



**DIRECTORS GENERAL OF CIVIL AVIATION-MIDDLE EAST REGION
FIFTH MEETING (DGCA-MID/5)**

(Kuwait, 4-6 November 2019)

Agenda Item 6: Aviation Security and Facilitation

**RECENT DEVELOPMENTS IN AVIATION SECURITY REGULATORY
DEVELOPMENT**

(Presented by the Secretariat)

SUMMARY

This paper presents information on recent initiatives undertaken by ICAO Headquarters in the area of aviation security policy, and tools and guidance material development.

1. INTRODUCTION

1.1 Aviation remains a prime target for terrorists, and as such, security of international civil aviation has been a high priority matter for ICAO, its Member States, industry, and all other stakeholders. Various actions and initiatives have been taken by ICAO and the wider international community in strengthening preventive and response measures. Among these include the adoption of United Nations (UN) Security Council resolution 2309 on 22 September 2016. This Resolution affirmed ICAO's leadership role in safeguarding international civil aviation against acts of unlawful interference. In turn, ICAO swiftly responded to the ambitions set out in that UN Resolution by developing the Global Aviation Security Plan (GASep), which was adopted by Council in November 2017, and endorsed by the Second High-level Conference on Aviation Security (HLCAS/2) the following year. This information paper elaborates on initiatives both in progress and planned to address the new and evolving threat to aviation security.

2. ANNEX 17

2.1 Annex 17 – *Security* is reviewed on a regular basis to ensure adequacy of measures prescribed therein. Proposals for its amendments are made in coordination with aviation security experts in the Aviation Security Panel (AVSECP) before ICAO Council decides on them. The most recent proposal – known as draft Amendment 17 – was circulated to all Member States for consultation by way of State letter AS8/2.1-19/48 Confidential dated 4 July 2019. It contains proposals intended to strengthen measures against the insider threat, and includes new and/or revised provisions on

background checks, vulnerability assessments, information sharing, and screening of persons other than passengers.

2.2 ICAO is grateful to all States that have replied to the abovementioned State letter by providing comments on the proposed amendment. A final draft will be presented to the Council, taking into account those comments received, and the Council is expected to render its decision on the matter by November 2019. If adopted, Amendment 17 is envisaged to become applicable in July 2020.

3. ICAO AVIATION SECURITY MANUAL (DOC 8973)

3.1 The primary guidance to implement Annex 17 – *Security* is regularly reviewed and updated. The 11th Edition of the *ICAO Aviation Security Manual* (Doc 8973 — Restricted), has been published in English with all other ICAO languages to follow shortly (Electronic Bulletin 2019/37, dated 27 September 2019 refers). It incorporates new and updated guidance material in a number of areas. Notably, this Edition provides best practices on: screening using explosives trace detection equipment; chemical, biological and radiological incidents; assessing the threat posed by persons through behaviour detection; in-flight and airport supplies; quality control; sensitive aviation security information; and recruitment, selection and training.

4. GLOBAL AVIATION SECURITY PLAN (GASeP)

4.1 Regional conferences play an important role in fostering knowledge-sharing, reciprocal learning, and peer review across all ICAO regions. Between 2017 and 2018, four GASeP-specific regional conferences were held to focus on shared accountability and regional priorities, identify unique challenges and threats, and develop region-specific roadmaps. Each event was attended by numerous high-level officials and representatives from a large number of States and stakeholders. Actions are underway to refine timelines and complete the specific tasks and initiatives identified in each of these roadmaps.

4.2 Numerous capability-enhancing initiatives have been developed and deployed in support of GASeP actions. Wide distribution of the *ICAO Aviation Security Global Risk Context Statement* (Doc 10108), and presentations of the Risk Management Workshop in every region have greatly improved understanding of the risk methodology, threats and viable countermeasures, as well as the adoption of innovative approaches to mitigate risk. Workshops and supporting material on Security Culture and Insider Threat have been developed and translated into the six official ICAO languages. ICAO Regional Offices (ROs) receive monthly updates on Universal Security Audit Programme-Continuous Monitoring Approach (USAP-CMA) results in order to identify specific focus areas within their regions and target assistance as appropriate.

