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ASSEMBLY — 41ST SESSION

REPORT OF THE EXECUTIVE COMMITTEE ON AGENDA ITEM 14

(Presented by the Chairman of the Executive Committee)

The attached report on Agenda Item 14 has been approved by the Executive Committee. Resolutions 14/1 and 14/2 are recommended for adoption by the Plenary.

Note.— After removal of this covering sheet, this paper should be inserted in the appropriate place in the report folder.

(29 pages)

Agenda Item 14: Aviation Security — Policy

14.1 At its seventh and eighth meetings, the Executive Committee considered the subject of aviation security (AVSEC) policy based on the Council report on the Implementation of the Global Aviation Security Plan (GASeP) (WP/4), and the ICAO *Year of Security Culture (YOSC) 2021* (WP/23). The Committee also considered the Council's proposal for updating the following Resolutions: Consolidated Statement on Continuing ICAO Policies Related to Aviation Security (WP/5), and Cybersecurity in Civil Aviation (WP/22). In addition, there were 39 papers submitted by States and observers: WPs/ 137, 331, 75, 333, 189, 387, 222, 282 Revision No.1, 152, 349, 293, 422, 347 Revision No.1, 130, 154, 156, 388, 267, 480, 518, 524, 517, 330, 25, 271, 238 Revision No. 1, 302, 243, 539, 74, 158, 281, 231, 241, 151, 416, 374, 64, and 423.

14.2 Bangladesh in WP/137 proposes certain elements to be considered in the next revision of the GASeP, such as a more realistic, clearer and achievable version of the GASeP along with guidance.

14.3 Chile, Brazil and Colombia, and supported by Argentina, Ecuador, El Salvador, Guatemala, Panama, Uruguay, as well as States within the South American Region (SAM) and the Latin American Civil Aviation Commission (LACAC), in WP/331 shares experience of States in implementing the NAM/CAR/SAM regional GASeP roadmap. The paper also highlights how the pandemic has affected cooperation mechanisms and the movement of persons giving rise on the need to revise the GASeP roadmap and its indicators.

14.4 Czechia on behalf of the European Union (EU) and its Member States, the other Member States of the European Civil Aviation Conference (ECAC) and the Member States of the African Civil Aviation Commission (AFCAC), and by China and co-sponsored by Brazil and the United States, in WP/75 advocates the development of clear monitoring and reporting processes of the GASeP as a means to enhance aviation security globally, without distracting from the compliance with Annex 17 — *Aviation Security Standards and Recommended Practices (SARPs)*, leveraging existing data and resources, as well as mechanisms to target capacity development. The paper also highlights the importance of building on and maintaining the momentum of the YOSC and advocates ICAO to take next steps to support meeting the objectives of the GASeP.

14.5 The Dominican Republic in WP/333 proposes the reformulation of the timelines set for the implementation of tasks under the GASeP, as well as the percentages of the total number of audited States that must reach the implementation percentages of the critical elements of an aviation security oversight system, as documented in the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA). The paper also envisages the establishment of a methodology to translate the results of indicators for the GASeP tasks into percentages, so that they are aligned with the aspirational global targets.

14.6 In WP/189 by the United States, co-sponsored by the Dominican Republic, Malaysia, Thailand, Singapore, United Arab Emirates, Airports Council International (ACI) and the International Air Transport Association (IATA), the 41st Assembly is invited to reflect on the successes of the efforts to raise security awareness, and proposes that the Assembly take action to ensure that opportunities to review, evaluate, and innovate ICAO aviation security plans and programmes are realized.

14.7 Venezuela (Bolivarian Republic of), supported by Bolivia (Plurinational State of), Colombia, Costa Rica, Dominican Republic, Ecuador, Panama and Uruguay, in WP/387 suggests that GASeP measurement mechanisms should be designed that make it possible to identify the percentage of

contributions that “ICAO”, “States” and “Industry” components (or a combination of them) make to the level of implementation of the GAsEP, and that such implementation should not be based exclusively on the EI of States shown in USAP audit findings. It further suggests that it is important to be able to analyse the desirability of designing new parameters to measure the global aspirational targets in the GAsEP, considering that the Roadmap is identified as a “living” document and that there is the possibility that it be periodically reviewed and adjusted, as necessary.

14.8 Brazil, with the support of the 20 LACAC Member States, in WP/222 shares Brazil’s experience with the rise of unruly passengers in the wake of the COVID-19 pandemic, in which many passengers refused to comply with aviation security rules or local health regulations.

14.9 The Republic of Korea in WP/282 Revision No.1 proposes the development of International Standards for the Aviation Security Voluntary Reporting (ASVR) system to enhance global aviation security based on security culture and requests the Assembly to consider introducing a proactive security management system by utilizing the database accumulated through the reporting system and introducing security performance targets and indicators.

14.10 The United Arab Emirates in WP/152, co-sponsored by Australia, Canada, the Netherlands, New Zealand, Singapore and the United States, recalls that quality control methodology during the COVID-19 pandemic included some remote techniques in order to apply physical distancing and comply with imposed COVID-19 restrictions and measures. The paper provides consideration of potential benefits for further development of remote techniques as a supplementary means to perform effective aviation security oversight.

14.11 Venezuela (Bolivarian Republic of) and supported by Argentina, Bolivia (Plurinational State of), Colombia, Costa Rica, Ecuador, Panama and Uruguay as well as States within the SAM Region and LACAC, in WP/349 recalls that Annex 17 — *Aviation Security* requires States to consider integrating in their aviation security practices and procedures those activities aimed at detecting possible suspicious behaviour that may pose a threat to the security of civil aviation, in order to comply with ICAO Annex 17. The paper acknowledged that technical guidance is provided in the ICAO *Aviation Security Manual* (Doc 8973 — Restricted) and other regional and local experiences on this issue; however, it would be of great benefit for States to have other options in place to assist them in the development and implementation of their programmes for behaviour detection.

14.12 WP/130 by Czechia on behalf of the European Union (EU) and its Member States, the other Member States of ECAC, Argentina, Brazil, New Zealand, Saudi Arabia Singapore, South Africa, United States, IATA and International Federation of Air Line Pilots’ Associations (IFALPA) calls for a concerted effort to recognize the ‘new normal/situation’ created by the COVID-19 pandemic and to find solutions that support the workforce and make aviation security roles an attractive and professional career choice. The paper highlights that human factors and the impact they have in the performance on the aviation security workforce should be a centrepiece that must result in realistic actions at the State and industry level, including bolder approaches to the retention of existing and the attraction of new aviation security professionals.

14.13 Singapore and the United States in WP/154 recall that the Assembly considered the continued importance of security culture as global air travel recovers from the COVID-19 pandemic as highlighted. Singapore and the United States have jointly developed an Information Sheet on Security Culture (see Appendix to WP/154) which can be used by all stakeholders to promote the importance of security culture and to supplement other ICAO-supported security culture resources.

14.14 The United Arab Emirates in WP/156, co-sponsored by the United Kingdom, emphasizes the importance and benefits of collaboration and partnership in an ongoing need to promote the enhancement of security awareness and a strong and effective security culture in civil aviation, by ICAO, States, relevant organizations, industry and other stakeholders. The paper also highlights the approaches and achievements related to the objectives of the YOSC by the United Arab Emirates at the national, regional and international levels.

14.15 Venezuela (Bolivarian Republic of) in WP/388, and supported by Bolivia (Plurinational State of), Colombia, Costa Rica, the Dominican Republic, Ecuador, Panama and Uruguay, stresses that vulnerabilities from insiders be considered as more serious, since insiders have access to security systems and have more opportunities than passengers to successfully disrupt such systems. The paper proposes that, in addition to technical guidance, it would be most helpful for States to have different means of assistance at their disposal, enabling them to develop and implement prevention policies and mechanisms to address insider threats.

14.16 Bahrain, in WP/330, highlights the importance of adopting a clear methodology for assessing aviation security threats and risks, including the definition of responsibilities of entities in charge of assessing threats and risks, in order for States to implement appropriate and flexible security processes and mitigation measures. The paper calls on Member States to report acts of unlawful interference and share their expertise and best practices, to help ICAO develop relevant material aimed at assisting States. The paper also calls for ICAO, through the Working Group on Threat and Risk (WGTR), to update the ICAO *Aviation Security Global Risk Context Statement* (Doc 10108 — Restricted) to include risk-based assessments and consider new or amended aviation security measures.

