

Doc 10047



Aviation Security Oversight Manual

The Establishment and Management of a State's Aviation Security Oversight System

Approved by the Secretary General
and published under his authority

First Edition — 2015

International Civil Aviation Organization

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AMENDMENTS

Amendments are announced in the supplements to the *Products and Services Catalogue*; the Catalogue and its supplements are available on the ICAO website at www.icao.int. The space below is provided to keep a record of such amendments.

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FOREWORD

This manual outlines the duties and responsibilities of ICAO Member States with respect to the establishment and management of a national civil aviation security oversight system. It is directed at high-level government decision makers, as it highlights States' obligations as signatories to the *Convention on International Civil Aviation* (Chicago Convention) signed at Chicago on 7 December 1944, and provides information and guidance on the establishment and management of a State's national civil aviation security oversight system, which may be required to fulfil those obligations.

This manual confines itself to the parameters of a Member State's overall aviation security oversight responsibilities, emphasizing the State's commitment to aviation security with respect to the State's aviation activity. Several critical elements (CEs) have been identified as essential components of a civil aviation security oversight system and should be considered for the effective implementation of a security-related policy and associated procedures. The CEs of a civil aviation security oversight system presented in this manual include:

- primary aviation security legislation;
- aviation security programmes and regulations;
- State appropriate authority for aviation security and its responsibilities;
- personnel qualifications and training;
- provision of technical guidance, tools and security-critical information;
- certification and approval obligations;
- quality control obligations; and
- resolution of security concerns.

On becoming parties to the Chicago Convention, States agree to certain principles and arrangements in order that international civil aviation may be developed in a safe, secure and orderly manner. The safe and orderly development of international civil aviation requires that all civil aviation operations be conducted under internationally accepted standards, procedures and practices. Article 37 of the Chicago Convention provides that each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation. It also follows that a Contracting State should establish and implement a system that enables it to satisfactorily discharge its international obligations and responsibilities to develop and conduct civil aviation in a safe and orderly manner.

With respect to aviation security, it is particularly important to maintain uniformity in the effectiveness of worldwide standards, since the level of protection against acts of unlawful interference deriving from the implementation of security measures as stipulated in the international Standards and Recommended Practices (SARPs) is only as strong as the weakest link in the global aviation network. The implementation of security-related SARPs by a Member State should be effected under the rule of law promulgated in that State. Thus, as a first step towards discharging its obligations and responsibilities, a State will require an enactment of a legislative framework, hereafter referred to as the State's primary aviation security legislation.

The primary aviation security legislation should entail the development and promulgation of civil aviation security regulations and the establishment of a National Civil Aviation Security Programme (NCASP) (essentially the blueprint for the State's national civil aviation security system) consistent with the State's acceptance of the provisions of the Annexes to the Chicago Convention (primarily Annex 17 — *Security — Safeguarding International Civil Aviation Against Acts of Unlawful Interference*), as well as the establishment and designation of a State organization as the appropriate authority responsible for national civil aviation security. The primary aviation security legislation should also address the necessary legal authority and powers to ensure compliance by all stakeholders with these provisions.

As the primary source of SARPs for the establishment and management of a State's national civil aviation security system, Annex 17 addresses preventive and responsive security measures for which the State's appropriate authority for aviation security is responsible, as well as responsibilities for oversight and quality control measures over all aspects of a State's national civil aviation security system, including responsibilities related to security measures for airports, aircraft, passengers and their cabin and hold baggage, cargo and mail, standards for the training and qualification of security personnel and measures relating to effective response to acts of unlawful interference. Other Annexes to the Chicago Convention have a bearing on a State's national civil aviation security system, most notably Annex 9 — *Facilitation*, which addresses the facilitation of customs and immigration procedures, passenger and crew identification and management and other border-crossing formalities. Annex 9 impacts the management of a State's national civil aviation security system through the control procedures used by government agencies that are responsible for the security of national borders, for example, through the specification of verification measures pertaining to travel documents used by passengers and crew.

The fundamental challenge in the establishment and management of a national civil aviation security oversight system is to create a security regime that is highly effective in preventing acts of unlawful interference, but does not unduly inhibit the growth of civil aviation, interfere with its efficiency and productivity, impose excessive costs, create unwarranted operational inconveniences, or intrude unnecessarily into private rights or civil liberties.