4.3 Concerning the future evolution of the GASeP as a “living document”, the GASeP will be updated on a triennial revision schedule. The 2020-2022 revision will reflect adjustments to the Roadmap tasks and timelines and may address how to better link the GASeP with Annex 17 – Security SARPs, where appropriate.

4.4 To enhance awareness of the GASeP and support completing its Priority Actions and Tasks, the ICAO Secretariat has created a GASeP group within the ICAO Secure Portal. The site contains graphs depicting global and regional USAP results, links to background materials, completed/approved GASeP-related products, and extensive information on activities associated with the Priority Outcomes.

5. CYBERSECURITY

5.1 In an effort to further promote a consistent and coherent approach in managing cyber threats and risks, the ICAO Assembly adopted Resolution A39-19 *Addressing Cybersecurity in Civil Aviation* aiming at dealing with cybersecurity through a horizontal, cross-cutting and functional approach, reaffirming the importance and urgency of protecting civil aviation’s critical infrastructure

systems and data against cyber threats. It also sought to obtain global commitment to action by ICAO, its Member States and industry stakeholders, with a view to collaboratively and systematically addressing cybersecurity in civil aviation and mitigating the associated threats and risks.

5.2. In order to implement Assembly Resolution A39-19, instructing ICAO to take the lead and seek to attain a comprehensive cybersecurity, cyber safety and cyber resilience work plan and governance structure, the Secretariat Study Group on Cybersecurity (SSGC) was created, comprising States and other stakeholders. The group has four working groups (Aerodromes, Airworthiness, Air Navigation System and Legal Aspects), each of these dealing with determining the scope and boundaries of cybersecurity, understanding the associated risks and analysing the existing legal framework. The SSGC developed the Cybersecurity Strategy, which was approved by the Council during its 217th Session, and proposed updates to Assembly Resolution A39-19.

5.3. The 40th Session of the General Assembly approved the amendment of Assembly Resolution A39-19 *Addressing Cybersecurity in Civil Aviation* (A40-WP/28 refers) and calls upon States to implement the Cybersecurity Strategy. Furthermore, the Assembly underlined the importance of developing a sustainable implementation plan for the strategy, as well as continuing the work for the development of a strong cybersecurity framework, and encouraged States to ratify the Beijing instruments.

6. COOPERATION WITH OTHER UN AGENCIES

6.1 ICAO cooperates with various United Nations (UN) Offices, Directorates and Specialized Agencies (e.g., United Nations Counter-Terrorism Centre (UN CCT), UN Counter-Terrorism Executive Directorate (UNCTED), and UN Office on Drugs and Crime (UNODC)) as well as other international organizations (e.g., INTERPOL, International Maritime Organization (IMO) and World Custom Organization (WCO)) to fulfil the commitments defined in the UN Global Counter-Terrorism Strategy. Cooperative activities are directly related to aviation security and facilitation, identity, and border control management as described in UN Security Council resolutions 1373 (2001), 1624 (2005), 2178 (2014), 2309 (2016), 2341 (2017), 2395 (2017), 2396 (2017) and 2482 (2019).

6.2 In May 2018, the ICAO Secretariat and UNCTED signed an Arrangement on Cooperation, which defined the collaboration between the two organizations. Additionally, the ICAO Secretariat continues to assist UNCTED through participation in country on-site visits to evaluate UN States' implementation of civil aviation counter-terrorism related resolutions and determine the efficacy of States' aviation statutes, regulations, and policies. UNCTED continues to support ICAO's efforts to ensure that implementation of Advance Passenger Information (API) systems remain at the forefront of States' priorities in fulfilment of Security Council resolutions and security-related Standards in Annex 9 – *Facilitation*.

6.3 The ICAO Secretariat continues to collaborate with the United Nations Office for Counter-Terrorism (UNOCT) to strengthen the delivery of counter-terrorism capacity-building assistance. In December 2018, heads of the two organizations signed an Arrangement on Cooperation that included targeted capacity development; training and other necessary resources, such as technical assistance; and technology transfers and programmes. ICAO, as one of the entities of the Counter-Terrorism Implementation Task Force (CTITF), signed the UN Global Counter-Terrorism Coordination Compact and participated in the High-level Conference of Heads of Counter-Terrorism Agencies of Member States in June 2018.