14.17 Colombia, Chile and Peru, and supported by Bolivia, Brazil, Ecuador, Panama and Uruguay, in WP/25 recalls that Colombia and Peru ratified a one-stop security (OSS) agreement in 2021 and highlighted the numerous benefits that can be reaped from similar arrangements, such as the strengthening of inter-State cooperation, better use of available resources and avoidance of duplication of controls. It also further promotes the continuous collaboration of States at the regional level in an effort to enhance the sustainability of aviation security, facilitation and the improvement of passenger experience.

14.18 India, in WP/271, presents updates on India's work towards preparing a regulatory framework for establishing a graded response mechanism and counter rogue drone policy, in order to address the contemporary challenges posed by unmanned aircraft systems (UAS) amid the growing proliferation of commercial drone activities in India.

14.19 The Republic of Korea, in WP/238 Revision No. 1, proposes to establish a common performance certification system for aviation security equipment and related technologies. It further proposes to establish technical requirements for advanced security equipment and prepare common test procedures and methodologies. To respond to the threats of international terrorism, the paper proposes ICAO to create an environment that fosters international cooperation and encourages Member States to use performance certification systems.

14.20 Saudi Arabia, on behalf of the Arab Civil Aviation Organization (ACAO) States, informs in WP/302 on Saudi Arabia's efforts to promote support and boost collaboration across the international civil aviation security community, considering that the threats and risks faced by the civil aviation community in any State may impact all Member States. The paper further praises the ICAO *No Country Left Behind* initiative, which has played an integral role in enhancing international cooperation to achieve civil aviation security objectives.

14.21 AFCAC, in WP/243, highlights the importance of cooperation and collaboration between ICAO, regional organizations, and regional civil aviation bodies in matters of aviation security and facilitation to ensure effective implementation of civil aviation security policies and practices between Member States leading to a secure, efficient, and sustainable regional air transportation system.

14.22 Czechia, on behalf of EU, ECAC, AFCAC and EUROCONTROL and co-sponsored by Brazil and the International Coordinating Council of Aerospace Industries Associations (ICCAIA), in WP/74 asks the Assembly to request that ICAO develop guidance on cyber risk assessment, finalize the compilation of relevant SARPs and legal instruments that States and stakeholders can build on to include cyber risks in their aviation framework, and consider the organization of cybersecurity exercises on the global and regional levels. It further recommends that ICAO and States intensify efforts to promote dedicated cybersecurity culture and capacity-building activities.

14.23 Guyana, supported by Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Panama, Peru, Uruguay and Venezuela (Bolivarian Republic of), in WP/158 requests ICAO to dedicate resources towards cybersecurity capacity-building for small States. It further requests that ICAO creates and promotes a cooperation mechanism to foster mentorship and technical exchange programmes among States.

14.24 Oman in WP/281 seeks to ensure the consistent and standardized governance of aviation cybersecurity in States with full competency given to the national civil aviation security appropriate authority.

14.25 Saudi Arabia, on behalf of ICAO Member States, in WP/231 calls on States to adopt a civil aviation cybersecurity culture, and calls on ICAO to develop a cybersecurity awareness programme designed for civil aviation personnel, in parallel with the aviation security culture programme.

14.26 South Africa in WP/241 recommends States to incorporate zero-trust security model principles in their information security management systems (ISMS), and requests the Cybersecurity Panel to develop technical guidance to enable the incorporation of zero trust in ISMS.

14.27 The United Arab Emirates in WP/151 recommends recognizing the need for coordination between all stakeholders to address aviation cybersecurity, and also recommends that stakeholders develop capacity-building strategies to enhance human resources' competencies.

14.28 Venezuela (Bolivarian Republic of), supported by Bolivia, Colombia, Costa Rica, Ecuador, Panama, and Uruguay, in WP/416 requests ICAO to develop an Implementation Package (iPack) aimed at providing assistance to States to accelerate the implementation of the ICAO Aviation Cybersecurity Strategy.

14.29 AFCAC, on behalf of 54 African States, in WP/374 recommends that the Cybersecurity Panel undertake the development of capacity-building, training, and cybersecurity culture initiatives during crisis times for air navigation services personnel.

14.30 IATA in WP/64 recommends that the Assembly request the Council to ensure that all ICAO working bodies create a cross discipline and multi-step concerted approach in the integration of cybersecurity provisions and other requirements, based on security by design. It further invites the Assembly to recognize the potential impact of the introduction of new generation of interconnected and

innovative technologies and associated supply chains that are not bound by civil aviation regulations and SARPs.

14.31 Information papers (WP/267, WP/293, WP/422, and WP/423) from the Dominican Republic, information paper (WP/518) from Paraguay, information paper (WP/424) from the Republic of Korea, information paper (WP/480) from South Africa, information papers (WP/347 Revision No.1 and WP/539) from the United States, and information paper (WP/517) from the World Customs Organization (WCO) were noted.

Discussion

Global Aviation Security Plan (GASeP)

14.32 In WP/4 the Council provided an overview of the activities undertaken to implement the GASeP. It includes a global and regional overview of the current level of effective implementation, as documented through the USAP-CMA.

14.33 The Committee recognized the extensive efforts to date, and currently underway, by States, regional groups and industry to accomplish GASeP tasks and priorities. However, noting that the level of effective implementation is below the desired aspirational targets, the Committee called upon States to take further steps to continue to improve aviation security in accordance with Annex 17. The importance of aviation security being elevated and considered on an equal level to safety as a strategic ICAO priority was also underscored.

14.34 In further considering WP/75, WP/137, WP/333 and WP/387, support was expressed for the relevant ICAO expert groups, namely the Task Force on the Global Aviation Security Plan (TF-GASeP) and the Aviation Security Panel, to prioritize the revisions of the GASeP and its Roadmap, informed by a stock-taking exercise on lessons learned from the experience of the implementation and management of aviation security during the COVID-19 period. It is important that a process be established for the relevant ICAO expert groups to engage in the systematic and regular review of the GASeP, its aspirational targets, and its Roadmap, as well as establishing clear monitoring and reporting processes, leveraging existing data and resources, and for such review to be reported to the ICAO Council for consideration. The Committee appreciates the many proposals and ideas to revise and to update the GASeP outlined in these working papers.

14.35 In considering WP/189, the Committee recognized that looking into the next triennium and beyond, it is imperative that ICAO's aviation security plans and programmes be assessed holistically to ensure they remain relevant and fit-for-purpose. This would ensure that critical questions are not left unexamined, such as: whether the existing structures, parameters and methodologies of these plans and programmes contribute to Member States' underperformance in the effective implementation of Annex 17 SARPs; and whether the current aviation security mandates of ICAO create barriers to the consideration and adoption of more innovative approaches, where appropriate. Accordingly, broad support was expressed for the need to continue reviewing and improving ICAO aviation security programmes using consultative mechanisms and involving Member States and industry to ensure that such plans and programmes are still serving their intended purpose as well as adapting to the new and emerging aviation security challenges, while considering root cause analysis and innovative approaches to further improve or enhance their effectiveness. The Committee also agreed that results of such reviews, including any recommendations, should be reported to the Council on a regular basis.

14.36 The Committee also recognized that all other GAsEP-related proposals contain valuable input for the future revisions of the Plan, and agreed that these proposals should be further examined by the TF-GAsEP. This Task Force will take all the suggestions into consideration as it continues its review of the Plan.

Regulatory policy

14.37 The Committee recognized the ongoing problem involving unruly passengers in air transport and took note of some of the good practices adopted by Brazil to mitigate the issue as described in WP/222. The Committee encouraged Member States to work towards mitigating the surge in unruly passengers' situations, especially by adopting, in a coordinated manner, concrete strategies and actions aimed at reducing unruly passenger occurrences. Accordingly, it recommends that ICAO continue to provide guidance as necessary to the Member States regarding campaigns designed for passengers to follow the minimum behaviour rules in aircraft.

