



## ASSEMBLY — 35TH SESSION

### EXECUTIVE COMMITTEE

**Agenda Item 14 Aviation Security**  
**14.1 Developments since the 33rd Session of the Assembly**

#### **CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES RELATED TO THE SAFEGUARDING OF INTERNATIONAL CIVIL AVIATION AGAINST ACTS OF UNLAWFUL INTERFERENCE**

##### **SUMMARY**

In this paper, the Council presents proposals to revise Assembly Resolution A33-2: *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference*, in the light of developments in the field of aviation security since the 33rd Session of the Assembly.

Action by the Assembly is in paragraph 4.

##### **REFERENCES**

- A35-WP/49 Developments since the 33rd Session of the Assembly
- A35-WP/55 Universal Security Audit Programme (USAP)
- A35-WP/50 Threat to civil aviation posed by man-portable air defence systems (MANPADS)
- Doc 9790, *Assembly Resolutions in Force* (as of 5 October 2001)

## 1. INTRODUCTION

1.1 In 2001, the 33rd Session of the ICAO Assembly adopted Resolution A33-2: *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference*. In accordance with Resolving Clause 2 of Resolution A33-2, which requires that a consolidated statement be submitted by the Council at each ordinary session of the Assembly for review, a revised version of Resolution A33-2 is presented in the Appendix to this paper for consideration and adoption by the Assembly.

## 2. PROPOSED AMENDMENTS TO THE EXISTING CONSOLIDATED STATEMENT

2.1 As described separately in A35-WP/49, there have been some significant developments in the aviation security field since the 33rd Session of the Assembly. In the light of these developments, a number of changes are proposed to Assembly Resolution A33-2, including:

- a) a redrafting of Resolution A33-2, Appendix A (*General policy*) to include text on the High-level, Ministerial Meeting in February 2002 and the subsequent adoption of the Aviation Security Plan of Action, and text on the threat to civil aviation posed by man-portable air defence systems (MANPADS) and other surface-to-air missile systems, light weapons and rocket-propelled grenades;
- b) a merging of Resolution A33-2, Appendix B (*International legal instruments for the suppression of acts of unlawful interference with civil aviation*) and Resolution A33-2, Appendix C (*Action by States*), both of which address legal aspects of acts of unlawful interference, to create a new Appendix B (*International legal instruments, national legislation and bilateral agreements for the suppression of acts of unlawful interference with civil aviation*);
- c) an expansion of Resolution A33-2, Appendix E (*Action of States with respect to unlawful seizure of aircraft in progress*) in view of the large number of facility attacks in recent years (10 in 2003 and 24 in 2002), to create a new Appendix D (*Action of States concerned with an act of unlawful interference*);
- d) addition of a new Appendix E (*The ICAO Universal Security Audit Programme*), using the text that is being proposed in a separate working paper on this subject (A35-WP/55); and
- e) an expansion of Resolution A33-2, Appendix H (*Cooperation with international organizations in the field of aviation security*) to reflect expanded cooperation with international organizations and to include cooperation with regional bodies.

2.2 In addition to these changes reflecting developments since the 33rd Session of the Assembly, the draft text in the Appendix includes amendments considered necessary to clarify the intent of present policies. Those provisions that are deemed to have served their purpose have been identified for deletion. The proposed changes to Resolution A33-2 appear in shading and strikeout.

## 3. FINANCIAL IMPACT OF THE PROPOSED ACTION

3.1 The future funding of the Aviation Security Plan of Action is addressed in a separate working paper (A35-WP/49). The proposed amendments to this Assembly Resolution have been taken into account in that paper.

4. **ACTION BY THE ASSEMBLY**

4.1 The Assembly is invited to:

- a) review, amend as required, and adopt the revised Assembly Resolution on a *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference* which appears in the Appendix; and
- b) note that the *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference* will continue to be comprehensively reviewed prior to each regular session of the Assembly and the need for updating or other change brought to the attention of the Assembly.