6.4 ICAO is one of the partners of the Countering Terrorist Travel (CT Travel) Programme initiative, together with the United Nations Office of Counter-Terrorism (UNOCT), the Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Office of Information and Communication Technology (OICT) and the United Nations Office on Drugs and Crime (UNODC). CT Travel is a global capacity-building initiative to support Member States to enhance their detection capacity to curb foreign terrorist fighters (FTF) mobility by using Advance Passenger Information (API)

and Passenger Name Record (PNR) data – making them compliant with the requirements of the Security Council resolutions 2178 (2014), 2396 (2017) and 2482 (2019).

6.5 In cooperation with UNOCT, UNCTED and Interpol, ICAO participated in the development of two compendia of good practices – “The protection of critical infrastructure against terrorist attacks” and “The Responsible Use of Biometrics in Counter Terrorism”. In addition, in 2019 ICAO participated in joint workshops on the protection of critical infrastructure against terrorist attacks in Singapore and Tunisia. ICAO also hosted a joint workshop in the margins of AVSEC 2019 on “UNSCR 2341 and the Role of Civil Aviation in Protecting Critical Infrastructure from Terrorist Attacks.”

7. OTHER

Global Aviation Security Symposium

7.1 ICAO held its third annual Global Aviation Security Symposium (AVSEC2019) from 18 to 20 September 2019 at ICAO Headquarters in Montréal, Canada. The three-day Symposium served as a platform to promote the work of ICAO, its Member States and stakeholders in the area of innovative approaches and best practices. This Symposium focused on international cooperation and collaboration to address the threat posed by terrorists targeting civil aviation by strengthening and promoting the international framework of aviation security.

40th Session of the ICAO Assembly

7.2 The Assembly noted that ICAO is implementing HLCAS/2 recommendations. It also agreed that policy development in aviation security should continue to take into account tenets of UNSCR 2309, highlighting the importance of risk management.

7.3 There was wide endorsement for ICAO’s delivery of the GAsEP, as requested by the 39th Assembly, and full support for its implementation to date. For the first time over 160 countries took part in active discussions on the state of GAsEP. Delegates recognized the level of implementation and supported the Secretariat’s initiative to establish a mechanism for reporting on progress, which is critical in encouraging all countries to reach the global targets.

7.4 The Assembly updated two important resolutions in the field of aviation security, namely: *Addressing cybersecurity in civil aviation* (Res A40-xx); and *Consolidated statement on continuing ICAO policies related to aviation security* (Res A40-xx). It also adopted a new *Declaration on Aviation Security – Affirming global commitment to strengthening implementation* (Res A40-xx), in which the Assembly affirmed ICAO’s global leadership in matters relating to aviation security, and its critical role related to implementation of UNSCR 2309, 2341, 2396 and 2482.

