



NOTE DE TRAVAIL

GROUPE D'EXPERTS SUR LES MARCHANDISES DANGEREUSES (DGP)

TRENTIÈME RÉUNION

Montréal, 6 – 10 octobre 2025

Point 5 : Précisions sur les responsabilités des États en matière de supervision définies dans l'Annexe 18 (Réf. : fiche de tâches DGP.005.05)

**PROPOSITION D'AMENDEMENT DES NORMES FIGURANT DANS LE PROJET
D'AMENDEMENT DE L'ANNEXE 18 ET DANS LES INSTRUCTIONS TECHNIQUES
CONCERNANT LES PRESCRIPTIONS EN MATIÈRE DE SIGNALLEMENT**

(Note présentée par D. Schlichting)

RÉSUMÉ

La présente note propose d'apporter une nouvelle modification aux dispositions concernant le signalement qui figurent dans l'Annexe 18, chapitre 10, *Dangerous Goods Safety Intelligence*, au-delà de ce qui a déjà été convenu par le DGP à sa 29^e réunion (DGP/29) et recommandé à la réunion DGP-WG/24. Il est proposé d'élargir les prescriptions visant à signaler, aux autorités compétentes nationales, la découverte de marchandises non déclarées ou non déclarées dans le fret ou le courrier ainsi que de marchandises dangereuses dont le transport n'est pas autorisé dans des bagages de passagers ou de membres d'équipage ou sur eux. Il conviendrait de réviser en conséquence les Instructions techniques, si le Groupe d'experts convenait de cette proposition d'amendement.

Suite à donner par le DGP : Le DGP est invité à :

- a) envisage de modifier les SARP présentées dans la proposition d'amendement de l'Annexe 18 concernant les obligations faites à l'exploitant de signaler la découverte de marchandises non déclarées ou mal déclarées dans le fret ou le courrier ainsi que de marchandises dangereuses dont le transport n'est pas autorisé dans des bagages de passagers ou de membres d'équipage ou sur eux, conformément à l'appendice A de la présente note de travail ;

* Seuls le résumé et l'appendice A sont traduits.

- b) incorporer l'amendement aux amendements de l'Annexe 18 élaborés au titre du point 5 de l'ordre du jour de la présente réunion pour soumission ultérieure à la Commission de navigation aérien qui l'examinera ;
- c) envisager de modifier la formulation retenue pour les sujets correspondants dans les Instructions techniques, conformément à l'appendice B de la présente note.

1. INTRODUCTION

1.1 This working paper proposes to extend the requirements in the draft amendment to Annex 18 to require operators to report the discovery of undeclared or misdeclared dangerous goods in cargo or mail and dangerous goods not permitted to be carried by passengers or crew in baggage or on the person to additional States. A corresponding revision to the Technical Instructions would need to be made should the panel agree to this proposed amendment.

1.2 This working paper is a follow up on discussions of reporting requirements that were held at the Annex 18 Working Group meeting in Dubai in May of 2024. At that time, the changes proposed here were discussed among the attendees at the working group meeting, and there was general consensus to incorporate them. However, since the proposed changes are more than editorial in nature, it was noted that a working paper was required to be presented at the panel meeting so that the full panel could consider and discuss the proposed changes to the language in the previously agreed upon draft amendment to Annex 18.

1.3 In a review of Annex 19 – *Safety Management*, the purpose of reporting is to provide safety data to the States which they then use to maintain or improve safety. To be armed with the information needed to identify hazards and address safety issues where they occur, the State where the error occurred needs to be made aware, arguably more so than the State where it was discovered. If trends are identified that there are regular and/or repeated irregularities within a particular State, it is important that the State of Origin be made aware so that it can take steps to rectify the problem at its source, as opposed to simply making the State(s) of discovery aware, which may result in prohibitions without hazard resolution. The amendment to Annex 18, Chapter 10 – Dangerous Goods Safety Intelligence, 10.1.1.3, provided in Appendix A to this working paper is therefore proposed to include the State of Origin as one of the States for which the operator must report undeclared or misdeclared dangerous goods discovered in cargo or mail.