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## APPENDIX

### DRAFT ASSEMBLY RESOLUTION ON A CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES RELATED TO THE SAFEGUARDING OF INTERNATIONAL CIVIL AVIATION AGAINST ACTS OF UNLAWFUL INTERFERENCE

#### Resolution 14/

#### Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference

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*Editorial Note.*— The first two Whereas clauses have been moved to Appendix A - General Policy.

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~~*Whereas* the development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to general security;~~

~~*Whereas* the threat of terrorist acts, unlawful seizure of aircraft and other acts of unlawful interference against civil aviation, including acts aimed at destruction of aircraft, as well as acts aimed at using the aircraft as a weapon of destruction, have a serious adverse effect on the safety, efficiency and regularity of international civil aviation, endanger the lives of persons on board and on the ground and undermine the confidence of the peoples of the world in the safety of international civil aviation;~~

*Whereas* it is considered desirable to consolidate Assembly resolutions on the policies related to the safeguarding of international civil aviation against acts of unlawful interference in order to facilitate their implementation and practical application by making their texts more readily available, understandable and logically organized;

*Whereas* in Resolution ~~A32-22~~ **A33-2** the Assembly resolved to adopt at each session a consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference; and

*Whereas* the Assembly has reviewed proposals by the Council for the amendment of the consolidated statement of continuing ICAO policies in Resolution ~~A32-22~~ **A33-2**, Appendices A to H inclusive, and has amended the statement to reflect the decisions taken during the ~~33rd~~ **35th** Session;

*The Assembly:*

1. *Resolves* that the Appendices attached to this resolution constitute the consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference, up to date as these policies exist at the close of the ~~33rd~~ 35th Session of the Assembly.
2. *Resolves* to request the Council to submit at each ordinary session for review a consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference; and
3. *Declares* that this resolution supersedes Resolution ~~A32-22~~ A33-2.

## APPENDIX A

### General policy

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*Editorial Note.— The first and third Whereas clauses have been moved from the preamble of the resolution.*

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*Whereas* the development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to general security;

*Whereas* acts of unlawful interference against civil aviation have become the main threat to its safe and orderly development;

*Whereas* the threat of terrorist acts; **posed by man-portable air defence systems (MANPADS) and other surface-to-air missiles systems, light weapons and rocket propelled grenades**, unlawful seizure of aircraft, **facility attacks** and other acts of unlawful interference against civil aviation, including acts aimed at destruction of aircraft, as well as acts aimed at using the aircraft as a weapon of destruction, have a serious adverse effect on the safety, efficiency and regularity of international civil aviation, endanger the lives of persons on board and on the ground and undermine the confidence of the peoples of the world in the safety of international civil aviation;

~~*Recognizing that*~~ *Whereas* all acts of unlawful interference against international civil aviation constitute a grave offence in violation of international law; ~~and~~

***Recalling* Assembly Resolution A33-1, which directed the Council to convene an international high-level, ministerial conference on aviation security 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 audit of their implementation; and of ensuring the necessary financial means;**

***Considering* the recommendation of the High-level, Ministerial Conference on Aviation Security held in February 2002, to adopt an ICAO Aviation Security Plan of Action which includes, *inter alia*, the identification, analysis and development of an effective global response to new and emerging threats; integration of measures to be taken in specific fields, including airports, aircraft, and air traffic control systems; and a follow-up programme to assist with the rectification of identified deficiencies; and**

*Endorsing* actions taken so far by the Council, in particular ~~by adopting~~ **the adoption of the ICAO Aviation Security Plan of Action in June 2002, as well as the** new preventive measures, strengthening the means available to the Organization and assuming functions related to the implementation of the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*;