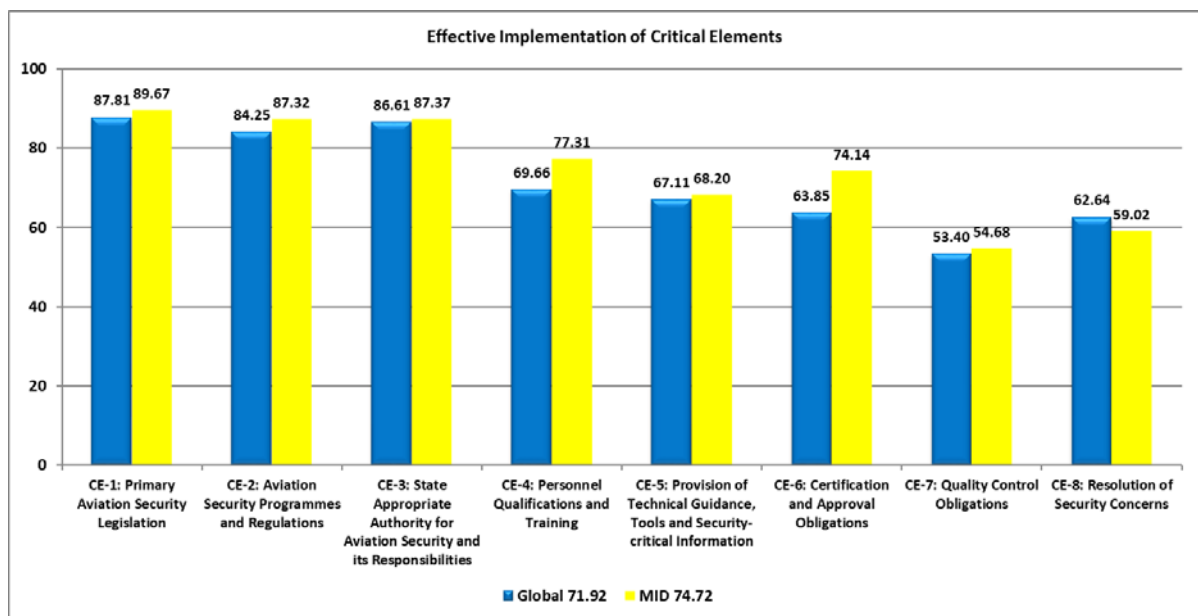
7. UNIVERSAL SECURITY AUDIT PROGRAMME (USAP) DEVELOPMENTS

7.1 The implementation of the Universal Security Audit Programme Continuous Monitoring Approach (USAP-CMA) began in January 2015. The objective of the USAP-CMA is to improve global aviation security through auditing and continuous monitoring of the aviation security performance of Member States. This objective is achieved by assessing the level of effective implementation of the critical elements of an aviation security oversight system and providing an indication of the effective implementation of Annex 17 – *Security Standards* and security-related Standards of Annex 9 – *Facilitation* to the *Convention on International Civil Aviation*. The USAP-CMA incorporates a risk-based approach, using various key parameters to determine the type, scope, priority and frequency of audit and monitoring activities.

7.2 A total of 133 USAP-CMA activities have been conducted in 116 States, including 97 on-site audits, 26 documentation-based audits and 10 validation missions to evaluate the resolution of Significant Security Concerns (SSeCs) since its launch in January 2015. This includes on-site audits

conducted in 8 Member States in the MID region. The schedule of USAP-CMA activities for 2020 was distributed to States *via* Electronic Bulletin 2019/19. A total of 38 USAP-CMA activities have been scheduled for 2020: 34 on-site audits and 4 documentation-based audits, including on-site audits of 4 Member States in the MID region.

7.3 The following chart shows the aggregated results for the USAP audits conducted globally and in the MID region under the second cycle and under the USAP-CMA up to 30 September 2019, measuring the effective implementation (EI) of the CEs of a State’s aviation security oversight system.



7.4 As of 10 October 2019, 169 States had signed the Memorandum of Understanding (MoU) regarding the USAP-CMA. The Secretariat would like to re-emphasize that it is important for all States to sign the MoU at the earliest opportunity.

7.5 The USAP-CMA Protocol Questions (PQs), the State Aviation Security Activity Questionnaire (SASAQ) and the Compliance Checklists (CCs) are posted on the USAP secure website in all ICAO languages. The Second Edition of Doc 9807 – *Universal Security Audit Programme Continuous Monitoring Manual* is also available through the secure website. Member States are encouraged to make use of these tools to conduct self-assessments and to prepare for scheduled USAP-CMA activities.

7.6 Amendment 16 to Annex 17 became applicable on 16 November 2018. As of that date, States are expected to comply with new and revised Standards on the following subjects, *inter alia*: airport-level security risk assessments, cyber threats, supply chain security, and screening of passengers and their cabin baggage. The Secretariat revised the USAP-CMA PQs in consultation with the Secretariat Study Group on the USAP-CMA, to address the new and amended Standards introduced with Amendment 16 to Annex 17.

7.7 A review of the USAP-CMA conducted during the last triennium in consultation with the Secretariat Study Group on the USAP-CMA, 26 recommendations were reviewed and approved by the Council and subsequently endorsed by the 40th Session of the Assembly. Of these recommendations, 12 have already been implemented, 10 are in the process of being implemented and four are being further developed with the SSG on the USAP-CMA for implementation.