1.4 Additionally, the draft amendment to Annex 18 includes a similar Standard requiring an operator to report occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered to the appropriate national authority of the State in which this occurred. Unlike the reporting requirement for undeclared or misdeclared dangerous goods, there may be ambiguity in the current language as to which State should be notified, as the current language requires the operator to report occurrences "...to the appropriate national authority of the State in which this occurred." It is unclear whether "this occurred" is the carrying onto the aircraft or the discovery. Additionally, the requirement is only to report to the State in which it occurred, and not the State of the Operator. It is recommended to clarify that this requirement is to report to the State where this was discovered, as well as add the State of the Operator and the State where the passenger or crew member carried the dangerous goods aboard the airplane. Of the three proposed States to be notified, the State where the dangerous goods were discovered is arguably the least important of the three to be notified. The State of the Operator can increase oversight to the operator's procedures to help prevent the introduction of prohibited items, increase assessment, or prescribe methods to resolve hazards. If trends are identified that a particular State has regular and/or

repeated irregularities with passengers and crew, it is important that the State where they boarded be made aware so that it can take steps to rectify the problem at its source, as opposed to simply making the State(s) of discovery aware, which may result in prohibitions without hazard resolution. The amendment to Annex 18, Chapter 10 – Dangerous Goods Safety Intelligence, 10.1.1.4, provided in Appendix A to this working paper is therefore proposed to include the State of Origin and the State where the passenger or crew member carried the dangerous goods aboard the aircraft as States for which the operator must report occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered.

1.5 Corresponding amendments to the language in the Technical Instructions would need to be made should the panel agree to the amendments proposed in Appendix A of this paper. Additionally, changes to the language in the Technical Instructions are proposed to align with the language proposed in the draft Annex 18, and to align the term of a singular “national authority” per existing 2.7 of the current Annex 18 and proposed 3.1 of the Annex 18 amendment. The reporting is to “States” plural, but the national authority within each State is singular. If, however, the existing plural/singular reference to national authority/authorities in the Technical Instructions is to be kept, then it is recommended to change the language in the draft Annex 18 amendment to align. The amendments to the Technical Instructions are proposed in Appendix B of this paper.

2. ACTION BY THE DGP

2.1 The DGP is invited to agree to:

- a) consider amending the SARPs in Annex 18 related to operator requirements to report the discovery of undeclared or misdeclared dangerous goods in cargo or mail and dangerous goods not permitted to be carried by passengers or crew in baggage or on the person in accordance with Appendix A of this working paper;
- b) include the amendment with the amendments to Annex 18 developed under Agenda Item 5 of this meeting for onward submission to the Air Navigation Commission for its review; and
- c) consider amending the language in the related topics within the Technical Instructions in accordance with Appendix B of this paper.

APPENDICE A

PROPOSED REVISIONS TO AMENDMENT TO ANNEX 18 TO CLARIFY STATES' RESPONSIBILITIES WITH RESPECT TO THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

Chapitre 10

DANGEROUS GOODS SAFETY INTELLIGENCE

(...)

10.1.1 Mandatory safety reporting system

(...)⁰

10.1.1.3 States' mandatory reporting systems shall include a requirement for the operator to report occasions when undeclared or misdeclared dangerous goods are discovered in cargo or mail to the appropriate national authority of the State in which they were discovered ~~and~~ the State of the Operator, and the State of Origin.

10.1.1.4 States' mandatory reporting systems shall include a requirement for the operator to report occasions when dangerous goods not permitted to be carried by passengers or crew members are discovered by the operator, or the operator is advised by the entity that discovers the dangerous goods, either in the baggage or on the person, of passengers or crew members to the appropriate national authority of the State in which this ~~occurred~~ was discovered, the State of the Operator, and the State where the passenger or crew boarded the aircraft.

(...)

APPENDICE B

PROPOSITION D'AMENDEMENT DES PRESCRIPTIONS EN MATIÈRE DE SIGNALLEMENT FIGURANT DANS LES INSTRUCTIONS TECHNIQUES

Partie 7

RESPONSABILITÉS DE L'EXPLOITANT

(...)

4.5 SIGNALLEMENT DE CAS DE MARCHANDISES DANGEREUSES NON DÉCLARÉES OU MAL DÉCLARÉES

4.5.1 L'exploitant doit signaler tout cas où des marchandises dangereuses non déclarées ou mal déclarées ont été découvertes dans le fret ou dans la poste. Ces comptes rendus doivent être présentés ~~aux autorités compétentes~~ à l'autorité nationale compétente de l'État où ces marchandises ont été découvertes, à celle de l'État de l'exploitant et à celle de l'État d'origine dans lequel le cas s'est produit.

4.5.2 L'exploitant doit signaler tout cas où il découvre des marchandises dangereuses qui ne sont pas autorisées en vertu du § 1.1.1 de la partie 8 dans des bagages de passagers ou de membres d'équipage ou sur eux, ou tout cas où il est informé de la présence de ces marchandises par l'entité qui en a fait la découverte. Ces comptes rendus doivent être présentés à l'autorité nationale compétente de l'État dans lequel ~~le cas s'est produit~~ les marchandises ont été découvertes, à celle de l'État de l'exploitant et à celle de l'État où le passager ou le membre d'équipage a embarqué.

— FIN —