14.38 With regard to the proposal in WP/282 Revision No.1 for developing international Standards for voluntary reporting in implementing an aviation security confidential reporting system taking into account the experience in the Republic of Korea in implementing an Aviation Security Voluntary Reporting (ASVR) to enhance global aviation security based on security culture, the Committee recommended that the Republic of Korea's experience in implementing this system be shared with the relevant ICAO expert groups. In the meantime, the Committee emphasized that ICAO and Member States should continue to focus on facilitating the reporting of acts of unlawful interference as required by Annex 17, including through the ICAO reporting system.

14.39 The Committee considered in WP/152 the benefits of implementing technologically advanced remote techniques as a supplementary means to perform effective aviation security oversight, especially when restrictions or other circumstances do not allow for on-site monitoring activities. It encouraged relevant expert groups of ICAO, Member States, organizations, industry and stakeholders to consider developing appropriate frameworks and criteria to support using advanced remote techniques when appropriate.

14.40 The Committee took note of regional efforts described in WP/349 to try various approaches for detecting anomalous behaviour against civil aviation such as the course on "Detection of passengers with suspicious behaviour", which was designed by the Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG) formed by the States of the NAM/CAR/SAM regions of ICAO and the Latin American Civil Aviation Commission (LACAC). The Committee encouraged ICAO to continue to promote activities to assist Member States (including workshops, courses, seminars, implementation packages (iPacks) or any other assistance mechanisms) to enable them to develop and implement their programmes for detecting anomalous behaviour against civil aviation.

Human Factors, security culture and insider threat

14.41 The Council in WP/23 highlighted achievements of the ICAO YOSC in 2021 and the development of various ICAO security culture tools and resources. It acknowledged the worldwide security culture initiatives and activities undertaken by the aviation community.

14.42 The Committee encouraged States, international and regional organizations, and industry to continue building on the security culture achievements attained throughout the YOSC, including by making use of the available ICAO security culture tools and resources. The Committee requested ICAO to

continue to promote the implementation and maintenance of a strong and effective security culture in aviation and to build diversity and inclusion principles into this important work.

14.43 Regarding WP/130, the Committee noted that a well-functioning and secure aviation network is not possible without dedicated, skilled and motivated staff. It was agreed that aviation security roles merit recognition of the required skills and competencies, and should be promoted as a profession given their importance. In this regard, ICAO with the support of the Aviation Security Panel, should consider including a strong focus on human factors, performance and professionalization of the aviation security workforce when updating the GASeP, building on the security culture achievements attained throughout the YOSC and utilizing the *Human Factors Starter Pack* being developed by ICAO. A strategic approach to human factors reflecting the long-term evolution of the whole aviation workforce was also recommended, alongside the promotion of integrated security management systems. Within the framework of the ICAO Next Generation of Aviation Professionals (NGAP) Programme, States and industry must work together to ensure enough qualified and competent aviation security professionals are available to operate, manage and maintain the effectiveness and efficiency of the aviation security system.

14.44 The Committee recognized the continued importance of a positive security culture, particularly as air travel recovers from the effects of the COVID-19 pandemic. It welcomed the Information Sheet on Security Culture found in WP/154, jointly developed by Singapore and the United States, as a useful tool that can be used to help promote a strong and effective security culture throughout civil aviation.

14.45 The Committee supported the proposal in WP/156 to encourage ICAO, States, relevant organizations, industry and stakeholders to continue to undertake practical actions towards the enhancement of security culture in civil aviation. It also recognized the importance and benefits of collaboration and partnership amongst all stakeholders in the ongoing need to further promote and support the enhancement of security awareness and a strong and effective security culture in civil aviation.

14.46 Recognizing the importance of measures for the effective identification, assessment and mitigation of possible insider threats, the Committee took note of WP/388 that welcomed any type of technical assistance (e.g. workshops, training courses, seminars, implementation packages (iPacks), etc.) to help States implement such measures effectively.

14.47 In response to comments made by several States about the need for a clear distinction between threat and risk, as the two terms are not interchangeable, the Committee noted that additional guidance can be found in the *Aviation Security Global Risk Context Statement* (Doc 10108 — Restricted, Third Edition, 2022), in particular Appendix A — Risk Assessment Method, Process Map and Guidance Information for Member States.

International cooperation

14.48 In considering WP/330, the Committee recalled the critical role played by ICAO in implementing an effective aviation security threat and risk assessment methodology. Accordingly, the Committee urged States to report acts of unlawful interference, exchange information and best practices and share their experiences regarding threat and risk assessments to enable ICAO to develop and provide tools, guidance material and training on threat assessment and risk management.

14.49 The Committee recognized the benefits outlined in WP/25 accruing to States from establishing OSS arrangements, which aim to enhance the sustainability of aviation security and improve passenger experience, and recalled the existing guidance on OSS issued by ICAO, as well as any available

technical assistance, to assist in the establishment of such arrangements. The Committee also emphasized the critical need for a robust validation process, equivalency of measures, risk assessment, and continuous consultation between States and relevant airport operators to ensure an effective implementation, taking into account established national protocols.

14.50 Noting India's efforts in WP/271 in implementing a counter rogue drone policy, the Committee supported that exchange of information can be done through the relevant expert groups in ICAO, including the AVSEC Panel and the Remotely Piloted Aircraft Systems (RPAS) Panel, with a view to developing sensible policy frameworks aimed at mitigating the threat posed by UAS.

14.51 The Committee considered the proposal in WP/238 Revision No.1 to establish an aviation security equipment performance certification framework, which would include technical requirements and common test procedures and methodologies for advanced security equipment. In light of the rapid development and utilization of advanced aviation security equipment, the Executive Committee agreed that such a framework would require a closer examination by the AVSEC and Cybersecurity Panels.

14.52 Noting contributions States have made to the *No Country Left Behind* initiative, as well as its achievement in assisting and supporting States in aviation security, the Committee took note of a proposal in WP/302 for ICAO to increase its support for cooperation programmes, which contribute to achieving GAsEP priorities and aspirational goals, especially after the COVID-19 recovery phase and the difficulties encountered by States. As an increase in direct assistance is highly dependent on available ICAO resources, the Committee encouraged States with resources, capacities and expertise to offer support and assistance to other States in need to implement, for example, the *No Country Left Behind* initiative, thereby assisting the global civil aviation industry. Finally, the Committee stressed the importance of building regional and international networks and cooperation to help ensure effective implementation of Annex 17 — *Aviation Security Standards*.

14.53 The Committee recognized that a significant challenge in aviation security at States' level is the capacity to ensure effective implementation of aviation security measures, as highlighted in WP/243. The Committee recognized this can only be achieved through an effective oversight that is designed to achieve a secure global aviation network to protect civil aviation operations from acts of unlawful interference. In this regard, the Committee underscored the important supporting role that regional civil aviation organizations can play for Member States in establishing robust and effective aviation security oversight system.

Aviation Security Resolution to be adopted by the Assembly

14.54 The Council presented WP/5 recalling that in 2019, the 40th Session of the ICAO Assembly adopted Resolution A40-11: *Consolidated statement on continuing ICAO policies related to aviation security*. In accordance with Resolving Clause 2 of Resolution A40-11, the consolidated statement must be reviewed at each ordinary Session of the Assembly.

14.55 Completing its work on this agenda item, the Committee agreed to submit for adoption by the Plenary a revised Consolidated statement on continuing ICAO policies related to aviation security taking into account comments received and agreed by the Committee.

Resolution 14/1: Consolidated statement on continuing ICAO policies related to aviation security

Whereas it is considered desirable to consolidate Assembly resolutions on continuing ICAO policies related to aviation security in order to facilitate their implementation and practical application by making their texts more readily available, understandable and logically organized;

Whereas in Resolution A40-11 the Assembly resolved to adopt at each session a consolidated statement on continuing ICAO policies related to aviation security; and

Whereas the Assembly has reviewed proposals by the Council for the amendment of the consolidated statement on continuing ICAO policies related to aviation security in Resolution A40-11, Appendices A to G inclusive, and has amended the statement to reflect the decisions taken during the 41st Session.