The manual entitled *Oversight Manual, Part C — The Establishment and Management of a State's Aviation Security Oversight System* (Doc 9734) was developed by the ICAO Secretariat as a result of Assembly Resolution A36-20 of the 36th Session of the ICAO Assembly (18 to 28 September 2007) and the decision of the ICAO Council to ensure the continuation of the Universal Security Audit Programme (USAP) following the initial cycle of audits at the end of 2007 focusing, wherever possible, on a State's capability to provide appropriate national oversight of its aviation security activities through the effective implementation of the CEs of an aviation security oversight system. This manual was developed by the ICAO Secretariat for the transition of the USAP to a continuous monitoring approach as directed under Assembly Resolution A38-15 — *Consolidated statement of continuing ICAO policies related to aviation security*, and is published under the authority of the Secretary General.

In order to keep this manual relevant and accurate, suggestions for improving it in terms of format, content or presentation are welcome. Any such recommendation or suggestion will be examined and, if found suitable, will be included in the next edition of this manual. Regular revision will ensure that this manual remains both pertinent and accurate. Comments concerning this manual should be addressed to:

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GLOSSARY

ABBREVIATIONS

Some common abbreviations used in this manual and in aviation security audits are as follows:

AOSP	Aircraft Operator Security Programme
ASA	Aviation Security Audit Section
ASC	Airport Security Committee
ASP	Airport Security Programme
ASTP	Aviation Security Training Package
ATSP	Air traffic service provider
CAP	Corrective action plan
CE	Critical element
CMA	Continuous Monitoring Approach
ICAO	International Civil Aviation Organization
ICASS	ICAO Comprehensive Aviation Security Strategy
ICPO-INTERPOL	International Criminal Police Organization
MANPADS	Man-portable air defence system
MRTD	Machine readable travel document
NCASC	National Civil Aviation Security Committee
NCASP	National Civil Aviation Security Programme
NCASTP	National Civil Aviation Security Training Programme
NQCP	National Civil Aviation Security Quality Control Programme
SARPs	Standards and Recommended Practices
SRA	Security restricted area
USAP	Universal Security Audit Programme

DEFINITIONS

The definitions used in this manual are similar to those found in relevant Annexes to the Chicago Convention, other ICAO documentation (such as the *International Civil Aviation Vocabulary* (Doc 9713) and the *Aviation Security Manual* (Doc 8973 — Restricted)) or are the definitions intended by the ICAO Aviation Security Audit Section (ASA). Therefore, when the following terms are used in this manual, they have the meanings as shown hereunder:

Acts of unlawful interference. Acts of unlawful interference as defined in Annex 17 and acts against the safety of civil aviation as expressed in the aviation security conventions.

Aerial work. An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

Aerodrome. A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

Aircraft. Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

Aircraft security check. An inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons, explosives or other dangerous devices, articles and substances.

Aircraft security search. A thorough inspection of the interior and exterior of the aircraft for the purpose of discovering suspicious objects, weapons, explosives or other dangerous devices, articles or substances.

Air navigation services. Services provided to air traffic during all phases of operations including air traffic management, communication, navigation and surveillance, meteorological services for air navigation, search and rescue and aeronautical information services.

Airport. Any area in a Member State which is open for commercial aircraft operations.

Airside. The movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled.

Air traffic. All aircraft in flight or operating on the manoeuvring area of an aerodrome.

Air traffic service. A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).

Audit (ICAO USAP-CMA). An on-site or off-site USAP-CMA activity during which ICAO conducts a systematic and objective evaluation of a Member State's aviation security and oversight systems to assess the level of implementation of the CEs of a State's aviation security oversight system and to determine the degree of compliance with Annex 17 Standards and security-related provisions of Annex 9.

Background check. A check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of the assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area.

Baggage. Personal property of passengers or crew carried in the cabin or in the hold of an aircraft by agreement with the operator.

Bomb threat. A communicated threat, anonymous or otherwise, which suggests, or infers, whether true or false, that the safety of an aircraft in flight or on the ground, or any airport or civil aviation facility or any person may be in danger from an explosive or other item or device.

Cargo. Any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

Catering stores. All items, other than catering supplies, associated with passenger in-flight services, for example newspapers, magazines, headphones, audio and video tapes, pillows and blankets, and amenity kits.

Catering supplies. Food, beverages, other dry stores and associated equipment used on board an aircraft.

Certification. A formal evaluation and confirmation by or on behalf of the appropriate authority for aviation security that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the appropriate authority.

Commercial air transport operation. An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire. (For the purpose of this manual, the term aircraft operator will be used instead of commercial air transport operator.)

Crew member. A person assigned by an operator to duty on an aircraft during a flight duty period.

Facilitation. The efficient management of the necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays.

General aviation operation. An aircraft operation other than a commercial air transport operation or an aerial work operation.

Human Factors principles. Principles which apply to design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

Human performance. Human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

Inadmissible person. A person who is or will be refused admission to a State by its authorities.

International airport. Any airport designated by the Member State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

Mail. All postal items tendered by and intended for delivery to designated postal operators to operate the postal service in accordance with the Universal Postal Union Acts.

