



Informs acts of unlawful interference

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?



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- ✈ Stage 1 – Gathering relevant information
- ✈ Stage 2 - Defining the framework
- ✈ Stage 3 - Writing the procedure



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✈ Exercise: Informs acts of unlawful interference

✈ To do the exercises, we will use our fictional scenario:

✈ State – Coronaland

✈ Authority – Civil Aviation Authority of Coronaland (CAAC)

✈ The accident investigation unit is not independent, being part of the CAAC



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- ✈ Stage 1 – Gathering relevant information
- ✈ Stage 2 - Defining the framework
- ✈ Stage 3 - Writing the procedure



Stage 1 – Gathering relevant information

✈ Gather all information relevant to the development of the procedure

✈ Since the procedure of our exercise comes out from a PQ, we need to know the content of:

✈ the question of the Protocol USOAP

✈ the ICAO references to that PQ

✈ the Guidance for Review of Evidence



Informs acts of unlawful interference

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Key elements:

1. Established and implemented
2. Aviation security authorities
3. Immediately
4. Act of unlawful interference
5. Involved or is suspected

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Established and implemented

- This PQ requires evidence of implementation

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Aviation security authorities

- Varies from State to State
- Identify which would be the authority in your State
 - Collect the appropriate contact to send the information when required (on a 24/7 basis)

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Immediately

- No delay on this
- Certain acts expose people to dangerous situations and may require prompt response by the security authorities
- It is possible that the illegal interference be related to other criminal activities

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Act of unlawful interference

These are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

- unlawful seizure of aircraft,
- destruction of an aircraft in service,
- hostage-taking on board aircraft or on aerodromes,
- forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Act of unlawful interference

These are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

...

- use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,
- communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

6.347 Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?

Involved or is suspected

- Don't need to be absolutely sure about it
- Involvement doesn't mean necessarily a relation with the accident



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Stage 1 – Gathering relevant information

ICAO references

STD

A13

5.11

GM

Doc 9962

6.1.7



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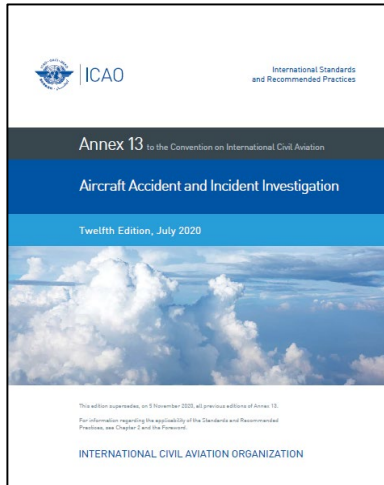
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Stage 1 – Gathering relevant information

ORGANIZATION AND CONDUCT OF THE INVESTIGATION

RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

ANNEX 13



Informing aviation security authorities

5.11 If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the investigator-in-charge shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed.



Chapter 6

INVESTIGATION POLICIES AND PROCEDURES

DOC 9962

6.1 GENERAL

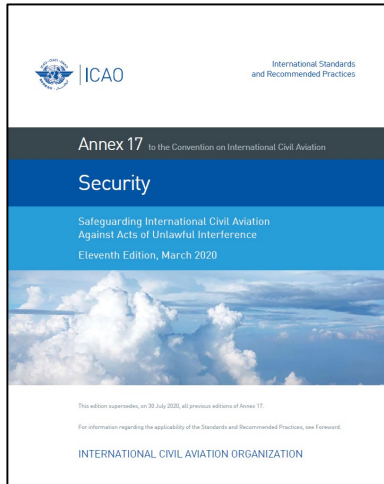
6.1.7 If, during the course of an investigation, the [Accident Investigation Authority] becomes aware of, or suspects, unlawful interference (sabotage or other crime), it should immediately notify the appropriate aviation security and police authorities. The [Accident Investigation Authority] should continue the safety investigation, parallel with any judicial investigation, and should complete a Final Report of the occurrence, in accordance with ICAO Annex 13, keeping in mind continued cooperation with the judicial authorities.



