



Agenda Item 5: Review of the security results obtained in the SAM Region

REVIEW OF SECURITY STRATEGIES IN THE REGION

(Presented by Colombia)

SUMMARY

This working paper presents the actions concerning security that are currently being carried out in the Region, their diversity, and main objectives, and tries to reach a consensus on the need to reconsider the strategy for defining a single mechanism for planning and cooperation on security matters.

References:

- Annex 17
- The Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference (Doc 8973)
- Final report of the GREPECAS/15 meeting

1. Introduction

1.1 Actions related to civil aviation security issues in Colombia started in response to a series of acts of unlawful interference occurring in the country, which revealed the need to establish security regulations. The first one was adopted through resolution 9812 in 1983, after seven guerrilla members were authorised to leave to Cuba after releasing a Boeing 727 flying from Bogotá to Pereira and its 134 occupants in 1982.

1.2 Hence, in 1993, through Law 105, the Security Bureau was created and a number of separate regulations were enacted up until 1995, when Resolution 4026 was passed establishing the National Airport Security Programme and defining the essential aspects set forth in Annex 17 to the Chicago Convention.

1.3 The well-known events of 11 September, 2001 made the world re-orient its efforts regarding civil aviation security by amending Annex 17, establishing a Universal Audit Programme, allocating resources from multilateral banks to investments, and in general giving special consideration to aviation *vis-a-vis* terrorist threats.

1.4 Colombia has insisted in multilateral fora that globalisation has been, undoubtedly, a positive factor for innovation in the last few years; however, this same speed and the availability of sensitive information, without effective control, also enable communications among mafia or terrorist networks and make available to criminals methods for manufacturing weapons or poisons or for planning their global activities.

1.5 The frequency of the acts of terrorism (and the relationship, alleged or proven, among several of such acts) and the intensified struggle of States against this phenomenon add a new dimension to local, national, and regional armed conflicts and to the safeguarding of security.

1.6 In some known cases, civil aviation authorities struggle under operational conditions in which the flag airlines have disappeared and there is a network of related airlines, including leasing arrangements, intermediaries, convenience flags that sometimes makes the chain of events in air transportation untraceable.

1.7 As already stated, globalisation has also had negative repercussions, such as the so-called emerging threats, mainly involving international terrorism using state-of-the-art technologies and mass destruction strategies, eventually associated with drug trafficking and/or messianic philosophies.

1.8 After 2001, it was clear to all of the States that unity provides the necessary strength to contain acts of unlawful interference. However, the speed at which a community forgets things depends on a number of factors: each member has its own pace, each community tries to keep in its memory some acts that it needs to remember in order to sustain a collective behaviour. It is a fact that, in the case of 11 September 2001, more than 7 years have elapsed, and the curve of oblivion runs in inverse direction to the opportunity curve for an act of unlawful interference against aviation.

2. Discussion

2.1 The regional map, speaking of the Western hemisphere, has changed. Apparently, the entities that support the common civil aviation security strategy no longer share the same objectives, generating a duplication of efforts. Regarding this scenario, the following may be noted:

- The Inter-American Committee Against Terrorism (CICTE) initiative, created by the OAS. Although of a more general scope in terms of terrorism, it has placed greater emphasis on civil aviation security after 11/09/2001, working with ICAO and other donors in promoting training efforts. CICTE has its own view on aviation; it promotes State commitments through aviation security practices, and is based on the efforts of each State to comply with these guidelines. It is to be seen if this will change after the Summit of the Americas.
- The Latin America Civil Aviation Commission – LACAC, with twenty-two member States, has its own group working on aviation security. It is now turning its attention to FAL matters, particularly the implementation of Annex 9, with new terms of reference, its main objective being to establish a regional policy on the Facilitation of International Air Transport (FAL), in harmony with international civil aviation security. In light of its specific objectives and comparing them with those that motivated the 2001 effort, it may be seen how LACAC is moving towards facilitation. It also seeks to assess the regional level of threat, the security of cargo, the coordination and cooperation mechanisms, as well as training policies and certification procedures.

