

INTERNATIONAL CIVIL
AVIATION ORGANIZATION



HIGH-LEVEL CONFERENCE ON AVIATION SECURITY

Montréal, 12–14 September 2012

REPORT

Approved by the Conference and
published by authority of the Secretary General

MONTRÉAL

2012

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Published in separate English, Arabic, Chinese, French, Russian
and Spanish editions by the
INTERNATIONAL CIVIL AVIATION ORGANIZATION
999 University Street, Montréal, Quebec, Canada H3C 5H7

For ordering information and for a complete listing of sales agents
and booksellers, please go to the ICAO website at www.icao.int

**Doc 9990, *Report of the High-Level Conference on
Aviation Security***

Order Number: 9990

ISBN 978-92-9249-132-1

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LETTER OF TRANSMITTAL

To: President of the Council

From: Chairperson of the High-level Conference on Aviation Security

I have the honour to submit the report of the High-level Conference on Aviation Security, which was held in Montréal from 12 to 14 September 2012.



Sultan Bin Saeed Al-Mansouri
Chairperson

Montréal, 14 September 2012

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HIGH-LEVEL CONFERENCE ON AVIATION SECURITY

Montréal, 12 to 14 September 2012

ORGANIZATION OF THE CONFERENCE

1. HISTORICAL

1.1 The Council, at the first meeting of its 194th Session, approved the agenda and dates for a High-level Conference on Aviation Security, to be held at ICAO Headquarters from 12 to 14 September 2012. The objectives of the Conference were to: provide an opportunity for States and aviation stakeholders to engage in discussion on present and future challenges to aviation security; reach global consensus on key aviation security priorities; and ensure that the commitments expressed by States during the series of regional conferences, held in 2011 and 2012, culminated in a harmonized implementation of the ICAO Declaration on Aviation Security, through enhanced international cooperation.

2. SITE AND DURATION

2.1 The High-level Conference on Aviation Security (HLCAS) was convened at the ICAO Headquarters in Montréal from 12 to 14 September 2012.

3. REPRESENTATION

3.1 The HLCAS was attended by 733 participants, representing 132 Member States and 23 international and regional organizations and industry associations. High-level participation included 24 Ministers and other senior officials. The complete list of attendance is provided in Appendix A.

3.2 In accordance with Rule 2 of the *Standing Rules of Procedure for Meetings in the Air Transport Field* (Doc 8683), delegations provided credentials signed on behalf of the State or organization concerned, by a person duly authorized thereto.

4. OPENING

4.1 **Opening address by the Honourable Denis Lebel, Minister of Transport, Infrastructure and Communities and the Minister of the Economic Development Agency of Canada for the Regions of Québec**

4.1.1 The Conference was opened by the Honourable Denis Lebel. Citing substantial progress in strengthening aviation security following the tragic events of 11 September 2001 and later attempts to sabotage aviation and undermine confidence in the air transport system, Minister Lebel called on ICAO and its Member States to continue improving security on behalf of air travellers and a global economy dependent on trade and investment opportunities. Minister Lebel acknowledged the critical role played by ICAO in enhancing global aviation security, and highlighted Canada's steps to implement the ICAO Declaration on Aviation Security and undertake initiatives, working with ICAO and bilaterally with other States, to manage threats and promote further trade growth. Minister Lebel described ICAO as the right organization to deal with security and a host of other issues facing global aviation, and strongly

encouraged all Member States to continue supporting the Organization's cooperative efforts to maintain and enhance the integrity of the global aviation system.

4.2 **Welcoming remarks by Mr. Roberto Kobeh González, President of the Council**

4.2.1 The President of the Council recalled the primary reasons for convening a high-level meeting eleven years after the events of 11 September 2001. While noting that the global strategy adopted by ICAO in 2002 had served the aviation community well, security threats, the President noted, have grown in complexity while vulnerabilities in the global aviation system have not been fully addressed. Significant security concerns and other deficiencies identified by ICAO audits, moreover, have not been fully resolved. The President stressed the need to implement sustainable security processes in light of the growing demand for air transport services. Emphasizing the importance of enhanced cooperation among all stakeholders, the President thanked the States that hosted a series of regional conferences on aviation security in 2011 and 2012 for the purpose of promoting implementation of the ICAO Declaration on Aviation Security and paving the way for global consensus at the High-level Conference. The President concluded his remarks by highlighting the opportunity represented by the High-level Conference to renew the shared commitment to comprehensively address global aviation security issues over the coming years.