Not part of ICAO Ref for the PQ, but relevant to the procedure

CHAPTER 1. DEFINITIONS

ANNEX 17



Acts of unlawful interference. These are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

- unlawful seizure of aircraft,
- destruction of an aircraft in service,
- hostage-taking on board aircraft or on aerodromes,
- forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,
- use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,
- communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.



Guidance for Review of Evidence

- 1) Review procedures.
- 2) Review evidence to confirm effective implementation, if there were such occurrences.



Stage 2 – Defining the framework

- ✈ “Brainstorm” to find out which tasks would be part of the procedure
- ✈ We may use the template we developed to guide us in the process

NUMBER:		TITLE:			
Process:					
Reference:					
Step	WHAT <small>(Detailed description of the task)</small>	WHO <small>(Designated person responsible for the execution)</small>	HOW <small>(Determination of the way the task will be performed and means to be used)</small>	WHEN <small>(Establish the timeline for the procedure, determining the deadlines for relevant tasks)</small>	In COORDINATION with whom <small>(Identify the persons to coordinate the execution of the task with whom applicable)</small>
1					
2					
3					
4					
5					
6					
...					
n					
NOTES					
N1					
N2					
...					
Nn					
ATTACHMENTS					
#	TITLE		DESCRIPTION		
A					
B					
...					
n					

NUMBER:		TITLE:			
Process:					
Reference:					
Step	WHAT <small>(Detailed description of the task)</small>	WHO <small>(Designated person responsible for the execution)</small>	HOW <small>(Determination of the way the task will be performed and means to be used)</small>	WHEN <small>(Establish the timeline for the procedure, determining the deadlines for relevant tasks)</small>	In COORDINATION with whom <small>(Identify the persons to coordinate the execution of the task with whom applicable)</small>
1					
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n					
N1					
N2					
...					
Nn					
ATTACHMENTS					
#	TITLE		DESCRIPTION		
A					
B					
...					
n					

Note – the template is just a tool, and even after filling its fields we won't have the procedure



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Stage 2 – Defining the framework

NUMBER: 12

TITLE: Communication of an act of unlawful interference

Process: Notification

Reference: PQ 6.347 – Has the investigation authority established and implemented procedures to ensure that it informs the aviation security authorities immediately if an act of unlawful interference was involved or is suspected?



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
1	Preliminary assessment	Investigator-in-charge	<p>The Investigator-in-charge will make an assessment of the considered act to verify whether it falls under the definition of Annex 17, using the Form 15/AIG (Act of Unlawful Interference), submitting it, by email, to the approval of the Chief Investigator.</p> <p>Note: In accordance with Annex 17, acts of unlawful interference are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:</p> <ul style="list-style-type: none">• unlawful seizure of aircraft,• destruction of an aircraft in service,• hostage-taking on board aircraft or on aerodromes,• forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,• introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes,• use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,• communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.	Immediately and no longer than 1 hour after becoming aware of the act	N/A



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
2	Decision recognizing the act of unlawful interference	Chief Investigator	If the Chief Investigator recognizes that an act of unlawful interference is present or suspected, he/she will register this decision in the Form 15/AIG and send it back to the IIC, by email, for the preparation of the communication letter to the Aviation Security Authority of Coronaland (ASAC). Note: If the Chief Investigator do not recognize an act of unlawful interference, skip this step and go to step 6.	Immediately and no longer than 30 minutes after receiving the assessment	Investigator-in-charge



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
3	Preparing communication to ASAC	Investigator-in-charge	The Investigator-in-charge will prepare and submit, by email, to the approval of the Chief Investigator, a draft letter to forward the Form 15/AIG to the ASAC.	Immediately and no longer than 30 minutes after receiving the decision from the Chief Investigator	N/A



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
4	Approval of the communication to ASAC	Chief Investigator	The Chief Investigator will approve (digital signature) the communication letter and will sent it back to the IIC by email (with a copy to the Administrative Assistant) for processing. Note: If there is any needs to amend the draft, the Chief Investigator coordinate with the IIC, by phone, so that the corrections do not delay the delivery of the letter.	Immediately and no longer than 30 minutes after receiving the draft letter	Investigator-in-charge Administrative Assistant



