



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
MEETING OF THE WORKING GROUP OF THE WHOLE**

Montréal, 15 to 19 October 2012

Agenda Item 7: Other business

COOPERATION WITH THE AVIATION SECURITY PANEL

(Presented by G A Leach)

SUMMARY

This working paper advises the working group of a request from the Secretary General of ICAO for the Chairpersons of the DGP and the Aviation Security Panel (AVSECP) to form a small task force to develop guidance material.

Action by the DGP-WG is in paragraph 2.

1. INTRODUCTION

1.1 Following the terrorist attacks in September 2001, the United Nations Committee of Experts on the Transport of Dangerous Goods (UNCOE) developed provisions related to the security of dangerous goods in transport and introduced a need for training and security plans for shippers, operators and others engaged in the transport of such goods. The text related to the security of “high consequence dangerous goods” (e.g. explosives, infectious substances, radioactive material) that could endanger persons or property and the potential for theft or misuse of those dangerous goods.

1.2 The Aviation Security Panel (AVSECP) was asked for their view as to where the most appropriate location for the UN text would be. Of the AVSECP members who responded opinions were split between it being placed in:

- a) Annex 18 and the Technical Instructions;
- b) Annex 17; or
- c) Annex 18 and the Technical Instructions initially but ultimately transferring to Annex 17.

1.3 At DGP/19 the DGP considered that the most appropriate location for the text in ICAO requirements would initially be in Annex 18 and the Technical Instructions, rather than in Annex 17 and

the associated Security Manual. This decision was based on the consultation with the AVSECP and the following arguments:

- a) the ICAO Legal Bureau recommended direct applicability by including the requirements in Annex 18 and the Technical Instructions on the basis of the latter being an enforceable document;
- a) the urgency to establish security requirements and a need for instant implementation by the aviation industry; and
- b) the lack of references in Annex 17 to cargo aircraft and no references to responsibilities of shippers and cargo agencies.

1.4 At the sixteenth meeting of the AVSECP (Montreal, 10 to 14 April 2004) that panel was informed of the DGP's decision and of the Council's recommendation, at the sixth meeting of its 171st Session (171/6), that the DGP and the AVSECP cooperate in future work regarding the security of dangerous goods in transport. AVSECP recommended that a new security strategic objective on dangerous goods should be included in its work programme.

1.5 On 24 July 2012, the Secretary General of ICAO, Mr Raymond Benjamin, wrote to the Chairpersons of the DGP (G Leach) and the AVSECP (B Lim) requesting that a small joint task force be formed to develop guidance material on countering the potential use of dangerous goods in acts of unlawful interference (a copy of the letter from Mr Benjamin is shown in the appendix of this working paper).

2. ACTION BY THE DGP-WG

2.1 The DGP has, for many years, expressed a desire to work more collaboratively with the AVSECP and the request from Mr Benjamin presents a very welcome opportunity for this to happen, particularly in respect of security of high consequence dangerous goods; experience has shown that little, if anything is done in this area in some States because neither the aviation safety nor security agencies have the necessary responsibility. There would appear to be a clear need for guidance material on this subject but also, it is suggested, given that Annex 17 now encompasses cargo aircraft (one of the impediments to adopting the UN provisions in that Annex), the DGP and AVSECP should review whether it would now be appropriate to add appropriate dangerous goods security requirements in Annex 17, given that the original decision to add it to Annex 18 and the Technical Instructions was seen by many in both panels to be an interim solution.

2.2 The aviation world at large is currently faced with a very serious risk to flight safety in the form of improperly tested/prepared lithium batteries. Consequently, in addition to the subject of high consequence dangerous goods it is suggested that the DGP explore with the AVSECP the possibility of working collaboratively to detect these items, and indeed other dangerous goods in both passenger baggage and cargo, without in any way compromising the focus on security.

2.3 The relationship between the items and quantities of some dangerous goods permitted for carriage by passengers and the 100 mL limitations and restricted articles list of the security provisions could be considered. Closer alignment could result in clarification of what can be very confusing for the passenger.

2.4 The term “high risk” is used in security parlance, whereas “high consequence” is used in the Technical Instructions. Text could be developed to avoid any confusion in applicability of these terms.

2.5 The “Prohibited articles list”, which details items restricted for reasons of security, could be reviewed against the Technical Instructions i.e. there may be some items of dangerous goods which should be added.

2.6 There are other issues which could be usefully explored by the task force, such as the training of passenger and security staff, with the possibility that a training programme could be developed by ICAO.

2.7 In summary, the working group is asked to consider the issues raised in the working paper and highlight any other aspects which would be worthy of consideration by a DGP/AVSECP task force.

APPENDIX

A LETTER FROM MR BENJAMIN REQUESTING THAT A SMALL JOINT TASK FORCE BE FORMED TO DEVELOP GUIDANCE MATERIAL ON COUNTERING THE POTENTIAL USE OF DANGEROUS GOODS IN ACTS OF UNLAWFUL INTERFERENCE



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гражданской
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منظمة الطيران
المدني الدولي

国际民用
航空组织

THE SECRETARY GENERAL

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Dear Messrs. Leach and Lim,

I wish to bring to your attention, in your respective capacities as Chairpersons of the Dangerous Goods Panel (DGP) and the Aviation Security Panel (AVSECP), an issue which the ICAO Council raised during its review of the Report of the Twenty-Third Meeting of the Aviation Security Panel (AVSECP/23) on 13 June 2012.

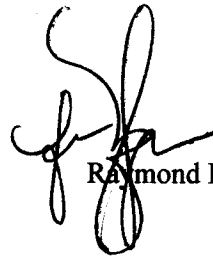
At the Council meeting, the President of the Air Navigation Commission noted, when presenting the Commission's views on the report, that there were areas of mutual interest between the DGP and the AVSECP which needed to be addressed through increased coordination.

The Council expressed its support for stronger cooperation and coordination between DGP and AVSECP. On that basis, I am requesting that the panels establish a small joint task force to develop guidance material on countering the potential use of dangerous goods, particularly those of high consequence, in an act of unlawful interference, and to ensure that existing guidance material is appropriately harmonized.

I have asked the Secretaries of the two panels to contact you in order to begin the coordination process.

I would like to thank you and the members of your panels for your excellent work, and I look forward to reviewing the guidance material in the near future.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R Benjamin', written in a cursive style.

Raymond Benjamin