4.2.2 Keynote speeches were also delivered by dignitaries from Bahrain, Burkina Faso, India, Malaysia, Russian Federation and Venezuela, reporting on progress made in their States and regions on implementing the joint statements resulting from the series of regional conferences on aviation security held in 2011 and 2012 and the ICAO Declaration on Aviation Security. In light of their support for and participation in the regional conferences, keynote speeches were also delivered by dignitaries from the United States and the European Union.

5. **OFFICERS**

5.1 On the nomination of Venezuela, seconded by Indonesia, His Excellency Sultan Bin Saeed Al-Mansouri (United Arab Emirates) was elected as the Chairperson of the Conference, and His Excellency Noel Ouedraogo (Burkina Faso) was elected as Vice-Chairperson.

6. **SECRETARIAT**

6.1 Under the supervision of Mr. Boubacar Djibo, Director, Air Transport Bureau, Mr. Jim Marriott, Chief, Aviation Security Branch, served as Secretary of the Conference. The advisers to the Secretary of the Conference were: Mr. Steven R. Berti, Chief, Aviation Security and Facilitation Policy Section, Mr. Armando Quiroz, Chief, Aviation Security Audit Section, and Mr. David Tiedge, Chief, Implementation Support and Development – Security Section. The Secretary was further assisted by: Mr. Anda Djojonegoro, Mr. Alec Doazan, Mr. Stefan Wenger, and Mrs. Deniz Barki of the Aviation Security and Facilitation Policy Section.

6.2 Administrative services and physical arrangements for the Conference were provided under the supervision of Dr. Fang Liu, Director, Bureau of Administration and Services, Mr. Lamine Cherif, Chief, Languages and Publication Branch, assisted by Mrs. Dalia Rahmani, Document Control Officer, and by Mrs. Lynda Dery, Chief, Conference and Office Services Section, assisted by Mr. Frederic Letullier, Conference Services Officer, and Mr. Dan Hutchins and Mr. William Brophy, Conference Equipment Technicians. Information technology services were provided under the supervision of Mr. J. Wan, Chief, Information and Communication Technology Section.

6.3 Other specialist services were provided under the supervision of Mr. John V. Augustin, Deputy Director, Legal Affairs and External Relations Bureau, Mrs. Stéphane Dubois, Chief, Communications Unit, and Mr. Paul Langlais, Chief, Security Adviser, Safety and Security Unit.

7. ADOPTION OF AGENDA

7.1 The Conference considered the agenda and provisional programme in Appendices A and C of HLCAS-WP/1 Revised, and adopted the following agenda:

- Agenda Item 1: ICAO global Risk Context Statement
- Agenda Item 2: Enhancing air cargo security
- Agenda Item 3: Combating the insider threat
- Agenda Item 4: The evolution of the aviation security audit process – transparency
- Agenda Item 5: Capacity-building and technical assistance
- Agenda Item 6: Ensuring the sustainability of aviation security measures – equivalence
- Agenda Item 7: The role of the Machine Readable Travel Document (MRTD) Programme, Advance Passenger Information (API) and Passenger Name Record (PNR)
- Agenda Item 8: Driving technology developments and innovation
- Agenda Item 9: Other business

8. WORKING ARRANGEMENTS

8.1 The Conference met as a single body on the basis of the provisional programme as presented in Appendix C of HLCAS-WP/1 Revised. The applicable *Standing Rules of Procedure for Meetings in the Air Transport Field* (Doc 8683) were noted.

9. DOCUMENTATION

9.1 The Conference considered Working Papers 1 to 47 and Information Papers 1 to 18, as listed in Appendix B to this report.

9.2 At the end of the meeting, a Communiqué of the High-level Conference on Aviation Security was adopted, which is provided in Appendix C to this report.

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REPORT OF THE CONFERENCE

Agenda Item 1: ICAO global Risk Context Statement

1.1 DOCUMENTATION

1.1.1 HLCAS-WP/10, titled *Global Risk Context Statement*, was presented by Australia, Canada, France, Germany, Israel, Netherlands, Switzerland, United Kingdom, and United States. One information paper, HLCAS-IP/5 presented by Cuba, also related to this agenda item.