The Assembly:

1. *Resolves* that the Appendices attached to this resolution constitute the consolidated statement on continuing ICAO policies related to aviation security, as these policies exist at the close of the 41st Session of the Assembly;
2. *Resolves* to request that the Council submit for review at each ordinary session a consolidated statement on continuing ICAO policies related to aviation security; and
3. *Declares* that this resolution supersedes Resolution A40-11.

APPENDIX A

General policy

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 evolving nature of the threat of terrorist acts, including those posed by concealed explosive devices, landside attacks, surface-to-air threats including man-portable air defence systems (MANPADS), other attacks from a distance, chemical threats, attacks using unmanned aircraft systems (UAS), abuse of the air cargo system for terrorist purposes, use of aircraft as a weapon, cyber-attacks and other acts of unlawful interference against civil aviation, including, in particular, the insider threat, that has a serious adverse effect on the safety, efficiency and regularity of international civil aviation, endangering the lives of persons on board and on the ground and undermining the confidence of the peoples of the world in the safety of international civil aviation;

Whereas all acts of unlawful interference against international civil aviation constitute a grave offence in violation of international law;

Recalling that Resolutions A27-12 and A29-16 remain in force;

Recognizing that the exploitation of the aviation sector by a variety of criminal activities, including the illicit transport of narcotics and psychotropic substances by air, as well as the trafficking of humans, wildlife, and other illicit goods can reveal or exacerbate vulnerabilities that could be exploited by those aiming to carry out acts of unlawful interference;

Recalling Resolution A40-12 on the Declaration on Aviation Security;

Recalling the Joint Communiqués issued by the ICAO-World Customs Organization (WCO) Joint Conferences on Enhancing Air Cargo Security and Facilitation, held in Singapore in July 2012, in Manama, Bahrain in April 2014, and in Kuala Lumpur, Malaysia in July 2016;

Mindful of United Nations Security Council resolutions (UNSCR) 2178 (2014), 2309 (2016), 2341 (2016), 2395 (2017), 2396 (2017), 2482 (2019) and 2617 (2021) related to threats to international peace and security caused by terrorist acts;

Mindful of the United Nations Global Counter-Terrorism Strategy (2006) as a global instrument to enhance national, regional and international efforts to counter terrorism;

Mindful of the efforts by ICAO and its Member States to implement the UN Global Counter-Terrorism Strategy to enhance international, regional and national efforts to counter terrorism, including to take practical steps to strengthen Member State capacity to counter terrorist threats and to reinforce the coordination of the counter-terrorism activities undertaken by the UN System;

Recognizing that global consultations and outreach efforts with Member States to elaborate and refine the elements of the Global Aviation Security Plan (GASeP) successfully led to the adoption of the Plan by the Council in November 2017;

Recognizing increased efforts that need to be made by Member States towards the global aspirational targets of the GASeP set for 2023 and 2030, with the collective support of other Member States, ICAO, regional organizations, industry and all other stakeholders;

Recognizing the importance of the implementation and promotion of global security practices, by both ICAO and Member States, that are risk-based, appropriate and proportionate to the threat;

Recognizing the ongoing need to promote the enhancement of security awareness and a strong and effective security culture in aviation, by Member States, industry and other stakeholders;

Mindful of the Regional Roadmaps adopted at Regional Conferences on Aviation Security held in Egypt, Panama, Portugal and Thailand between 2017 and 2018;

Recalling the Communiqué of the Second High-level Conference on Aviation Security held in Montréal in November 2018, and the conference conclusions and recommendations;

Recalling the importance of Member States taking a comprehensive view of aviation security and other aviation disciplines, maintaining effective coordination among their different bodies to ensure consideration of all appropriate information, and assessment of the consequences of any measures on civil aviation activities, in particular on aviation safety;

Recognizing that the restrictions and public health measures brought by the COVID-19 pandemic have had a serious impact on the aviation industry and that this impact must be taken into account by ICAO and Member States when making decisions on aviation security policies and measures; and

Reaffirming the commitments made in the Ministerial Declaration of the High-level Conference on COVID-19 (HLCC 2021), among others, the need to ensure a safe, secure, and orderly flow of traffic with operational readiness of aviation, and to ensure the long-term resilience of international aviation and incorporate the lessons learned from the current and past pandemics.

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. *Notes with abhorrence* all acts and attempted acts of unlawful interference aimed at the destruction of civil aircraft in flight and civil airports by surface-to-air threats, attacks using UAS and other attacks from a distance, and the misuse of civil aircraft as a weapon of destruction and the death of persons on board and on the ground;
3. *Reaffirms* that aviation security must continue to be treated as a matter of highest priority and appropriate resources should be made available by ICAO and its Member States;
4. *Calls upon* all Member States to confirm their resolute support for the established policy of ICAO by applying the most effective security measures as required and recommended in Annex 17 — *Aviation Security* and security-related provisions in Annex 9 – *Facilitation*, individually and in cooperation with one another, to prevent acts of unlawful interference and to punish the perpetrators, planners, sponsors, and financiers of conspirators in any such acts;
5. *Reaffirms* ICAO's responsibility to facilitate the consistent and uniform resolution of questions which may arise between Member States in matters affecting the safe and orderly operation of international civil aviation throughout the world;
6. *Directs* the Council to continue, as an urgent priority, its work relating to measures for prevention of acts of unlawful interference, and ensure that this work is carried out with the highest efficiency and responsiveness;
7. *Calls upon* ICAO and its Member States to implement UNSCR 2178, 2309, 2341, 2395, 2396 and 2482 in accordance with their respective competencies and collectively demonstrate ICAO's global leadership in safeguarding international civil aviation against acts of unlawful interference;
8. *Recognizing* the leadership role of ICAO in the area of aviation security, requests the Secretary General to raise the profile of aviation security within ICAO and its regional offices and ensure the long-term sustainability of the Organization's aviation security programme within the context of the Regular Programme Budget;
9. *Urges* all Member States to continue to financially support the Organization's aviation security activities with voluntary contributions in the form of human and financial resources beyond those budgeted for under the regular programme;

10. *Directs* the Council to ensure the regular review of the GASeP by the Aviation Security Panel so that it remains relevant, its priorities address existing and emerging threats and continues to serve as a useful tool for supporting Member States' efforts to achieve full implementation of Annex 17 — *Aviation Security*;
11. *Directs* the Council to consider the lessons learned from the implementation of the GASeP, including the changes that have occurred in the aviation industry as a consequence of the COVID-19 pandemic, when making refinements to the Plan, ensuring it contains clear and collective aviation security goals and targets, along with a progress monitoring mechanism using existing processes and tools to assist ICAO, Member States and stakeholders in ensuring continuous improvement in aviation security;
12. *Directs* the Secretary General to continue reviewing and improving the ICAO aviation security plans and programmes holistically, using consultative mechanisms with Member States and industry, to ensure these plans and programmes are still serving their intended purpose and are adapting to the new and emerging aviation security challenges, while considering innovative approaches to further improve or enhance their effectiveness. Results of the reviews, including any recommendations, should be reported to the Council on a regular basis.
13. *Urges* all Member States to actively participate in global and regional efforts towards meeting the GASeP objectives, goals, targets and priorities at the national and regional levels, taking into account global aspirational targets of the GASeP set for 2023 and 2030; and
14. *Urges* all Member States, industry and other stakeholders to continue to take practical actions towards the enhancement of security culture in aviation to support the effective implementation of security measures, and promote security awareness and optimal security behaviour by all entities and individuals.

