



WORKING PAPER

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**Eighth Meeting of the ICAO/LACAC NAM/CAR and SAM Aviation Security and
Facilitation Regional Group (AVSEC/FAL/RG/8)**
Mexico City, Mexico, 13 to 17 August 2018

Agenda Item 9: Other Business

BEIJING CONVENTION
(Presented by Chile)

EXECUTIVE SUMMARY	
With the entry into effect of the Beijing Convention and its Protocol in July 2018, it would be advisable to establish a working group to analyse its implementation concerning security issues.	
Action:	Suggested action is presented in Section 3.
<i>Strategic Objectives:</i>	<ul style="list-style-type: none">• Security & Facilitation
<i>References:</i>	<ul style="list-style-type: none">• Letter LE 3/44 – 18/74 dated 29 June 2018, Convention for the suppression of unlawful acts relating to international civil aviation, signed in Beijing on 10 September 2010.

1. Introduction

1.1 Through the aforementioned letter, the General Secretariat of the International Civil Aviation Organization (ICAO) informed States that the Convention for the suppression of unlawful acts relating to international civil aviation, signed in Beijing on 10 September 2010, was to become effective on 1 July 2018.

1.2 This Convention typifies as crime a series of acts that represent new and emerging threats against civil aviation, including certain acts in preparation for such crimes. This will strengthen the ability of States to prevent such crimes and prosecute and punish the offenders.

1.3 The Convention criminalises using civil aircraft as a weapon to cause death, injury or damage; using civil aircraft to transport biological, chemical and nuclear weapons or similar substances to cause death, injury or damage or using these substances to attack a civil aircraft; the unlawful transport of biological, chemical and nuclear weapons or certain related materials; and cyber-attacks against air navigation facilities. The threat to commit a crime can be a crime in itself, if the threat is credible. Conspiracy to commit a crime, or its equivalent, is punishable.

1.4 Since the unlawful transport of biological, chemical and nuclear weapons or certain related material, inter alia, is criminalised, aeronautical personnel in charge of controlling and screening baggage, cargo, mail and courier must be trained, since the Convention identifies “chemical and toxic substances”, “radioactive material”, “nuclear material”. It establishes exemptions for some elements, plutonium isotope - 238 and enriched uranium isotope 235-238, in “biological weapons”, it includes microbial or other biological agents, and in “chemical weapons”, it includes toxic chemicals and their precursors, but also considers exemptions where intended for industrial, agricultural, medical or other purposes.

2. Proposal

2.1 States will be responsible for implementing measures to prevent crimes typified in the Beijing Convention. This requires strengthening of their capabilities for detection, identification and interdiction of prohibited materials and substances. This new obligation calls for improved capabilities in both training of inspectors and in screening and detection technology.

2.2. It is important to recognise the relevance of Annex 18 to the Convention on International Civil Aviation, “The safe transport of dangerous goods by air”, with its respective Technical Instructions, Doc 9284 AN/905. However, it is necessary to identify the documentation on prevention and response developed by the different agencies of United Nations, such as the International Atomic Energy Agency (IAEA), the World Health Organization (WHO), and the Organisation for the Prohibition of Chemical Weapons (OPCW).

3. Suggested action

3.1 Based on the foregoing, the Meeting is invited to consider the establishment of a working group to analyse and assess the implementation of the Beijing Convention and its Protocol on issues related to security, taking into account new or best security measures at airports, the assessment of new passenger, baggage, cargo and mail screening technologies and procedures, and training of control and screening personnel.