*The Assembly:*

1. *Strongly condemns* all acts of unlawful interference against civil aviation wherever and by whomsoever and for whatever reason they are perpetrated;
2. *Reaffirms* the important role of the International Civil Aviation Organization to facilitate the resolution of questions which may arise between Contracting States in relation to matters affecting the safe and orderly operation of international civil aviation throughout the world;
3. *Reaffirms* that aviation security must continue to be treated as a matter of highest priority by the International Civil Aviation Organization and its Member States;
4. *Notes* with abhorrence acts of unlawful interference aimed at the destruction in flight of civil aircraft in commercial service including any misuse of civil aircraft as a weapon of destruction and the death of persons on board and on the ground;
5. *Calls upon* all Contracting States to confirm their resolute support for the established policy of ICAO by applying the most effective security measures individually and in cooperation with one another, to suppress acts of unlawful interference and to punish the perpetrators of any such acts; ~~and~~
6. *Directs* the Council to continue its work relating to measures for prevention of acts of unlawful interference, **in particular the implementation of the ICAO Aviation Security Plan of Action; and**
7. ***Urges* all Contracting States to contribute to the ICAO Aviation Security Plan of Action, since its implementation is largely dependent on voluntary contributions.**

## APPENDIX B

### **International legal instruments, national legislation and bilateral agreements for the suppression of acts of unlawful interference with civil aviation**

#### a) *International legal instruments*

*Whereas* the protection of civil aviation from acts of unlawful interference has been enhanced by the *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 1963), by the *Convention for the Suppression of Unlawful Seizure of Aircraft* (The Hague, 1970), by the *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (Montreal, 1971), by 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*, (Montreal, 1988) as well as by the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montreal, 1991) and by bilateral agreements for the suppression of such acts;

*The Assembly:*

1. ~~*Calls upon*~~ *Urges* Contracting States which have not yet done so to become parties to the *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 1963), to the *Convention for the Suppression of Unlawful Seizure of Aircraft* (The Hague, 1970), to the *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (Montreal, 1971), and to the 1988 Supplementary Protocol to the Montreal Convention, and to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montreal, 1991);

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*Editorial Note.*— Incorporated into Resolving Clause 1 above.

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2. ~~*Urges*~~ all States to become parties as soon as possible to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montreal, 1991);

3.2. ~~*Invites*~~ *Calls upon* States not yet parties to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* to give effect, even before ratification, acceptance, approval or accession, to the principles of that instrument and calls upon States which manufacture plastic explosives to implement the marking of such explosives as soon as possible;

4.3. ~~*Directs*~~ the Secretary General to continue to remind States of the importance of becoming parties to the Tokyo, The Hague and Montreal Conventions, to the 1988 Supplementary Protocol to the Montreal Convention and the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* and to provide assistance requested by States encountering any difficulties in becoming parties to these instruments;

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*Editorial Note.*— Resolving Clauses 5 and 7 have been moved to new Appendix D.

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5. ~~*Condemns any failure by a Contracting State to fulfil its obligations to return without delay an aircraft which is being illegally detained or to extradite or submit to competent authorities without delay the case of any person accused of an act of unlawful interference with civil aviation;*~~

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*Editorial Note.*— The text of Resolving Clause 6 has been incorporated into Resolving Clause 2 below.

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6. ~~*Calls upon*~~ Contracting States to intensify their efforts to suppress acts of unlawful seizure of aircraft or other unlawful acts against the security of civil aviation by concluding appropriate agreements for the suppression of such acts which would provide for extradition or submission of the case to competent authorities for the purpose of prosecution of those who commit them; and

7. ~~*Calls upon*~~ Contracting States to continue to assist in the investigation of such acts and in the apprehension and prosecution of those responsible.

## APPENDIX C

### Action by States

a) *b) Enactment of national legislation and bilateral agreements*

*Whereas* deterrence of acts of unlawful interference with civil aviation can be greatly facilitated through the enactment by Contracting States of national criminal laws providing severe penalties for such acts;

*The Assembly:*

1. *Calls upon* Contracting States to give special attention to the adoption of adequate measures against persons committing acts of unlawful seizure of aircraft or other acts of unlawful interference against civil aviation, and in particular to include in their legislation rules for the severe punishment of such persons; and

2. *Calls upon* Contracting States to take adequate measures relating to the extradition or prosecution of persons committing acts of unlawful seizure of aircraft or other acts of unlawful interference against civil aviation by adopting appropriate provisions in law or treaty for that purpose or by strengthening existing arrangements and **by concluding appropriate agreements for the suppression of such acts which would provide** for the extradition of persons ~~making~~ committing criminal attacks on international civil aviation.