APPENDIX B

International air law instruments, enactment of national legislation and conclusion of appropriate agreements for the suppression of acts of unlawful interference with civil aviation

a) *International air law 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* (Montréal, 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* (Montréal, 1988), by the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montréal, 1991), by the *Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation* (Beijing, 2010), by the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Beijing, 2010), by the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Montréal, 2014), and by bilateral agreements for the suppression of such acts;

The Assembly:

1. *Urges* Member 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* (Montréal, 1971) and the 1988 *Supplementary Protocol to the Montréal Convention*, to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montréal, 1991), to the *Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation* (Beijing, 2010), to the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Beijing, 2010), and to the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Montréal, 2014)¹;

2. *Calls upon* Member States not yet parties to the above-mentioned air law instruments to give effect, even before ratification, acceptance, approval or accession, to the principles of those instruments and calls upon Member States which manufacture plastic explosives to implement the marking of such explosives as soon as possible; and

3. *Requests* the Secretary General to continue to remind Member States of the importance of becoming parties to the Tokyo, The Hague, Montréal and Beijing Conventions, to the 1988 *Supplementary Protocol to the Montréal Convention*, to the 2010 *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft*, to the 2014 *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft*, and to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*, and to provide assistance requested by Member States encountering any difficulties in becoming parties to these instruments.

b) *Enactment of national legislation and conclusion of appropriate agreements*

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

The Assembly:

1. *Calls upon* Member States to give special attention to the adoption of adequate measures against persons committing, planning, sponsoring, financing or facilitating 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* Member States to take adequate measures relating to the extradition or prosecution of persons committing acts of unlawful interference against civil aviation by adopting appropriate provisions in law or treaty for that purpose and by concluding appropriate agreements to provide for the extradition of persons committing criminal attacks on international civil aviation.

¹Lists of States Parties to aviation security legal instruments can be found at www.icao.int under the ICAO Treaty Collection.

APPENDIX C

Implementation of technical security measures

Whereas protection of civil aviation against acts of unlawful interference requires continued vigilance and development and implementation of actions to mitigate the threat, including those in Annex 17 — *Aviation Security* and security-related provisions in Annex 9 — *Facilitation*, by Member States;

Whereas a clear need exists for the strengthening of security to be applied to all phases and processes associated with the carriage of persons, their cabin and hold baggage, cargo, mail, courier and express parcels, and in protecting civil aviation against cyber-attacks, and threats to the landside areas of airports, as well as attacks carried out or facilitated by insiders;

Whereas threats to the air cargo and mail systems as a whole require a global approach in the development and implementation of security requirements and best practices, including continued cooperation with relevant international organizations such as the World Customs Organization (WCO), Universal Postal Union (UPU), and International Maritime Organization (IMO);

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

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

Whereas a broad set of risk management strategies and tools must be employed to align security measures with security risk in order to ensure the effectiveness and sustainability of aviation security measures, taking into account any unintended impact on the safety of civil aviation;

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

Whereas the COVID-19 pandemic may have required temporary alleviations of certain security requirements to be authorized as the case may be;

Recognizing the importance of carefully assessing and addressing the risks associated with the resumption of aviation operations, paying particular attention to risks deriving from the impact of the pandemic on staff;

Whereas the COVID-19 pandemic requires addressing security threats and risks taking into account new health-related risks, while ensuring a balance with facilitation and sustainability;

Whereas the integration of a robust security culture for all personnel, in both security and non-security functions, at all levels and across the entire aviation domain, is imperative to the development and sustainability of an effective security environment; and

Whereas technology, process innovations and appropriate training are required to achieve effective and efficient aviation security and facilitation measures, and in defining the future of security screening regimes.

The Assembly:

1. *Urges* the Council to continue to attach the highest priority to the adoption of effective, evidence and risk-based, and operationally-viable measures for the prevention of acts of unlawful interference commensurate with the current threat to the security of international civil aviation, to take into account the innovative and evolving nature of that threat, and to keep up to date the provisions of Annex 17 to the Chicago Convention from a threat and risk perspective;
2. *Urges* all Member States on an individual basis and in cooperation with other Member States to take all possible measures for the prevention of acts of unlawful interference, in particular, those required or recommended in Annex 17 as well as those recommended by the Council;
3. *Reiterates* the responsibility of all Member States for the implementation of effective aviation security measures within their territory, taking into account the evolving threat;
4. *Urges* Member States to fully and sustainably implement Annex 17 — *Aviation Security* and the security-related provisions of Annex 9 — *Facilitation*, to intensify their efforts for the implementation of existing Standards and Recommended Practices (SARPs), and procedures relating to aviation security, to monitor such implementation, to rectify any gaps or deficiencies as a matter of urgency, 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 *Aviation Security Manual* (Doc 8973 — Restricted) and other security-related guidance material available on the ICAO restricted website;
5. *Encourages* Member States to place high importance on the recently adopted Standards that respond to the insider threat and ensure their effective implementation within their respective jurisdictions, and to continue adapting and adopting measures against this threat;
6. *Encourages* Member States to promote aviation security as a fundamental component of national, social and economic priorities, planning and operations;
7. *Encourages* Member States to work in partnership with industry to develop, conduct operational trials of, and implement effective security measures and innovative technologies, techniques and processes;
8. *Encourages* Member States and industry to coordinate their efforts to evolve aviation security screening to become more agile in responding to new threats, more seamless and passenger-centric while ensuring security objectives in Annex 17 — *Aviation Security* are constantly met;
9. *Encourages* Member States and all aviation entities to promote a strong and effective security culture in aviation; including the development of security awareness programmes and campaigns among workforces and the general public that emphasize that security is everyone's responsibility;
10. *Urges* Member States to maintain a competent, motivated and well-trained workforce and take actions to guarantee and maintain staff competencies that existed prior to the COVID-19 pandemic;

11. *Encourages* Member States to implement effective oversight, including remote techniques when restrictions or other circumstances do not allow for on-site monitoring activities, over all aspects of their aviation security regime in order to ensure that security measures are effectively and sustainably implemented;

12. *Encourages* Member States, pursuant to their domestic laws, regulations and aviation security programmes, and in accordance with applicable SARPs, to promote the implementation of aviation security measures in a practical manner to:

- a) broaden existing cooperation mechanisms amongst Member States and industry, as appropriate, for information exchange and the early detection of security threats to civil aviation operations;
- b) share expertise, best practices and information relating to preventive security measures, including screening and inspection techniques, the detection of explosives, airport security behavioural detection, screening and credentialing of airport staff, human resource development and the research and development of relevant technologies;
- c) use modern technologies to detect prohibited items and materials and to prevent the carriage of such items and materials on board aircraft while respecting the privacy and safety of individuals;
- d) define aviation security measures that are evidence and risk-based, appropriate and proportionate to the threat, effective, efficient, multi-layered, operationally viable, economically and operationally sustainable, and take into account the impact on passengers, crew and on legitimate trade;
- e) intensify efforts in securing the air cargo and mail security system by:
 - i. developing a strong, sustainable and resilient air cargo security framework;
 - ii. implementing robust security standards effectively and sustainably;
 - iii. adopting a total supply chain approach to air cargo and mail security, if appropriate;
 - iv. establishing and strengthening oversight and quality control of air cargo and mail security;
 - v. engaging in bilateral and multilateral cooperative efforts to coordinate actions to harmonize and enhance air cargo and mail security and secure the global air cargo supply chain;
 - vi. sharing best practices and lessons learned with other Member States to enhance the overall level of air cargo and mail security; and
 - vii. strengthening initiatives to intensify capacity-building and innovation in air cargo and mail security;
- f) give consideration to the potential misuse of UAS, and apply security measures in order to prevent their use in acts of unlawful interference;
- g) ensure that civil aviation security threat and risk assessments within their respective territories and airspace are performed continually, use these assessments to appropriately inform counter-measure development and adjust aviation security policy settings, and

provide information to relevant stakeholders in a timely manner on all possible risks to civil aviation;

- h) address the risk of attacks in landside areas, including terminal buildings, by working with all stakeholders to:
 - i. maintain an appropriate balance between the needs of effective and sustainable security measures and passenger facilitation;
 - ii. implement a set of risk-based measures that are flexible and practical, with clearly defined responsibilities among relevant actors;
 - iii. avoid, to the extent possible, the creation of vulnerabilities posed by areas of mass gathering either inside or proximate to the terminal; and
 - iv. sustain a culture of constant vigilance, deterrence, prevention, response and resilience in a coordinated manner in the face of evolving threats;
- i) ensure the protection of civil aviation against cyber-attacks and cyber threats; and
- j) address the risk posed by insiders through the exploitation of staff and their privileged access to secure areas and sensitive security information, taking into consideration the impact of the COVID-19 pandemic and the possibility that the pandemic has created new or exacerbated existing insider vulnerabilities.