1.2 DISCUSSION

1.2.1 As a starting point in its deliberations, the Conference considered WP/10 which outlined the methodology of the global Risk Context Statement (RCS) and associated abridged version of the RCS, which gives an overview on security threats, risk and vulnerabilities to aviation. The paper described the general threat and risk situation, drawing on information derived from intelligence and law enforcement reports, as well as contributions from members of the Aviation Security Panel Working Group on Threat and Risk (WGTR).

1.2.2 The Conference noted the assessment of various forms of threat and welcomed the proposal for ICAO to issue the global RCS as an ICAO document, to be supplemented by information from the WGTR as new evidence of threats and risks emerges.

1.2.3 The Conference agreed that the RCS is not intended to replace individual risk assessments by States nor to take the place of their current risk assessment activities, as such matters remain a sovereign responsibility. It stressed that the RCS would serve as a useful tool for developing evidence-based risk assessments and identifying possible mitigating actions that States may implement to achieve risk-based security programmes.

1.2.4 The Conference noted that risk will vary from region to region, and emphasized the need for the RCS to take account of regional contexts as it is further developed.

1.2.5 One delegate highlighted the fact that any decision taken by this Conference may have budgetary consequences that should be taken into account, and questioned whether such a document containing sensitive information should be made available to the public. In addition, it was mentioned by one delegate that the United Nations Counter-Terrorism Executive Directorate, in close partnership with ICAO, will promote the RCS and its risk-based approach.

1.3 CONCLUSIONS

1.3.1 The HLCAS concludes that:

- a) the RCS provides valuable information to Member States and offers robust methodology for States to use in further developing their own national risk assessments; and

- b) the circulation to Member States, use, and continued development of the RCS would contribute significantly to achieving the aims of the ICAO Declaration on Aviation Security and Resolution A37-17 of the 37th Session of the ICAO Assembly.

1.4 **RECOMMENDATIONS**

1.4.1 The HLCAS recommends that ICAO:

- a) disseminate, while maintaining the confidentiality of sensitive information, the global RCS to Member States as a source of information they may use when undertaking their own national risk assessments; and
 - b) enhance the usefulness of the global RCS by developing related guidance and training material to help States use it effectively.
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Agenda Item 2: Enhancing air cargo security

2.1 DOCUMENTATION

2.1.1 HLCAS-WP/12, titled *Key Principles on Air Cargo and Mail Security*, was presented by Australia, Belgium, Canada, China, France, Germany, Italy, Japan, Jordan, Lebanon, Mexico, Netherlands, New Zealand, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Switzerland, United Kingdom, United States, Airports Council International (ACI), European Commission, Global Express Association (GEA), International Air Transport Association (IATA), International Federation of Air Line Pilots' Associations (IFALPA), The International Air Cargo Association (TIACA), Universal Postal Union (UPU), and World Customs Organization (WCO).

2.1.2 This subject was also addressed in: HLCAS-WP/18 presented by the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC); HLCAS-WP/23 presented by the Russian Federation; HLCAS-WP/30 presented by Singapore; HLCAS-WP/32 presented by GEA; HLCAS-WP/34 presented by WCO; HLCAS-WP/37 presented by Indonesia; and HLCAS-WP/41 presented by Australia, Canada, China, France, Germany, India, Italy, Japan, Saudi Arabia, Singapore, South Africa, United Kingdom, United States, ACI, IATA, IFALPA, TIACA, and WCO. One information paper, HLCAS-IP/5 presented by Cuba, also related to this agenda item.

2.2 DISCUSSION

2.2.1 The Conference recognized the urgent need to further enhance air cargo and mail security by strengthening and harmonizing security and facilitation measures, and recalled that uniform and consistent implementation of such measures is critical to ensure the security of the global air cargo and mail supply chain, and to facilitate global economic trade.

2.2.2 The Conference expressed overwhelming support for the adoption of the key principles on air cargo and mail security presented in HLCAS-WP/12, while noting their appropriateness for establishing the policy direction for related activities by ICAO and Member States. Several delegates welcomed the Aviation Security Panel's on-going work on the development of new Standards and Recommended Practices (SARPs) and guidance material for dealing with high-risk cargo.