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*Editorial Note.*— The title of this section has been amended and its content has been moved to new Appendix D.

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~~b) — Information to be submitted to the Council~~

~~The Assembly:~~

~~1. — Reminds States parties of their obligations under Article 11 of The Hague Convention and Article 13 of the Montreal Convention, following occurrences of unlawful interference, to forward all relevant information required by those Articles to the Council; and~~

~~2. — Directs the Secretary General, within a reasonable time from the date of a specific occurrence of unlawful interference, to ask that States parties concerned forward to the Council in accordance with their national law all relevant information required by those Articles concerning such occurrence, including particularly information relating to extradition or other legal proceedings.~~

## APPENDIX ~~D~~ C

### Implementation of ~~F~~ technical security measures

*Whereas* ~~the safety of the peoples of the world who benefit from international~~ **protection of** civil aviation **against acts of unlawful interference** requires continued vigilance and development and implementation of positive safeguarding action by the Organization and its Contracting States;



*Whereas* a clear need exists for the strengthening of security to be applied to all phases and processes associated with the international carriage of persons, their cabin and checked baggage, cargo, mail, courier and express parcels;

*Whereas* the responsibility for ensuring that security measures are applied by government agencies, airport authorities and aircraft operators rests with the Contracting States;

~~*Whereas* the safety of persons and property at airports serving international civil aviation, requires continued vigilance development and implementation of positive safeguarding actions by the International Civil Aviation Organization and all States to prevent and suppress unlawful acts of violence at such airports; and~~

*Whereas* the implementation of the security measures advocated by ICAO is an effective means of preventing acts of unlawful interference with civil aviation; **and**

***Whereas* countermeasures for protection of civil aviation can only be effective through employment of highly-trained security personnel, in addition to background checks, certification and quality control;**

*The Assembly:*

1. *Urges* the Council to continue to attach ~~high~~ **the highest** priority to the adoption of effective measures for the prevention of acts of unlawful interference commensurate with the current threat to the security of international civil aviation and to keep up to date the provisions of Annex 17 to the Chicago Convention ~~to this end~~;

2. *Requests* the Council to complete, in addition to the International Explosives Technical Commission (IETC) mandate as prescribed by the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*, studies into methods of detecting explosives or explosive materials, especially into the marking of those explosives of concern, other than plastic explosives, with a view to the evolution, if needed, of an appropriate comprehensive legal regime;

3. *Urges* all States on an individual basis and in cooperation with other States to take all possible measures for the suppression of acts of violence at airports serving international civil aviation, in particular, those required or recommended in Annex 17 to the Convention on International Civil Aviation;

4. ~~*Calls upon*~~ ***Urges*** Contracting States to intensify their efforts for the implementation of existing Standards **and** Recommended Practices (SARPs), and Procedures relating to aviation security, to monitor such implementation, ~~and~~ to take all necessary steps to prevent acts of unlawful interference against international civil aviation **and to give appropriate attention to the guidance material contained in the ICAO Security Manual and available on the ICAO secured website;**

5. ~~*Further calls on*~~ ***Calls upon*** Contracting States, while respecting their sovereignty, to substantially enhance cooperation and coordination between them in order to improve such implementation;

6. *Requests* the Council to ensure, with respect to the technical aspects of aviation security, that:

- a) the provisions of Annex 17 and Annex 9 — Facilitation are compatible with and complementary to each other provided the effectiveness of security measures is not compromised;

- b) when considered necessary, the agenda of ICAO meetings include items dealing with aviation security which are relevant to the subject of such meetings;
- c) regional aviation security seminars are convened by ICAO after consultation with or at the request of States concerned;
- d) the ICAO Training Programme for Aviation Security comprising Aviation Security Training Packages (ASTPs) for use by States continues to be developed; and
- e) ICAO assumes the coordination role, in collaboration with Aviation Security Mechanism donor States, of the aviation security training centres (ASTCs) to ensure training standards are maintained and sound levels of cooperation are achieved; **and**

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*Editorial Note.*— Resolving Clause 7 has been incorporated into Resolving Clause 4 above.