13. *Calls upon* Member States, while respecting their sovereignty, to minimize disruption to air travel resulting from confusion or inconsistent interpretation of standards by cooperating and coordinating actions in order to implement SARPs and guidance consistently, efficiently and effectively and by providing clear, well-timed and readily available information to the travelling public;

14. *Calls upon* Member States, when requesting another State to apply security measures to protect aircraft flying into its territory, to take fully into account the security measures already in place in the requested State and, where appropriate, to recognize those measures as equivalent to reduce duplication;

15. *Requests* ICAO to:

- a) ensure that the provisions of Annex 17 — *Aviation Security* and Annex 9 — *Facilitation* are compatible with and complementary to each other;
- b) continue to promote the development of effective and innovative security processes and concepts, through awareness-raising regional and sub-regional aviation security events at the request of Member States concerned, including in cooperation with industry stakeholders and equipment manufacturers to develop the next generation of passenger and cargo screening processes;
- c) continue to support the work of the Aviation Security Panel in addressing new and existing threats to civil aviation, and to develop appropriate preventive evidence and risk-based measures;
- d) promote the development of mutual recognition processes with the goal of assisting Member States in achieving mutually beneficial arrangements, including one-

stop security arrangements, which recognize the equivalence of their aviation security measures where these achieve the same outcomes, consistent with Annex 17 requirements, and which are based on an agreed comprehensive and continuous validation process and effective ongoing exchange of information regarding their respective aviation security systems; and

e) continue to address other threats and risks, including cyber threats to aviation security, risks to landside areas of airports and air traffic management security, in consultation with the Aviation Security Panel and the Cybersecurity Panel; and

16. *Directs* the Secretary General to update and amend at appropriate intervals the ICAO *Aviation Security Manual* (Doc 8973) and develop new guidance material designed to assist Member States in responding to new and existing threats to aviation and implementing the specifications and procedures related to civil aviation security;

17. *Directs* the Secretary General to ensure the periodic review and updating of the ICAO *Aviation Security Global Risk Context Statement* (Doc 10108 — Restricted), which provides a risk assessment methodology for aviation security which may be considered by Member States for use in further developing their own national risk assessments and to include risk-based assessments, in line with Doc 10108, with any recommendations for the adoption of new or amended aviation security measures in Annex 17 or in any other ICAO document;

18. *Directs* the Secretary General to ensure that appropriate fields of expertise are engaged in the assessment of aviation security risks and the development of SARPs, specifications, guidance material, and other mean to address issues of aviation security, including coordination with other panels; ~~and~~

19. *Directs* the Council to continually assess the Aviation Security Panel terms of reference and establish governance procedures to ensure there are no constraints on the Panel's ability to consider the full scope of aviation security issues; and

20. *Directs* the Secretary General to continue to ensure that aviation security is appropriately positioned as a core tenet and functional component of the ICAO Secretariat, commensurate with its criticality to the advancement, sustainability, and safe and orderly development of international civil aviation.

APPENDIX D

The ICAO Universal Security Audit Programme – Continuous Monitoring Approach

Whereas the ICAO Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA) has been successful in meeting the mandate of Resolution A40-11, Appendix D;

Whereas one of the primary objectives of the Organization continues to be ensuring the security of international civil aviation worldwide;

Whereas Member States are committed to compliance with Annex 17 — *Aviation Security* Standards, and the security-related Standards of Annex 9 — *Facilitation*;

Whereas the establishment of an effective aviation security oversight system by Member States supports the implementation of international aviation security Standards and Recommended Practices (SARPs) and contributes to this objective;

Recalling that the ultimate responsibility to ensure the security of civil aviation rests with Member States; *Considering* that the USAP-CMA has proven to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution, and that the Programme continues to enjoy the support of Member States, serving as a catalyst for their continued efforts to meet their international obligations in the field of aviation security;

Considering that USAP-CMA audit results make an important contribution to the understanding of the aviation security posture globally, regionally, and in individual Member States; and that compiled USAP-CMA data can also be used to ascertain whether Member States are achieving the aspirational targets set out in the GASeP;

Recognizing that the effective implementation of State corrective action plans to address deficiencies identified through USAP-CMA audits is an integral and crucial part of the monitoring process in order to achieve the overall objective of enhancing global aviation security;

Recognizing the importance of a limited level of disclosure with respect to ICAO aviation security audit results, balancing the need for Member States to be aware of unresolved security concerns with the need to keep sensitive security information out of the public realm;

Considering the approval by the Council of a mechanism to address significant security concerns (SSeCs) in a timely manner;

Recognizing the importance of a coordinated strategy for facilitating assistance to Member States through the high-level Secretariat Monitoring and Assistance Review Board;

Recognizing that the continuation of the USAP-CMA, and the continued evolution of this programme, is essential to create mutual confidence in the level of aviation security between Member States and to encourage the adequate implementation of security-related Standards;

Recognizing that the impact of the COVID-19 pandemic and resource constraints have limited the frequency with which audits can be conducted;

Recalling that the 40th Session of the Assembly requested the Council to report on the overall implementation of the USAP-CMA;

The Assembly:

1. *Notes* that the USAP-CMA is fundamental in improving global aviation security through auditing and continuous monitoring of the aviation security performance of Member States;
2. *Requests* the Secretary General to ensure that the USAP-CMA continues to assess and measure the sustainable and effective implementation of Annex 17 Standards, including risk-based approaches to their compliance as appropriate, and security-related Standards of Annex 9, and that audit prioritization is based on risk, and that USAP-CMA addresses serious deficiencies in a timely manner;

3. *Expresses its appreciation* to Member States for their cooperation in the USAP-CMA audit process and for making available security experts to be certified as USAP-CMA auditors to serve as short-term experts for the conduct of USAP-CMA audits, as well as long-term experts to act as USAP-CMA audit team leaders;
4. *Requests* the Council to ensure the continuation and sufficient resourcing of the USAP-CMA and to oversee its activities, as it monitors Member States' ability to establish and maintain sustainable aviation security systems, in compliance with the ICAO security-related Standards, and implementation of corrective action plans to address deficiencies identified during USAP-CMA audits in a timely manner;
5. *Notes* the work carried out by the ICAO Secretariat, in consultation with Member States, to review the scope and methodology of the USAP-CMA and urges the Secretariat to continue to improve the effectiveness of the programme, in consultation with the Secretariat Study Group on the USAP-CMA;
6. *Endorses* the policy of a limited level of disclosure of USAP-CMA audit results including the prompt notification of the existence of significant security concerns;
7. *Urges* all Member States to give full support to ICAO by:
 - a) signing the Memorandum of Understanding regarding the USAP-CMA;
 - b) preparing and submitting to ICAO all required documentation according to established timelines prior to USAP-CMA activities as scheduled by ICAO;
 - c) facilitating the work of USAP-CMA teams during the conduct of USAP-CMA activities;
 - d) preparing and submitting an appropriate corrective action plan to address deficiencies identified during USAP-CMA activities; and
 - e) implementing those corrective measures within timelines agreed upon between Member States and ICAO.
8. *Requests* the Secretary General to ensure the long-term financial sustainability of the USAP-CMA by taking measures to incorporate the funding requirements for staffing and its activities within the Regular Programme Budget as soon as possible; and
9. *Requests* that the Council submit a progress report to the next ordinary session of the Assembly on the implementation of the USAP-CMA.