- The activities of the US Transportation Security Administration (TSA) in the region are aimed at implementing a series of security measures to ensure that airlines operating in the United States comply with the protocols established by this agency. It also checks the conditions of airports from which flights depart to the United States with regard to Annex 17. The United States has included some clauses on aviation security in its bilateral transportation agreements as a restrictive mechanism, since it regulates market access under certain aviation security conditions. In its visits, the TSA provides guidance to the States on changes to airport security procedures or to facilitate training on a bilateral basis for both States and airlines, but is mainly focused on the establishment of barriers to protect the United States. However, the TSA is an important player in the region given its capacity to intervene and promote bilateral cooperation or assistance.
- The States in the North part of the hemisphere have established the North American Security and Prosperity Partnership encompassing Canada, United States, and Mexico (<http://www.spp.gov>); and the Trilateral (NAAT), a forum established by these countries to discuss aviation security issues. This trilateral effort establishes a common approach for protecting North America from foreign threats, and for preventing and responding to threats within North America. We understand it is a closed group, but open to cooperation.
- The activities of the Andean Community in terms of civil aviation security are weak. The regular meetings of the Andean Committee of Civil Aviation Authorities (CAAA) discuss topics of interest connected to aviation integration, including some actions on airport security within the Andean Community. Some seminars on aspects related to airport and air transport security have been carried out with the support of the governments of the European Union.
- In the Caribbean and South American Regions, ICAO had a work programme that had been developed by an Aviation Security Committee (AVSEC/COMM), which sought regional cooperation among the States, international organisations and the industry to facilitate the proper implementation of ICAO civil aviation security standards, by disseminating knowledge on this topic through activities and seminars in the region. However, its future is uncertain since it has been eliminated from the GREPECAS regional planning group. While ICAO has announced the establishment of a separate regional group to undertake this task, no information in this regard has been provided to date, although Colombia has formally stated that it supports the first meeting of the new group.
- ICAO in Montreal has studied the mechanisms to identify and analyse the new threats to civil aviation, and has established the new generation of the Universal Security Audit Programme (USAP). From this point of view, we would be speaking of the intervention of ICAO in the global international framework, but, as already stated, it is important to have regional strategies to reinforce the global activities in the struggle against threats to aviation and its protection.

- The Aviation Security, Protection, and Assistance Panel (GESPAA) emanated from the Western Hemisphere Transportation Initiative (ITHO) as a high-level working group to address and give advice the ministers of the American continent on aspects related to civil aviation safety and security, pursuant to the ministerial declaration on the Initiative, formulated at the meeting held in Punta del Este in March 2001, which stated: "... as soon as is possible, an action plan to improve aviation security conditions in the region, including the identification of programmes and sources of funding."

2.2 One of the objectives of the GESPAA-ITHO working group is to implement security and safeguard initiatives--on technical, regulatory, and management matters--and essentially promote the channelling of resources for their funding.

2.3 The retrospective analysis that has been done reveals that, to date, the efforts on civil aviation security have not been pooled under a single initiative or under a strong group that will lead the initiatives in the region, and, in some cases, safety and air navigation receive more attention within the international organisations related to aviation.

2.4 It is not convenient for the SAM Region not to have a civil aviation security planning, implementation, and guidance mechanism to integrate efforts in all areas in order to strengthen security. Consequently, it is necessary to link the strategy and the function to the policies developed by the Region in order to successfully face the world of networks and complex relationships and not ignore them.

2.5 Within this context, Colombia notes that civil aviation security lacks the backing it should have in the region. It is necessary to unify and promote a single strategy and a single effort, whether through the ICAO Regional Offices or through another mechanism.

2.6 In this sense, a vision must be adopted whereby countries can participate effectively in the civil aviation security system. To this end, it is fundamental to start with a multi-functionality assumption, understood as the capacity to serve both cooperation and prevention at the national level and hemisphere and hemispheric level.

2.7 To look into the hemispheric security matter from a strategic perspective means linking civil aviation authorities to international relations and with the reality of each nation. It also means approaching it from one of its angles since, in a regional context of global threats, placing the issue of international coexistence within the framework of compliance with common civil aviation standards may at times seem a bit distant and even unappealing, as is the case of some hubs at international airports of the region that do not fully apply Annex 17, especially paragraph 4.4.2:

2.8 Each contracting State **shall ensure** that passengers being transferred on commercial air transport operations, as well as their carry-on luggage, are screened before entering the aircraft, unless the State **has established a validation process and applies, in cooperation with another contracting State**, where applicable, **on-going procedures** to ensure that such passengers and their carry-on luggage have been duly screened at the point of origin and have since been protected against unauthorised interferences, from the check point in the airport of origin, to boarding the outgoing aircraft at the airport of transfer.

2.9 It may be stated that security, within a global dimension, is, for a Region, part of its overall strategy to meet the established objectives. In this single strategy, international organisations participate in the general policy framework, contributing to the prevention of acts of unlawful interference.

2.10 Hence, both the goal of global prevention, which is to ensure the safety of persons, aircraft, and facilities, as well as the capabilities and means from different areas that are used to attain it, come together under a single strategy that is adjusted to a specific reality. Breaking this dynamic would not contribute to the common good.

3. **Conclusions**

3.1 Essentially, it is a matter of developing a critical mass through ICAO or any other mechanism acceptable to us that is in a position of participating with the more developed countries, with a view to safeguarding and developing measures in favour of aviation security, thereby preventing another 11 September from showing us this reality.

3.2 The fact that aviation security measures are not equally applied throughout the airports of the Region creates different scenarios that affect the competitiveness of the States that require that their airports comply fully with Annex 17.

4. **Suggested Action**

4.1 The Meeting is invited to:

- a) Take note and comment on the information provided in this working paper.
- b) Express its commitment to a unified aviation safety strategy and the need for a single regional planning mechanism, whichever it may be.