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~~7. Urges Contracting States which have not already done so to implement the Standards, Recommended Practices and Procedures on aviation security measures, and to give appropriate attention to the guidance material contained in the ICAO Security Manual; and~~

8.7. Directs the Secretary General to continue to update and amend at appropriate intervals the Security Manual **and develop new guidance material** designed to assist Contracting States in implementing the specifications and procedures related to civil aviation security.

## APPENDIX ED

### Action of States **concerned with respect an act of to unlawful interference seizure of aircraft in progress**

#### a) *Acts of unlawful interference*

*Whereas* acts of unlawful ~~seizure~~ **interference** continue seriously to compromise the safety, regularity and efficiency of international civil aviation;

~~*Whereas* the Council has adopted Standards and Recommended Practices on aviation security in accordance with ICAO policy;~~

*Whereas* the safety of flights of aircraft subjected to an act of unlawful seizure may be further jeopardized by the denial of navigational aids and air traffic services, the blocking of runways and taxiways and the closure of airports; and

*Whereas* the safety of passengers and crew of an aircraft subjected to an act of unlawful seizure may also be further jeopardized if the aircraft is permitted to take off while still under seizure;

*The Assembly:*

1. ***Notes with concern* the large number of acts of unlawful interference, in particular the facility attacks inside the terminal buildings targeting passengers and public before the security screening points;**

~~1.2.~~ *Recalls* in this regard the relevant provisions of the Chicago, Tokyo, ~~and~~ The Hague Conventions, **and the 1988 Supplementary Protocol to the Montreal Convention;**

~~3.~~ *Urges Contracting States which have not done so to become parties to the 1988 Supplementary Protocol to the Montreal Convention;*

~~2.4.~~ *Recommends* that States take into account the above considerations in the development of their policies and contingency plans for dealing with acts of unlawful ~~seizure~~ **interference;**

~~3.5.~~ *Urges Contracting States to provide assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigational aids, air traffic services and permission to land;*

~~4.6.~~ *Urges Contracting States to ensure that an aircraft subjected to an act of unlawful seizure which has landed in its territory is detained on the ground unless its departure is necessitated by the overriding duty to protect human life; ~~and~~*

~~5.7.~~ *Recognizes* the importance of consultations between the State where an aircraft subjected to an act of unlawful seizure has landed and the State of the operator of that aircraft as well as notification by the State where the aircraft has landed to the States of assumed or stated destination;

~~6.8.~~ *Urges Contracting States to cooperate for the purpose of providing a joint response in connection with an act of unlawful interference, as well as utilizing, if necessary, the experience and capabilities of the State of the operator of an aircraft, the State of manufacture and the State of registration which has been subjected to an act of unlawful interference while taking measures in their territory to free the passengers and crew members of that aircraft;*

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*Editorial Note.*— Resolving Clauses 9 and 10 have been transferred from Appendix B.

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~~9.~~ *Condemns* any failure by a Contracting State to fulfil its obligations to return without delay an aircraft which is being illegally detained or to extradite or submit to competent authorities without delay the case of any person accused of an act of unlawful interference with civil aviation; and

~~10.~~ *Calls upon Contracting States to continue to assist in the investigation of such acts and in the apprehension and prosecution of those responsible.*

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*Editorial Note.*— This section has been moved from Appendix C and the title has been amended.

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b) ~~Information to be submitted to the Council Reporting on acts of unlawful interference~~

*The Assembly:*

1. *Reminds* States parties of their obligations under Article 11 of The Hague Convention and Article 13 of the Montreal Convention, following occurrences of unlawful interference, to forward all relevant information required by those Articles to the Council; and

2. *Directs* the Secretary General, within a reasonable time from the date of a specific occurrence of unlawful interference, to ask that States parties concerned forward to the Council in accordance with their national law all relevant information required by those Articles concerning such occurrence, including particularly information relating to extradition or other legal proceedings.