2.2.3 The importance of furthering cooperation at all levels was highlighted. Continued cooperation between ICAO, the WCO, and the UPU was considered essential to the success of efforts to secure and facilitate air cargo and mail globally. In particular, the Conference expressed support for the commitment made by ICAO and the WCO to intensify their collaborative work at the Joint Conference on Enhancing Air Cargo Security and Facilitation, held in Singapore in July 2012.

2.2.4 The Conference noted the role of assistance in achieving global compliance with air cargo and mail requirements, and called for assistance to be made available to States in need. It supported a proposal to develop focused capacity-building initiatives which would specifically address the complexities of the air cargo and mail supply chain environment.

2.2.5 The Conference noted the concern expressed by some delegates regarding loopholes associated with unregulated known consignor regimes, and acknowledged that these should be addressed when further developing and implementing the supply chain concept.

2.3 CONCLUSIONS

2.3.1 The HLCAS concludes that:

- a) the vulnerability of air cargo and mail calls for immediate action by Member States through the harmonization and strengthening of the air cargo supply chain security framework, while mindful of the necessity to facilitate the growth of international trade and the movement of goods;
- b) the multifaceted nature of the air cargo and mail industry necessitates a global approach in the development of security requirements and best practices;
- c) international cooperation among all stakeholders, including Member States, ICAO, the WCO, the UPU, and industry partners, is essential to countering the threat posed to air cargo and mail; and
- d) there is a strong need for capacity-building initiatives to assist Member States in their efforts to comply with international air cargo and mail security and Customs standards.

2.4 RECOMMENDATIONS

2.4.1 The HLCAS recommends that:

- a) ICAO adopt new security SARPs by means of a fast-track amendment to Annex 17. These SARPs should further the implementation of secure supply chain systems, set common baseline security measures for passenger and all-cargo aircraft, drive enhanced measures to identify and secure high-risk cargo, and facilitate the movement of cargo and mail, particularly at transfer and transit points;
- b) the principles on air cargo and mail security provided in HLCAS-WP/12 serve as a cornerstone for ICAO and all stakeholders in taking action to secure the air cargo and mail supply chain;
- c) ICAO, the WCO, the UPU, and industry stakeholders continue their technical cooperation and align policy and regulatory frameworks to achieve synergy between aviation security programmes, Customs requirements, and postal security requirements, avoid duplication, and promote the mutual recognition of their security regimes and joint oversight activities; and
- d) an international capacity-building strategy specific to air cargo and mail security be developed to aid Member States that require assistance in implementing international air cargo and mail security standards. Such a strategy should be aligned with the ICAO Assistance and Capacity Building Strategy for Aviation Security, and based, as far as possible, on results drawn from the ICAO Universal Security Audit Programme (USAP) audits.

Agenda Item 3: Combating the insider threat

3.1 DOCUMENTATION

3.1.1 HLCAS-WP/11, titled *Implementation of 100 Per Cent Screening of Persons Other Than Passengers* was presented by the Secretariat. This subject was also addressed in HLCAS-WP/17 presented by the EU and its Member States and the other Member States of ECAC, HLCAS-WP/29 presented by Cuba, HLCAS-WP/38 presented by Indonesia, and HLCAS-WP/45 presented by the African Civil Aviation Commission (AFCAC). The following information papers were associated with this agenda item: HLCAS-IP/5 presented by Cuba; and HLCAS-IP/7 presented by the Republic of Korea.

3.2 DISCUSSION

3.2.1 The Secretariat, in HLCAS-WP/11, briefed the Conference on developments with regard to the insider threat issue, which has been a long-standing policy concern of ICAO.

3.2.2 The Conference acknowledged the progress made by the international community in reaching consensus on addressing this concern through a proposed amendment to Annex 17 designed to further strengthen Standard 4.2.6. In particular, the Conference acknowledged the role of the Aviation Security Panel in finding a solution, notably the formulation of a revised Standard 4.2.6, at its Twenty-third Meeting in March 2012. Further, the Conference recalled that the Council of ICAO had unanimously approved the revised Standard for inclusion in Amendment 13 of Annex 17.

