



**WORKING PAPER**

**ASSEMBLY — 40TH SESSION**

**EXECUTIVE COMMITTEE**

**Agenda Item 12: Aviation Security Policy**

**CONTINUED IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL  
RESOLUTION 2309 (2016)**

(Presented by the United States)

**EXECUTIVE SUMMARY**

The 39th Assembly acknowledged the passage of United Nations Security Council Resolution (UNSCR) 2309 (2016) and expedited multiple actions accordingly. As the 40th Assembly marks the 3rd anniversary of this historic resolution, ICAO and its Member States should commit to a security program for the next triennium that is focused on continued implementation of the key principles of UNSCR 2309.

**Action:** The Assembly is invited to:

- a) Acknowledge progress in implementing UNSCR 2309 (2016);
- b) Urge the Council to continue work on how to better resource and prioritize the aviation security portfolio of the Organization including performance of a feasibility study examining the potential formation of an Aviation Security and Facilitation Bureau as called for in the conclusions of the 2nd High-level Conference on Aviation Security (HLCAS) in November 2018;
- c) Direct the appropriate bodies (such as the AVSEC Panel) to undertake work programs focused on the tenets of UNSCR 2309, including risk management (including guidance on risk-based policy and operation decision making), technology and innovative techniques, and quality control and oversight; and
- d) Direct appropriate bodies (such as the AVSEC Panel) to examine the process by which security standards and supporting tools are developed and adopted, including how policy is scrutinized, the desired security outcomes are clearly articulated, and the impacts assessed.

<i>Strategic Objectives:</i>	This Working Paper relates to the <i>Security and Facilitation</i> Strategic Objective.
<i>Financial implications:</i>	The activities and actions outlined in this Paper are subject to the resources available in the 2020-2022 Regular Programme Budget and from extra-budgetary contributions such as the AVSEC Fund.
<i>References:</i>	United Nations Security Council Resolution 2309 (2016) <i>Global Aviation Security Plan (GASeP)</i> (Doc 10118) <i>Report of the Second High-level Conference on Aviation Security</i> (Doc 10123)

## 1. INTRODUCTION

1.1 Immediately preceding ICAO's 39th Assembly in September 2016, the United Nations Security Council took historic action in addressing the persistent threat of terrorism to civil aviation by unanimously adopting United Nations Security Council Resolution (UNSCR) 2309 (2016). As the first UNSCR solely focused on issues related to aviation security (AVSEC), UNSCR 2309 elevates AVSEC to a priority issue both for the Council and globally for all Member States. UNSCR 2309 reiterates the shared responsibilities of all Member States and stakeholders in the global aviation system, "noting the global nature of aviation means that States are dependent on the effectiveness of each other's' aviation security systems," and "States are dependent on each other to provide a common secure aviation environment." In short, the global aviation system is only as secure as its most vulnerable points.

1.2 Through UNSCR 2309, the Security Council urges States to take action to strengthen and reinforce AVSEC systems, and ensure that AVSEC measures are effectively implemented on a continuing and sustainable basis, noting the importance of factors such as resourcing, quality control and oversight, and the promotion of an effective security culture. UNSCR 2309 highlights the need for States to pursue risk-based security measures, ensuring that mitigation activities address evolving and expanding threats to aviation. Further, quality control and oversight capabilities must be developed in order for States to appropriately identify gaps and vulnerabilities and adequately address both.

1.3 UNSCR 2309 particularly highlights the role of ICAO as the United Nations organization responsible for developing global AVSEC standards, monitoring the effective implementation of those standards, and providing States with assistance in complying with those standards. The passage of UNSCR 2309 was widely acknowledged during ICAO's 39th Assembly, and provided the impetus for expediting development of ICAO's Global Aviation Security Plan (GASeP) and championing a robust AVSEC agenda for the triennium.

## 2. PROGRESS IN IMPLEMENTING UNSCR 2309 (2016)

2.1 At the urging of the Assembly, the GASeP was expeditiously developed by a task force of the AVSEC Panel, and was adopted by the ICAO Council during its 212th session in November 2017. Supporting Regional Roadmaps were developed throughout 2018. These Roadmaps were finalized at a series of high-level regional meetings; the culmination of which was a key point of discussion during ICAO's 2nd HLCAS in November 2018. UNSCR 2309 highlighted the interdependency of the global aviation system; in turn, the GASeP aims to provide strategic direction and the supporting Regional Roadmaps outline specific initiatives that detail how ICAO, States, and stakeholders should work towards positively impacting global AVSEC and to ensure the effective implementation of and compliance with ICAO AVSEC standards writ large.

2.2 At the same time, much work has been completed at ICAO on key pieces of UNSCR 2309 including quality control, policy and guidance documentation, training, and other supporting tools. In the area of quality control, the ICAO Secretariat and Member States continue to examine and evolve the framework of the Universal Security Audit Programme (USAP), which also has a key role in the global targets included in the GASeP. ICAO's Aviation Security Global Risk Context Statement (RCS) (Doc 10108) continues to be updated yearly reflecting changes in the global threat and risk picture, and aides in identifying areas of focus for the ICAO AVSEC portfolio. Capacity building has advanced as training programs and workshops have been developed and delivered across ICAO's Aviation Security Training Centre network and in concert with donor nations.