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
5	Send the communication letter to ASAC	Investigator-in-charge	<p>The Investigator-in-charge will send the communication letter to the ASAC by email (with copies to the Chief Investigator and the Administrative Assistant).</p> <p>Note 1: If out of office hours, the IIC will contact, by phone, the officer on duty of the ASAC to make sure the information will be timely received.</p> <p>Note 2: All contact information from the ASAC is available at https://asac-aviationsecurity.gov.cd.</p> <p>Note 3: After this step, skip step 6 and execute step 7.</p>	Immediately and no longer than 30 minutes after receiving the approved letter	Chief Investigator Administrative Assistant



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
6	Decision NOT recognizing the act of unlawful interference	Chief Investigator	If the Chief Investigator do not recognize that an act of unlawful interference is present or suspected, he/she will register this decision in the Form 15/AIG and send it to the Administrative Assistant, by email (with a copy to the IIC), for the preparation of a Note for Filing.	Immediately and no longer than 30 minutes after receiving the assessment	Administrative Assistant Investigator-in-charge



Stage 2 – Defining the framework

Step	WHAT (Detailed description of the task)	WHO (Designated person responsible for the execution)	HOW (Determination of the way the task will be performed and means to be used)	WHEN (Establish the timeline for the procedure, determining the deadlines for relevant tasks)	In COORDINATION with whom (Identify the persons to coordinate the execution of the task with when applicable)
7	Preparing a Note for Filing	Administrative Assistant	The Administrative Assistant will prepare a Note for Filing and will archive the process in the correspondent folder of the occurrence, informing the Chief Investigator and the Investigator-in-charge by email. Note: The documents to be filed are the Note for Filing, the Letter to the ASAC (if the act has been recognized) and the Form 15/AIG.	Within 2 business days after receiving the decision of the Chief Investigator	Chief Investigator Investigator-in-charge



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- ✈ Stage 1 – Gathering relevant information
- ✈ Stage 2 – Defining the framework
- ✈ **Stage 3 – Writing the procedure**



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Writing the procedure

✈ After this “brainstorm” and with the template completed, we will probably be able to write the procedure

DISCLAIMER



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The following procedure is purely fictitious, intended exclusively for educational purposes, and ICAO is not responsible for the adoption of its text without due care for adapting to the characteristics of the civil aviation system in place

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The following procedure is purely fictitious, intended exclusively for educational purposes, and ICAD is not responsible for the adoption of its text without due care for adapting to the characteristics of the civil aviation system in place.

PROCEDURE No 12/CAAC-AIG - COMMUNICATION OF AN ACT OF UNLAWFUL INTERFERENCE

INTRODUCTION

As per Standard 5.11 of Annex 13, Coronaland shall immediately initiate action to ensure that the Aviation Security Authority of Coronaland (ASAC) is informed that an act of unlawful interference was involved or suspected.

This procedure aims at complying with such requirement.

In accordance with Annex 17, acts of unlawful interference are acts or attempted acts such as to jeopardize the safety of civil aviation, including but not limited to:

- unlawful seizure of aircraft,
- destruction of an aircraft in service,
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- communication of false information such as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

PROCEDURE

- 1 The Investigator-in-charge will, immediately and no longer than 1 hour after becoming aware of the act, make an assessment of the considered act to verify whether it falls under the definition of Annex 17, using the Form 15/AIG (Act of Unlawful Interference), submitting it, by email, to the approval of the Chief Investigator.
- 2 If the Chief Investigator recognizes that an act of unlawful interference is present or suspected, he/she will, immediately and no longer than 30 minutes after receiving the assessment, register this decision in the Form 15/AIG and send it back to the IIC, by email, for the preparation of the communication letter to the Aviation Security Authority of Coronaland (ASAC).
Note: If the Chief Investigator do not recognize an act of unlawful interference, skip this step and go to step 6.
- 3 The Investigator-in-charge will, immediately and no longer than 30 minutes after receiving the decision from the Chief Investigator, prepare and submit, by email, to the approval of the Chief Investigator, a draft letter to forward the Form 15/AIG to the ASAC.