APPENDIX E

The ICAO Implementation Support and Development – Security Programme (ISD-SEC)

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

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

The Assembly:

1. *Directs* the Secretary General to promote efforts worldwide by Member States and other aviation entities to deliver effective technical assistance and support for Member States by encouraging coordinated, targeted and prioritized international aviation security capacity-building activities;
2. *Urges* Member States to voluntarily contribute financial and in-kind resources to increase the reach and impact of ICAO aviation security enhancement activities;
3. *Directs* the Secretary General to ensure that contributions received for aviation security implementation support and development activities be fully committed to those activities only;
4. *Urges* Member States able to do so to assist in the delivery of effective and targeted capacity-building activities in the area of aviation security. Such activities should include training, technical assistance and implementation support and development, technology transfers and the provision of other necessary resources, where it is needed to enable all Member States to achieve an enhanced and effective aviation security regime;
5. *Invites* Member States to take advantage of ICAO's capacity to provide, facilitate or coordinate short-term remedial assistance and long-term assistance to remedy deficiencies in their implementation of Annex 17 SARPs, and ICAO's capacity to make best use of USAP audit results for defining and targeting aviation security capacity-building activities for the benefit of Member States in need;
6. *Invites* Member States to consider requesting assistance from other international and regional organizations to meet their technical assistance requirements arising from the need to protect international civil aviation;
7. *Urges* Member States and organizations to share with ICAO information on their assistance programmes and activities in order to promote the efficient and effective use of resources;
8. *Directs* the Secretary General to facilitate the coordination of assistance programmes and activities to the extent possible, including by collecting any available information on such initiatives;
9. *Directs* the Secretary General to monitor and evaluate the quality and effectiveness of ICAO assistance projects and to provide regular reports on the use of financial and in-kind resources and on the measured impacts of such contributions;
10. *Urges* Member States and relevant stakeholders to partner for the organization and delivery of capacity-building activities, documenting the commitments made by each party;
11. *Requests* the Secretary General to update and enhance the ICAO Aviation Security Training Programme, Aviation Security Training Packages (ASTPs) and Aviation Security Workshops, and promote other methods of aviation security training such as e-learning and blended learning;

12. *Urges* Member States to contribute to the ICAO Aviation Security Training Programme activities;
13. *Requests* the Secretary General to oversee, develop, promote, support, maintain and regularly re-evaluate the ICAO Aviation Security Training Centre (ASTC) network to ensure that training requirements are met and sound levels of cooperation are achieved; and
14. *Urges* Member States to use ICAO ASTCs for aviation security training.

APPENDIX F

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

Whereas the rights and obligations of Member States under the international air law instruments on aviation security and under the SARPs adopted by the Council on aviation security could be complemented and reinforced in multilateral and bilateral cooperation between Member States;

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

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

Whereas focusing on security outcomes, recognition of equivalence and one-stop security, and respecting the spirit of cooperation defined in multilateral and/or bilateral air services agreements are policy principles whose implementation can contribute significantly to aviation security sustainability;

The Assembly:

1. *Recognizes* that success in eliminating threats to civil aviation can only be achieved through the concerted effort of everyone concerned and a close working relationship between national agencies and aviation security regulators of all Member States;
2. *Urges* all Member States to insert into their multilateral and 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 the model agreement adopted by the Council on 30 June 1989;
3. *Urges* all Member States to adopt the following key principles as the basis for international cooperation in aviation security and to ensure effective aviation security cooperation amongst Member States, ICAO and other relevant international organizations:
 - a) respect for the spirit of cooperation defined in bilateral and/or multilateral air services agreements;
 - b) recognition of equivalent security measures; and

- c) focus on security outcomes;
4. *Urges* all Member States, who have not yet done so, to participate in the ICAO Aviation Security Point of Contact (PoC) Network, established for the communication of imminent threats to civil air transport operations, with the objective of providing a network of international aviation security contacts within each State, and to intensify their coordination and cooperation to ensure the exchange of best practices through the AVSECPaedia;
5. *Urges* ICAO to promote initiatives which enable the establishment of technological platforms for the exchange of aviation security information among Member States;
6. *Requests* that ICAO continue to:
- a) encourage Member States to report on their experience in cooperating with each other to prevent acts of unlawful interference with international civil aviation;
 - b) analyse differing circumstances and trends in preventing threats to international civil aviation in different regions of the world; and
 - c) prepare recommendations for strengthening measures to deter and prevent such acts of unlawful interference;
7. *Directs* the Council to act with the requisite urgency and expedition to address new and existing threats to civil aviation, seeking to mitigate unnecessary disruption to air travel as a result of confusion or inconsistent implementation or interpretation of necessary measures, facilitating a common and consistent response by Member States, and encouraging clear communication by Member States to the travelling public.

APPENDIX G

International and regional cooperation in the field of aviation security

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

Recognizing the development of the United Nations Global Counter-Terrorism Coordination Compact to strengthen the common UN approach to supporting Member States with the implementation of the United Nations Global Counter-Terrorism Strategy and relevant UN resolutions and mandates.

The Assembly:

1. *Invites* the Civil Air Navigation Services Organization (CANSO), the International Atomic Energy Agency (IAEA), the International Criminal Police Organization (ICPO/INTERPOL), the International Maritime Organization (IMO), the Organization for Security and Cooperation for Europe (OSCE), the United Nations Counter-Terrorism Committee Executive Directorate (UNCTED), United Nations Office of Counter-Terrorism (UNOCT), the United Nations Office on Drugs and Crime

(UNODC), the Universal Postal Union (UPU), the World Customs Organization (WCO), the African Union (AU), the European Union (EU), the Arab Civil Aviation Organization (ACAO), the African Civil Aviation Commission (AFCAC), the European Civil Aviation Conference (ECAC), the Latin American Civil Aviation Commission (LACAC), the International Air Transport Association (IATA), Airports Council International (ACI), the International Federation of Airline Pilots' Associations (IFALPA), the International Business Aviation Council (IBAC), the International Coordinating Council of Aerospace Industries Associations (ICCAIA), the Global Express Association (GEA), the International Federation of Freight Forwarders Associations (FIATA), The International Air Cargo Association (TIACA), and other stakeholders 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 continue its cooperation with the UN Counter-Terrorism Committee (CTC) in areas of aviation security and border management, in the global effort to combat terrorism and requests the Secretary General to use the Organization's expertise to assist the UN Counter-Terrorism Executive Directorate (UNCTED) in the conduct of country visits to assess the counter-terrorism efforts of Member States including progress made, remaining shortfalls, and priority areas for technical assistance needs, as well as to identify terrorism-related trends and challenges and best practices employed in the implementation of relevant Security Council resolutions; and

3. *Directs* the Secretary General to use the Organization's expertise in the field of aviation security and border management to support the work of the UN Global Counter-Terrorism Coordination Compact framework to strengthen the common UN approach to prevent and counter terrorism, and to assist the UN Office of Counter-Terrorism (UNOCT) in their efforts to provide technical assistance and capacity-building support to Member States while ensuring assistance activities are coordinated to avoid duplication of effort and ensure the efficient use of resources.

Aviation Cybersecurity

14.56 The Council, in WP/22, provided an update on ICAO's work on aviation cybersecurity during the past triennium, and proposed a revised Assembly Resolution to supersede A40-10 *on Addressing Cybersecurity in Civil Aviation*.

14.57 ICAO is the adequate forum to address aviation cybersecurity in a global, harmonized, holistic, and cross-cutting manner. In that regard, the Committee noted with satisfaction the development of ICAO's work on aviation cybersecurity during the past triennium, and commended ICAO and its groups of experts on their work. In particular, the Committee welcomed the adoption and implementation of an enhanced internal governance structure for aviation cybersecurity in ICAO, as well as the continuous development of aviation cybersecurity policies, provisions, guidance, capacity-building, and awareness initiatives. Moreover, the Committee agreed to recommend to the Plenary the adoption of Resolution 14/2 to supersede Resolution A40-10 *Addressing Cybersecurity in Civil Aviation*.

14.58 The Committee recognized the importance of developing guidance for cyber risk assessments as well as the continuous enhancement of the ICAO aviation cybersecurity framework, implementation of cybersecurity culture, development of capacity-building initiatives, and conducting cybersecurity exercises as outlined in WP/74. The Committee further noted the work done by ICAO to develop a gap analysis through a holistic review of 16 Annexes to the Chicago Convention in order to

identify potential gaps in ICAO SARPs that would support strengthening the protection and resilience of the civil aviation sector. In that regard, the Committee recommended that the ICAO Council refers the proposals in WP/74 to the relevant ICAO expert groups for consideration.