## APPENDIX E

### **The ICAO Universal Security Audit Programme**

*Whereas* the primary objective of the Organization continues to be that of ensuring the safety and security of international civil aviation worldwide;

*Whereas* promoting the implementation of international aviation security Standards contributes to this objective;

*Whereas* Article 37 of the Convention requires each Contracting State to collaborate in securing the highest practicable degree of uniformity in regulations and practices in all matters in which such uniformity will facilitate and improve air navigation;

*Recalling* that the 33rd Session of the Assembly directed the Council and the Secretary General to consider the establishment of an ICAO universal security oversight audit programme relating to, *inter alia*, airport security arrangements and civil aviation security programmes;

*Recalling* that the 33rd Session of the Assembly directed the Council to convene, at the earliest possible date, an international High-level, Ministerial Conference on Aviation Security with the objective, *inter alia*, of strengthening ICAO's role in the adoption of SARPs in the field of security and the audit of their implementation;

*Considering* the recommendations of the High-level Ministerial Conference on Aviation Security convened in Montreal in February 2002, which called for the adoption of an ICAO Aviation Security Plan of Action which provides, *inter alia*, for the establishment of a comprehensive programme of regular, mandatory, systematic and harmonized aviation security audits to be carried out by ICAO in all Contracting States;

*Considering* the adoption of the ICAO Aviation Security Plan of Action by the Council of ICAO during its 166th Session;

*Considering* that the ICAO Universal Security Audit Programme (USAP) has been launched, with the first ICAO aviation security audit taking place in November 2002;

*Recognizing* that the implementation of the USAP is proving to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution;

*Recognizing* that the continuation of the USAP is essential to ensure the adequate implementation of security-related Standards;

*Recognizing* that all of the activities of the USAP are currently funded through the voluntary contributions of States;

*The Assembly:*

1. *Requests* the Secretary General to continue the ICAO Universal Security Audit Programme (USAP), comprising regular, mandatory, systematic and harmonized aviation security audits of all Contracting States, with such audits conducted at both national and airport levels in order to evaluate States' aviation security oversight capabilities as well as the actual security measures in place at selected key airports;
2. *Urges* all Contracting States to agree to audits to be carried out upon ICAO's initiative by signing a bilateral Memorandum of Understanding with the Organization, as approved by the Council during its 167th Session;
3. *Urges* all Contracting States to give full support to ICAO by accepting the audit missions as scheduled by the Organization, facilitating the work of the audit teams, and preparing and submitting to ICAO an appropriate corrective action plan to address deficiencies identified during the audit;
4. *Requests* the Council to ensure the long-term financial sustainability of the USAP by progressively integrating its activities into the Regular Programme budget; and
5. *Requests* the Council to report to the next ordinary session of the Assembly on the overall implementation of the USAP.

**APPENDIX F**

**Assistance to States in the implementation of  
technical measures for the protection  
of international civil aviation**

*Whereas* the implementation of technical measures for prevention of acts of unlawful interference with international civil aviation requires financial investment and training of personnel;

*Whereas*, notwithstanding assistance given, some countries, in particular developing countries, still face difficulties in fully implementing preventive measures due to insufficient financial, technical and material resources; and

*Whereas* aviation security is vital to all Contracting States for the proper operation of their airlines all around the world;

*The Assembly:*

1. *Invites* developed countries to give assistance to the countries which are not able to implement programmes of suggested technical measures for the protection of aircraft on the ground and, in particular, in the processing of passengers, their cabin and checked baggage, cargo, mail, courier and express parcels;
2. *Invites* Contracting States to bear in mind the possibility offered by the Mechanism for effective implementation of Standards and Recommended Practices (SARPs) contained in Annex 17, the United Nations Development Programme and the Technical Co-operation among Developing Countries to meet their technical assistance requirements arising from the need to protect international civil aviation;