3.2.3 The Conference recognized that the insider threat represents a real concern that needs to be addressed as soon as possible, and interventions were made by many delegates drawing attention to national efforts to combat this threat. An overwhelming majority of delegates agreed that measures to combat the insider threat should be based on screening and security controls, as described in HLCAS-WP/11.

3.2.4 During the course of discussion, some delegates drew attention to an alternative text for Standard 4.2.6, which was proposed in HLCAS-WP/29. In this respect, the Conference noted that both texts sought the objective of further strengthening Annex 17, and recalled that the insider threat is an issue that requires immediate resolution. Finally, the Conference welcomed the proposed amendment of Standard 4.2.6 as contained in HLCAS-WP/11, which had been carefully considered by the Aviation Security Panel and agreed by the Council.

3.3 CONCLUSIONS

3.3.1 The HLCAS concludes that:

- a) vulnerabilities posed by insiders are real, and that the roles of persons other than passengers at airports can present particular vulnerabilities that should be addressed; and
- b) significant progress has been made in reaching consensus on a revised Standard 4.2.6 of Annex 17 to comprehensively deal with the issue of the insider threat using a robust global approach focused on achieving effective and efficient security.

3.4 RECOMMENDATIONS**3.4.1** The HLCAS recommends that:

- a) ICAO include in Amendment 13 to Annex 17 the revised Standard 4.2.6, as proposed in HLCAS-WP/11;
- b) the Council of ICAO adopt the proposed revision to Standard 4.2.6 by means of a fast-track amendment to Annex 17 before the 38th Session of the Assembly; and
- c) States evaluate their measures to mitigate the insider threat with a view to ensuring compliance with the revised Standard 4.2.6 of Annex 17, as proposed.

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Agenda Item 4: The evolution of the aviation security audit process – transparency

4.1 DOCUMENTATION

4.1.1 HLCAS-WP/3, titled *Increased Disclosure of USAP Audit Results*, and HLCAS-WP/4, titled *The Evolution of the Universal Security Audit Programme*, were presented by the Secretariat. This subject was also addressed in HLCAS-WP/20 presented by the EU and its Member States and the other Member States of ECAC, HLCAS-WP/25 presented by the Russian Federation, HLCAS-WP/43 presented by Belarus, and HLCAS-WP/47 presented by South Africa. One information paper, HLCAS-IP/5 presented by Cuba, also related to this agenda item.

4.2 DISCUSSION

4.2.1 The Secretariat briefed the Conference on the evolution of the USAP to a continuous monitoring approach (USAP-CMA) that will combine continuous monitoring with a risk-based approach to auditing. The Secretariat then presented options to the Conference on further enhancing the existing limited level of transparency with respect to USAP audit results.

4.2.2 The Conference expressed strong support for the transition of the USAP to a continuous monitoring approach which would combine both continuous monitoring and risk-based elements while maintaining the rigour of the audit process and methodology. It was widely recognized that the USAP is an essential tool in enabling States to identify their own deficiencies and then implement corrective actions to address those deficiencies either directly or through assistance provided by other States or organizations. In this regard, the Conference also recognized the role that USAP audit information has played and should continue to play in the planning and provision of targeted assistance. The Conference supported the notion that the USAP-CMA should provide ICAO with the necessary flexibility in determining the type of monitoring activity appropriate for each State based on the status of its aviation security and oversight systems and other risk indicators.

4.2.3 With regard to the confidentiality of audit results, the Conference recognized the importance of sharing information on a limited basis in order to facilitate the provision of assistance. However, the Conference expressed concern that the information shared must neither compromise national security interests nor be used by other States for inappropriate or punitive purposes.

4.2.4 Overall, the Conference expressed strong support for the existing limited level of transparency of audit results. The Conference also expressed its support for the continued exchange of USAP audit information between States on a bilateral or multilateral basis, thereby implementing, Recommended Practice 2.4.5 of Annex 17. In this regard, ICAO can act to facilitate communications between States wishing to provide assistance, with those States requesting such assistance.

4.2.5 During the course of the discussion, some delegates highlighted that the transition to a USAP-CMA should not impose an additional burden on Member States, particularly given the present global financial situation. Moreover, the Conference agreed that the USAP-CMA should continue to include on-site activities as well as continuous monitoring activities, and that these should be conducted in coordination with regional aviation security oversight activities, as appropriate.