14.59 The Committee acknowledged the importance of developing capacity-building initiatives and to include aviation cybersecurity in organizations' human resources strategies to enhance the competence of aviation personnel in aviation cybersecurity as outlined in WP/151. It also recognized the need to provide capacity-building support and mentorship to small States as outlined in WP/158 in order to ensure a globally holistic and harmonized approach to aviation cybersecurity. In that regard, the Committee recommended that the ICAO Council refers the proposals in WP/151 and WP/158 to the relevant ICAO expert groups for consideration.

14.60 The Committee recognized the need for States to adopt and implement a civil aviation cybersecurity culture as outlined in WP/231. Accordingly, the Committee recommended that the ICAO Council refers the proposals in WP/231 to the relevant ICAO expert groups for consideration, and that the Assembly encourages States to make use of the ICAO guidance material on "Cybersecurity Culture in Civil Aviation" to support their efforts to implement an effective and robust aviation cybersecurity culture.

14.61 The Committee discussed the proposal in WP/241 related to the recommendation to States to use the zero-trust security principle in their Information Security Management Systems (ISMS), and to request the Cybersecurity Panel to develop technical guidance on the use of that principle in ISMS. In that regard, the Committee acknowledged the benefits of zero-trust principles. The Committee further noted that the Cybersecurity Panel is considering the development of guidance on cyber risk assessment and management which would include guidance on the use of different techniques and principles to support the cyber protection and resilience of civil aviation. Accordingly, the Committee recommended that the Council refers the proposals in WP/241 to the relevant ICAO expert groups for consideration.

14.62 The Committee discussed the proposals in WP/281 related to ensuring a proper governance structure for aviation cybersecurity. In that regard, the Committee agreed on the necessity for States to develop an adequate governance structure in order to coordinate the regulatory and oversight functions of aviation cybersecurity across the different aviation domains, and to ensure the coordination of the topic with aviation and non-aviation agencies and stakeholders on the national levels. However, given States' various governance structures to regulate and oversee aviation safety, security, efficiency, and cybersecurity, the Committee recognized the need for flexibility to States in identifying an appropriate national authority for aviation cybersecurity. The Committee also recommended that the Council refers the proposals in WP/281 to the relevant ICAO expert groups for consideration.

14.63 The Committee discussed the proposal to request that the Cybersecurity Panel develops capacity-building and cybersecurity culture initiatives targeted to air navigation services personnel during crises times as outlined in WP/374. The Committee acknowledged the importance of continuous development of capacity-building and cybersecurity culture initiatives across all civil aviation domains, including air navigation services. The Committee further recognized that capacity-building initiatives and cybersecurity culture activities should be conducted continuously regardless of crises. Accordingly, the Committee encouraged ICAO to continue the development of its capacity-building and cybersecurity culture initiatives to support States and stakeholders to address aviation cybersecurity, and recommended that the Council refers the proposals in WP/374 to the relevant ICAO expert groups for consideration.

14.64 The Committee discussed the proposal to request ICAO to develop an iPack on aviation cybersecurity as outlined in WP/416. The Committee further noted the challenges related to developing the

assistance component of such an iPack, whereby it would be challenging to develop a generic assistance package to States given the different governance structures in States for aviation and for cybersecurity in terms of responsibilities and official reporting lines. As such, the Committee recommended that the ICAO Council refers the proposals in WP/416 to the relevant ICAO expert groups for possible consideration and guidance on the development of such an iPack.

14.65 The Committee noted WP/64 and acknowledged the need for coordination of ICAO's work on aviation cybersecurity between the different expert groups, a task that is expected to be undertaken by the new governance structure approved by the ICAO Council, particularly the Council's Ad-Hoc Cybersecurity Coordination Committee. The Committee also recommended that the Council refers the proposals in WP/64 to the relevant ICAO expert groups for consideration.

Resolution 14/2: Addressing Cybersecurity in Civil Aviation

Whereas the global aviation system is a highly complex and integrated system that comprises systems that are critical for the safety and security of civil aviation operations;

Noting that the aviation sector is increasingly reliant on the availability, integrity and confidentiality of information, data, and systems;

Mindful that cyber threats to civil aviation are rapidly and continuously evolving, that aviation continues to be a target for perpetrators in the cyber domain as in the physical one, and that cyber threats can evolve to affect critical civil aviation systems worldwide;

Recognizing that not all cybersecurity events affecting the safety of civil aviation are unlawful and/or intentional;

Recognizing the multi-faceted and multi-disciplinary nature of cybersecurity challenges and solutions and noting that cyber risks can simultaneously affect a wide range of aviation areas and spread rapidly;

Reaffirming the obligations under the Convention on International Civil Aviation (Chicago Convention) to ensure the safety, security and continuity of civil aviation;

Considering that the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention) and Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol) would enhance the global legal framework for dealing with cyber-attacks on international civil aviation as crimes and therefore wide ratification by States of those instruments would ensure that such attacks would be deterred and punished wherever in the world they occur;

Reaffirming the importance and urgency of addressing the cybersecurity and cyber resilience of civil aviation's critical systems, data, and information against cyber threats and hazards, including common interfaces between civil and military aviation;

Considering the need to work collaboratively towards the development of an effective and coordinated global framework to address aviation cybersecurity and to support the cybersecurity and cyber resilience of the global aviation system to cyber threats that may jeopardize the safety and/or security of civil aviation;

Recognizing ICAO's leadership and work in the fields of aviation cybersecurity and cyber resilience across the different aviation disciplines;

Recognizing that aviation cybersecurity needs to be harmonized at the global, regional and national levels in order to ensure the consistency and full interoperability of protection measures and risk management systems;

Recognizing the importance of developing clear national governance and accountability for civil aviation cybersecurity, including the designation of a competent national authority responsible for aviation cybersecurity in coordination with concerned national authorities and agencies; and

Acknowledging the value of relevant initiatives, action plans, publications and other media designed to address cybersecurity issues in a collaborative and holistic manner.

The Assembly:

1. *Urges* Member States to adopt and ratify the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention) and Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol) as a means for dealing with cyberattacks against civil aviation;

2. *Calls upon* States and industry stakeholders to take the following actions to address cyber threats to civil aviation:

- a) implement the ICAO Aviation Cybersecurity Strategy, and make use of the ICAO Cybersecurity Action Plan as a tool to support the implementation of the Aviation Cybersecurity Strategy;
- b) designate the authority competent for aviation cybersecurity, and define the interaction between that authority and concerned national agencies;
- c) define the responsibilities of national agencies and industry stakeholders with regard to cybersecurity in civil aviation;
- d) develop and implement a robust cybersecurity risk management framework that draws on relevant safety and security risk management practices, and adopt a risk-based approach to protecting critical civil aviation systems, information, and data from cyber threats;
- e) establish policies and instruments, and allocate resources to ensure that, for critical aviation systems: system architectures are secure by design; systems are protected and resilient; data is secured and available in storage and while in transfer; system monitoring, and incident detection and reporting, methods are implemented; incident recovery plans are developed and practiced; and forensic analysis of cyber incidents is carried out;
- f) encourage government/industry coordination with regard to aviation cybersecurity strategies, policies, and plans, as well as sharing of information to help identify critical vulnerabilities that need to be addressed;

- g) encourage civil/military cooperation with regard to identifying, protecting, and monitoring common vulnerabilities and data flows at interfaces between civil and military aviation systems, and collaborate in response to common cyber threats and recovery from cyber incidents;
 - h) develop and participate in government/industry partnerships and mechanisms, nationally and internationally, for the systematic sharing of information on cyber threats, incidents, trends and mitigation efforts;
 - i) design and implement a robust cybersecurity culture across the civil aviation sector;
 - j) encourage States to continue contributing to ICAO in the development of international Standards, strategies, and best practices to support advancing aviation cybersecurity and cyber resilience; and
 - k) continue collaborating in the development of ICAO's cybersecurity framework according to a horizontal, cross-cutting and functional approach involving aviation safety, aviation security, facilitation, air navigation, communication, surveillance, air traffic management, aircraft operations, airworthiness, and other relevant disciplines.
3. *Instructs* ICAO to:
- a) continue to promote the universal adoption and ratification of the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention) and Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol); and
 - b) continue to ensure that cybersecurity and cyber resilience matters are considered and coordinated in a cross-cutting manner through the new mechanism in ICAO to address aviation cybersecurity.

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