Note 2: When an accredited representative has not been appointed, the Investigator on duty becomes responsible for this task.

- 4 The Chief Investigator will, immediately and no longer than 30 minutes after receiving the draft letter, approve (digital signature) the letter and will send it back to the IIC by email (with a copy to the Administrative Assistant) for processing.
Note: If there is any needs to amend the draft, the Chief Investigator coordinate with the IIC, by phone, so that the corrections do not delay the delivery of the letter.
- 5 The Investigator-in-charge will, immediately and no longer than 30 minutes after receiving the approved letter, send it to the ASAC by email (with copies to the Chief Investigator and the Administrative Assistant).
Note 1: If out of office hours, the IIC will contact, by phone, the officer on duty of the ASAC to make sure the information will be timely received.
Note 2: All contact information from the ASAC is available at <https://asac-aviationsecurity.gov.cd>.
Note 3: After this step, skip step 6 and execute step 7.
- 6 If the Chief Investigator do not recognize that an act of unlawful interference is present or suspected, he/she will, immediately and no longer than 30 minutes after receiving the assessment, register this decision in the Form 15/AIG and send it to the Administrative Assistant, by email (with a copy to the IIC), for the preparation of a Note for Filing.
- 7 The Administrative Assistant will, within two business days after receiving the decision of the Chief Investigator, prepare a Note for Filing and will archive the process in the correspondent folder of the occurrence, informing the Chief Investigator and the Investigator-in-charge by email.
Note: The documents to be filed are the Note for Filing, the letter to the ASAC (if the act has been recognized) and the Form 15/AIG.

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- 2 If the Chief Investigator recognizes that an act of unlawful interference is present or suspected, he/she will, immediately and no longer than 30 minutes after receiving the assessment, register this decision in the Form 15/AIG and send it back to the IIC, by email, for the preparation of the communication letter to the Aviation Security Authority of Coronaland (ASAC).

Note: If the Chief Investigator do not recognize an act of unlawful interference, skip this step and go to step 6.

- 3 The Investigator-in-charge will, immediately and no longer than 30 minutes after receiving the decision from the Chief Investigator, prepare and submit, by email, to the approval of the Chief Investigator, a draft letter to forward the Form 15/AIG to the ASAC.

Note 2: When an accredited representative has not been appointed, the Investigator on duty becomes responsible for this task.

- 4 The Chief Investigator will, immediately and no longer than 30 minutes after receiving the draft letter, approve (digital signature) the letter and will send it back to the IIC by email (with a copy to the Administrative Assistant) for processing.

Note: If there is any need to amend the draft, the Chief Investigator coordinate with the IIC, by phone, so that the corrections do not delay the delivery of the letter.

- 5 The Investigator-in-charge will, immediately and no longer than 30 minutes after receiving the approved letter, send it to the ASAC by email (with copies to the Chief Investigator and the Administrative Assistant).

Note 1: If out of office hours, the IIC will contact, by phone, the officer on duty of the ASAC to make sure the information will be timely received.

Note 2: All contact information from the ASAC is available at <https://asac-aviationsecurity.gov.cd>.

Note 3: After this step, skip step 6 and execute step 7.

- 6 If the Chief Investigator do not recognize that an act of unlawful interference is present or suspected, he/she will, immediately and no longer than 30 minutes after receiving the assessment, register this decision in the Form 15/AIG and send it to the Administrative Assistant, by email (with a copy to the IIC), for the preparation of a Note for Filing.
- 7 The Administrative Assistant will, within two business days after receiving the decision of the Chief Investigator, prepare a Note for Filing and will archive the process in the correspondent folder of the occurrence, informing the Chief Investigator and the Investigator-in-charge by email.

Note: The documents to be filed are the Note for Filing, the Letter to the ASAC (if the act has been recognized) and the Form 15/AIG.



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Immediate initiation of an investigation through the designation of an experienced IIC

6.349 Has the State established and implemented procedures to ensure the immediate initiation of an investigation through the designation of an experienced investigator as investigator-in-charge (IIC) and the appointment of an investigation team, as necessary?