairmanship of the Minister for Culture, Tourism and Civil Aviation and represented by various organizations responsible for maintaining law and order in the country. This is a high level committee responsible to formulate national policy and programmes relating to aviation security (AVSEC) and coordinating AVSEC activities at the national level.

Exercising the power conferred by the Rules, National Civil Aviation Security Committee has approved revised National AVSEC Programme 2004 in accordance with the model and guidelines of ICAO Security Manual (Doc 8973) sixth edition. The programme includes the provision of Appropriate Authority of AVSEC in Nepal with terms of reference (DGCA Nepal has been designated as the appropriate authority of AVSEC), security measures to be carried out, role and responsibilities of each agency engaged in airport and airline operations. The programme complies with the provisions of Annex-17, Civil Aviation Act and Civil Aviation Security (Management) Rules of Nepal.

Considering the 33rd Session of the ICAO Assembly (October 2001) Resolutions A33-1 and A33-2, ICAO Asia Pacific Office has developed a project document entitled Cooperative Aviation Security Programme, South Asia (CASP-SA). The development objective of the project is to enhance the security of air transport operations, aircraft, civil aviation installations, personnel and traveling public and to diminish the potential for unlawful acts against civil aviation being committed in the South Asia Sub-region. Nepal fully supports this South Asia Regional Cooperative approaches in aviation security.

Airport Security Committees have been established at various airports within the country to implement the security measures effectively and coordinate such activities at airport level.

Civil Aviation Academy (CAA) has developed and conducted various aviation security related training courses such as junior and senior level security personnel associated with civil aviation and Nepal Police, field based aviation security courses, orientation, pre-board passenger screening (PPS), security equipment operation etc.

Considering the domestic, regional and international threat against the safety of Civil Aviation, Nepal has taken initiatives in strengthening AVSEC at airports. Fully computerized airport permits with security hologram, creation of separate and complete sterile departure hall, a secondary hold baggage screening, aircraft ladder point, searches of passenger and their cabin baggage are some of the initiatives taken in Tribhuvan International Airport (TIA), Kathmandu.

Screening of cargo consignment using high-tech x-ray equipment is being commissioned at new air cargo complex in TIA.

In order to increase the efficiency of security system in a well-coordinated manner, standard operating procedures (SOPs) of agencies engaged in aviation security have been developed.

Nepal has been actively participating in the Regional AVSEC seminars, meetings and Instructor courses. Recently Nepal nominated a candidate for ICAO AVSEC auditor course who has successfully completed the course.

#### **4. INTERNATIONAL COOPERATION**

ICAO has extended considerable assistance for the development of civil aviation in Nepal. Development of AVSEC related manpower particularly under "ICAO AVSEC Mechanism" is noteworthy. AVSEC instructor trained to teach AVSEC STP (standard training package) developed by ICAO is important. AVSEC instructors trained by ICAO under AVSEC mechanism are engaged in conducting AVSEC trainings.

A Project Document entitled "NEP/01/801-Improvement of the Aviation Security Infrastructure" has been prepared with the assistance of ICAO Technical Cooperation Bureau. This project is aimed to strengthen the AVSEC system in accordance with the provisions of the Chicago Convention and its related Annexes. The Project Document has been developed taking into consideration the report of ICAO Technical Evaluation Team which carried out a security assessment of Tribhuvan International Airport (TIA) in March 1997 and on the basis of the request of CAAN on the subject of security equipment. CAAN Board and His Majesty's Government of Nepal have approved the project document and ICAO is being requested to explore the possibility of identifying the donors for the implementation of the project under ICAO Technical Cooperation Programme.

ICAO Audits of States' aviation security systems and selected airports is an important initiative in the global strategy for strengthening aviation security. Nepal will take active part in the audit as well as implementation of the audit findings.

His Majesty's Government of Nepal is committed to preventing, combating and eradicating acts of terrorism involving civil aviation to the best of its capacity and resources. Accordingly, CAAN has intensified its efforts in order to materialize ICAO Resolutions as well as to implement ICAO SARPs relating to aviation security.

#### **5. CONCLUSION AND RECOMMENDATION**

For a developing country like Nepal aviation security is a challenging task. The burden of financial resources to meet the cost for aviation security management at airports, in terms of manpower development and deployment, training and equipment is increasing. States with adequate resources are expected to join their hands in extending cooperation to other States with small-scale economies and resource constraints.

Nepal reaffirms the responsibility of State to provide aviation security for its territories and supports the ICAO Plan of Action for strengthening aviation security including ICAO Security Audit Programme. Adoption of financial and human resource plans for remedial action and also a public message to promote restoration of confidence and revitalization in international air transport is also very important. Considering this, Nepal attaches high priority to aviation security and various additional security measures are being taken commensurate to the level of threat in order to prevent and combat terrorist acts involving civil aviation.

The COSCAP-SA steering committee has discussed on the cost effective ways and means to provide improvements to States' aviation security programmes. The COSCAP-SA has urged States to identify the training needs of the States. A regional approach to AVSEC Capability Enhancement and need to identify comprehensive requirements of aviation security implementation and enforcement interventions by the member States have been realized and hence a project document has been developed.

His Majesty's Government of Nepal is fully aware of the responsibility to comply with ICAO standards and to provide adequate security at airports. However, recognizing the problems facing financial aspects, HMG Nepal expects ICAO to approach the donor community in order to provide funding support to further restrengthen AVSEC in Nepal through the implementation of the proposed project.

It may be worth mentioning that aviation security can best be strengthened through co-operation at the national, regional and global level. An effective international AVSEC network could be established considering each international airport of the world as a unit of the network. It would be easier to respond to terrorism against international civil aviation. Cooperation and support from all agencies such as airport authorities, customs, immigration, traveling public and media is very crucial to enhance aviation security.

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