3. *Invites Contracting States to take advantage of short-term remedial assistance available under the AVSEC Mechanism and longer-term State assistance projects under the Technical Co-operation Programme to remedy deficiencies identified during audits;*

~~3.4.~~ *Urges all States that have the means to do so to increase technical, financial and material assistance to countries in need of such assistance to improve aviation security through bilateral and multilateral effort, in particular, through the ICAO AVSEC Mechanism for effective implementation of Standards and Recommended Practices (SARPs) contained in Annex 17;*

4.5 *Urges all Contracting States to take advantage of the availability of ICAO aviation security training centres (ASTCs) for the purpose of enhancing training standards; and*

5.6 *Urges the international community to consider increasing assistance to States and enhance cooperation amongst them, in order to be able to benefit from the achievement of the aims and objectives of the Convention on the Marking of Plastic Explosives for the Purpose of Detection, in particular through the International Explosives Technical Commission (IETC).*

## APPENDIX G

### Action by the Council with respect to multilateral and bilateral cooperation in different regions of the world

*Whereas* the rights and obligations of States under the international conventions on aviation security and under the ~~Standards and Recommended Practices~~ SARPs adopted by the Council of ICAO on aviation security could be complemented and reinforced in bilateral cooperation between States;

*Whereas* the bilateral agreements on air services represent the main legal basis for international carriage of passengers, baggage, cargo and mail; **and**

*Whereas* provisions on aviation security should form an integral part of the bilateral agreements on air services; **and**

~~*Whereas* Annex 17 to the Convention of International Civil Aviation contains a recommendation that each Contracting State should include in its bilateral agreements on air transport a clause related to aviation security;~~

*The Assembly:*

~~1. *Notes* with satisfaction the strong support of States for the model clause on aviation security, elaborated by the Council and attached to the Council Resolution of 25 June 1986;~~

~~2. *Notes* the wide acceptance by States of the model agreement on aviation security for bilateral or regional cooperation adopted by the Council on 30 June 1989;~~

3.1. *Urges* all Contracting States to insert into their bilateral agreements on air services a clause on aviation security, taking into account the model clause adopted by the Council on 25 June 1986 **and to take into account the model agreement adopted by the Council on 30 June 1989; and**

~~4. Recommends that Contracting States take into account the model agreement adopted by the Council on 30 June 1989;~~

5.2. *Recommends* that the Council continue to:

- a) gather the results of States' experience in cooperation to suppress acts of unlawful interference with international civil aviation;
- b) analyse the existing situation in the fight against acts of unlawful interference with international civil aviation in different regions of the world; and
- c) prepare recommendations for strengthening measures to suppress such acts of unlawful interference.

## APPENDIX H

### **International and regional cooperation with international organizations in the field of aviation security**

*Mindful of the need for strengthening measures to prevent all acts of unlawful interference with civil aviation; and*

*Recognizing that the threat posed to civil aviation requires development of an effective global response by States as well as concerned international and regional organizations;*

*The Assembly:*

1. *Invites* the International Criminal Police Organization (ICPO/INTERPOL), *the United Nations Office on Drugs and Crime (UNODC)*, the Universal Postal Union (UPU), the International Air Transport Association (IATA), Airports Council International (ACI), ~~and~~ *the International Federation of Air Line Pilots' Associations (IFALPA) and the Organization for Security and Cooperation for Europe (OSCE)* to continue their cooperation with ICAO, to the maximum extent possible, to safeguard international civil aviation against acts of unlawful interference-;

2. *Directs* the Council to take into account the G8 Secure and Facilitated International Travel Initiative (SAFTI) and collaborate with this group and other relevant groups of States in its work relating to development of countermeasures against the threat posed by man-portable air defence systems (MANPADS) and encourage their implementation by all Contracting States; and

3. *Directs* the Council to cooperate with the United Nations Counter-Terrorism Committee (CTC), in the global effort to combat terrorism.