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INTERNATIONAL CIVIL AVIATION ORGANIZATION

ASSEMBLY — 33RD SESSION

EXECUTIVE COMMITTEE

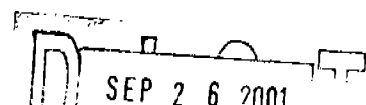
Agenda Item 13: Aviation security

AVIATION SECURITY

(Presented by Belgium on behalf of the European Union Community and its Member States)

The purpose of this document is to present jointly on behalf of the European Community, its Member States and the Member States of the European Civil Aviation Conference to the Assembly the orientations adopted by the Transport Council of the European Union, to respond to the new threat revealed by the terrorist attack against the United States of America. It explains also why global co-operation should be reinforced and what action should be undertaken within ICAO to give this organisation and regional bodies the necessary powers to adopt and oversee the implementation of the measures able to reduce the risk of the recurrence of such horrors by increasing the level of aviation security world-wide.

1. Shocked by the savagery of the terrorist acts perpetrated in New York and Washington on 11 September and that caused a large number of victims, the Heads of State and Governments of the European Union, the President of the European Parliament, the President of the European Commission declared in a joint statement on the 14 September a day of mourning in all European Union countries. This example was followed in most of the other European States.



2. The Transport Council met on 14 September. It declared that these criminal acts show that terrorism is one of the greatest threats to our ideals of democracy and freedom and our values of peace, which are the very essence of our societies. It agreed to implement fully all the key measures in Document 30 of the European Civil Aviation Conference. It took note of the measures taken by individual Member States to strengthen the implementation of the preventive security measures recommended by the European Civil Aviation Conference. It also noted the measures adopted to respond to the new threat, by their governments, as well as by the United States of America for all commercial flights towards their territory.

Action at European level

3. Because of the interdependence and solidarity between all nations in face of international terrorism they decided to strengthen their co-operation, including with their partners in the European Civil Aviation Conference, so that Europe speaks with one voice.
4. The Transport Council has therefore instructed experts to immediately review the key measures included in the ECAC Document 30 in the light of recent events. These measures must be effectively and uniformly implemented.
5. Finally the Council of the European Union has created an ad-hoc multidisciplinary group responsible, firstly, for examining coordination and cooperation needs within the Union to guarantee the consistent introduction of security measures and secondly to consider legislative initiatives that would guarantee that they are effectively and uniformly implemented, without prejudice to the Commissions right of initiative. This group will also examine whether Community regulations are consistent with US legislation so as to avoid proliferation of different types of regulations. This group would produce its first report in time for the Transport Council on 15 October 2001.

Action at Global level

6. Tribute has to be paid to ICAO for the activities developed for more than 25 years in the security field and in particular as a consequence of the Lockerbie crash. Global standards and recommendations on the security of international civil aviation are promulgated by ICAO in Annex 17 to the Chicago Convention.

The contracting States of ICAO apply them to airports and airlines, and contribute to the Organisation 's continuing work on security through the AVSEC Panel, working on the basis of strategic security objectives. In recent years ICAO has paid particular attention to providing training, particularly for less developed countries, to help in putting the standards and recommendation into effect. (Table A to the Annex lists the development of its content since it was introduced in 1974).

7. For the very same reasons of interdependence and solidarity as those explained here above, the Member States of the European Community think that ICAO should continue to be the instrument of such co-operation.
8. On the basis of an analysis of this new form of terrorism, ICAO Annex 17 should now be further reinforced in accordance with the rules of procedure of ICAO to include mandatory common preventive measures, applicable to all flights, using the ICAO Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference, ECAC Document 30 and any other relevant material.
9. Under the auspices of ICAO a worldwide aviation security audit system for assessing airport security arrangements and national civil aviation security programmes should be instituted using as appropriate the model developed by ECAC. The ECAC system, as described in the information paper A 33-WP/62, can also be used as an example for the development of the Universal Safety Oversight Audit Programme (USOAP). In the opinion of the European Commission, as presented in its Communication on a Community Contribution to

World Aviation Safety¹, this would not only secure the application of common security SARPS, but also help identifying the difficulties encountered by some States and trigger the necessary technical co-operation recovery actions.

10. In view of the enormity of the task, regional organisations have certainly an important role to play to assist ICAO in fulfilling these new tasks. Such organisations working in close co-operation with ICAO could therefore be exercising some of its tasks within the framework of appropriate functional delegations. This could include in particular the conduct of audit and inspections on the basis of ICAO protocols, using personnel qualified by ICAO. ---
11. Regional co-operation based on mutual confidence thanks to the uniform application of common standards, as monitored collectively using the external audit of internal quality systems, can contribute to reaching an optimised cost efficiency.
12. Finally, in order to secure these new orientations, the Council has agreed to propose that a special conference at ministerial level should be organised on aviation security by ICAO in the very near future. This would give ICAO action the necessary political support

Conclusion

The European Community and its Member States and the Member States of the European Civil Aviation Conference invite the Assembly to adopt a resolution:

- instructing the Council to:

- revise Annex 17 to the Chicago Convention to incorporate standards and recommended practices providing responses to the new threats;

¹ COM(2001) 390 final of 16.07.2001

- introduce world-wide, under the auspices of the ICAO, a system for assessing the implementation of security related SARPs, airport security arrangements and national civil aviation security programmes (suggesting to use as guidelines the model developed by ECAC);
- increasing the role and powers of ICAO in civil aviation security and providing for operational delegations to regional organisations dependent on the ICAO or working closely with it;
- promoting the adoption, ratification and implementation by ICAO contracting States of multilateral agreements to improve security, which would include an internal and external quality control system;
- convening a special ICAO conference at ministerial level on the security of civil aviation in the face of terrorist threats.

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