### 3. CHALLENGES AND NEXT STEPS

3.1 Work during the past triennium has demonstrated some progress in the implementation of UNSCR 2309. Nevertheless, three years on from the passage of UNSCR 2309 and given the persistent and evolving threats to international civil aviation, ICAO and its Member States should reaffirm commitment to continue raising AVSEC as a global priority. Work since the 39th Assembly has built a framework but, perhaps more importantly, effective and sustainable implementation together with tangible results must necessarily follow.

3.2 The GAsEP serves as a key tool to provide strategic direction and outlining initiatives on which ICAO, States, and stakeholders should focus. It is not a regulatory document, nor does it supersede the security standards contained in Annex 17 - *Security*. The GAsEP is a means to an end, and as noted in the Council update on the document, it must remain a living document that is revised in order to appropriately guide the work of ICAO, States, and stakeholders towards the desired end, which is effective and sustainable implementation of Annex 17 Standards and Recommended Practices. ICAO must work with States and stakeholders to prioritize work identified by the GAsEP. The five key priorities outlined in the document are integral to AVSEC, but there must be a prioritization in order to first address foundational issues, such as quality control and oversight.

3.3 UNSCR 2309 places significant emphasis on strengthening screening procedures and maximizing the promotion, utilization, and sharing of new technologies and innovative techniques. Strides have been made to increase focus on innovation in AVSEC through ICAO – both in terms of technologies and processes. ICAO has created fora such as the now yearly AVSEC Symposium and Innovation Fair in order to bring experts together to discuss recent developments and emerging innovations, as well as challenges, aiming to direct the latest information to those charged with implementing security. Substantial work continues with strategic partners, and through the AVSEC Panel and its Working Group on Innovation in Aviation Security, to find ways to get information to States on technologies and procedures best equipped to address threats in a risk-based manner. However, the speed with which such information and efforts are undertaken must increase to meet the demands of the dynamic environment in which we operate. Of course, managing new and emerging threats in real time is necessary, but efforts to ensure that information and resources to bolster the global AVSEC baseline are pursued and shared must also be prioritized.

3.4 A central tenet of UNSCR 2309 is integrating risk-management into AVSEC, both in policy and operations. Since the 1st HLCAS in 2012, ICAO and its Member States have strongly touted “risk-based security” as the desired direction globally. The ICAO Global Risk Context Statement (Doc 10108) and the *Aviation Security Manual* (Doc 8973) provide substantial guidance on risk analysis frameworks. ICAO’s Risk Management Workshop guides States in building their own risk context statements. However, a gap remains in how the next step is taken – how risk analyses and other data are taken and used to inform and make sound, risk-based policy decisions, and in turn, implement risk-based operational security measures. Risk-based decision making allow for AVSEC systems where resources are allocated efficiently and effectively to address the assessed risk level. As States and stakeholders strive to do more with less in an evolving and broadening threat environment, guidance on how to translate risk assessments into policy and operational decisions is critically necessary. The AVSEC Panel agreed that work in this areas should be undertaken, and it is important that this work is prioritized.

3.5 Changing policy and standards will only impact the global security baseline if the implementation of those standards is effective and sustained – otherwise ICAO and its Member States have only succeeded in changing words in documents. Alongside addressing risk-based decision making, ICAO and its Member States should examine the process by which Annex 17 Standards are developed,

issued, and implemented. When a change in the threat environment necessitates swift action, then global requirements will need to be revised at a rapid pace. However, updates to Annex 17 do not immediately equate to increased global security because that is dependent on effective implementation of Standards. Such updates must be undertaken in a holistic manner where the policy is scrutinized, the desired security outcomes are clearly articulated, and the impacts assessed (with a full understanding of the spectrum of possible impacts globally). Moreover, ICAO must also ensure that its toolkit (from guidance material to capacity development offerings) is equipped to support such changes.

3.6 It goes without saying that resource constraints are a reality for ICAO, Member States, and stakeholders. At the same time, more must be done to appropriately prioritize and resource AVSEC. The 2nd HLCAS concluded that resourcing and prioritization of ICAO's AVSEC portfolio should be examined, and directed the Council to perform a feasibility study on the potential for establishing an AVSEC and Facilitation Bureau as a possible option for bolstering the security portfolio, to gain parity with safety, but also acknowledging the zero nominal growth budget stance and noting that there should be no adverse impact to safety and other key priorities of the Organization. It was envisioned that this study would be completed in advance of the 40th Assembly. The Council should take care to complete this work fully at the soonest possible date in order to ensure that the work outlined for this next triennium is appropriately supported and resourced. ICAO should set the global example for its Member States in this regard.

#### 4. **CONCLUSION**

4.1 Positive progress in global AVSEC is evident since the 39th Assembly in 2016, but the 40th Assembly must set an AVSEC agenda for the next triennium that is even more ambitious. While the last triennium has set the framework via the development of the GASeP and related tools, there must now be focused on action, effective implementation, monitoring, and improvement.

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