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Pilot-in-command. The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Regulated agent. An agent, freight forwarder or any other entity who conducts business with an operator and provides security controls that are accepted or required by the appropriate authority in respect of cargo or mail.

Regulation. The giving of authoritative direction to bring about and maintain a desired degree of order.

Note.— For the purpose of this manual, this term includes policies, requirements, rules, instructions, edicts, directives, orders, etc.

Sabotage. An act or omission, intended to cause malicious or wanton destruction of property, endangering or resulting in unlawful interference with civil aviation and its facilities.

Screening. The application of technical or other means which are intended to identify and/or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference.

Note.— Certain dangerous articles or substances are classified as dangerous goods by Annex 18 and the associated Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284) and must be transported in accordance with those instructions. In addition, the Aviation Security Manual (Doc 8973—Restricted), provides a list of prohibited items that must never be carried in the cabin of an aircraft.

Security. Safeguarding civil aviation against acts of unlawful interference. This objective is achieved by a combination of measures and human and material resources.

Security audit. An in-depth compliance examination of all aspects of the implementation of the national civil aviation security programme.

Security control. A means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented.

Security equipment. Devices of a specialized nature for use, individually or as part of a system, in the prevention or detection of acts of unlawful interference with civil aviation and its facilities.

Security inspection. An examination of the implementation of relevant national civil aviation security programme requirements by an airline, airport, or other entity involved in security.

Security programme. Written measures adopted to safeguard international civil aviation against acts of unlawful interference.

Security restricted area. Those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, other security controls are applied. Such areas will normally include, inter alia, all commercial aviation passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail centres, airside catering and aircraft cleaning premises.

Security survey. An evaluation of security needs, including the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, and the recommendation of corrective actions.

Security test. A covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act.

Service provider. An organization, serving operators and other providers, that is part of the aviation activity and is functionally separated from its regulator.

State of Registry. The State on whose register the aircraft is entered.

State of the Operator. The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

Travel document. A passport or other official document of identity issued by a State or organization which may be used by the rightful holder for international travel.

PUBLICATIONS

(referred to in this manual)

The following documents are referred to in this manual or may provide additional guidance material for the establishment and management of a State's civil aviation security oversight system.

ICAO DOCUMENTS

Conventions and Related Acts

Convention on International Civil Aviation (Doc 7300)

Convention on Offences and Certain Other Acts Committed on Board Aircraft (Doc 8364)

Convention for the Suppression of Unlawful Seizure of Aircraft (Doc 8920)

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Doc 8966)

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Doc 9518)

Convention on the Marking of Plastic Explosives for the Purpose of Detection (Doc 9571)

Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Doc 9960)

Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Doc 9959)

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Doc 10034)

Annexes to the Convention on International Civil Aviation

Annex 2 — Rules of the Air

Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes

Annex 8 — Airworthiness of Aircraft

Annex 9 — Facilitation

Annex 11 — Air Traffic Services

Annex 13 — Aircraft Accident and Incident Investigation

Annex 14 — Aerodromes, Volume I — Aerodrome Design and Operations

Annex 17 — Security — Safeguarding International Civil Aviation Against Acts of Unlawful Interference

Assembly Resolutions

Assembly Resolutions in Force (as of 4 October 2013) (Doc 10022)

Manuals and Circulars

Aerodrome Design Manual (Doc 9157)

Aircraft Operations (Doc 8168)

Airport Planning Manual (Doc 9184)

Air Traffic Management Security Manual (Doc 9985 — Restricted)

Aviation Security Manual (Doc 8973 — Restricted)

Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers (Cir 288)

Human Factors in Civil Aviation Security Operations (Doc 9808)

Human Factors Training Manual (Doc 9683)

ICAO's Policies on Charges for Airports and Air Navigation Services (Doc 9082)

Machine Readable Travel Documents (Doc 9303)

Manual on the Implementation of the Security Provisions of Annex 6 (Doc 9811)

The Facilitation Manual (Doc 9957)

Training Manual (Doc 7192)

*Universal Security Audit Programme Continuous Monitoring Manual (Doc 9807 — Restricted)
(formerly entitled Security Audit Reference Manual)*

Procedures for Air Navigation Services (PANS)

Air Traffic Management (Doc 4444)

UNITED NATIONS OFFICE ON DRUGS AND CRIME — TECHNICAL ASSISTANCE TOOLS

Checklist of offences and jurisdictions set forth in the universal instruments relating to terrorism and Security Council resolution 1373, 2001

Guide for the Legislative Incorporation and Implementation of the Universal Anti-Terrorism Instruments, 2006

Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols, 2003

Model Law on Extradition, 2004
