Regional Experiences with Air Cargo Regulatory Requirements & ICAO’s Focus on Air Cargo Security

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ICAO’s Regulatory Framework

- Annex 17 to the Chicago Convention
  - Standards and Recommended Practices (SARPS)

  - Amendment 12 - July 2011
  - Amendment 13 –July 2013
  - Amendment 14 - Nov 2014
  - **Amendment 15 – Aug 2017**
  - Proposed Amendment 16 - 2018
  - Legally binding

  - Aviation Security Manual (Doc 8973, Restricted)
    - 10th Edition – Oct 2017
    - Detailed guidance on implementation
Number of Protocol Questions by Audit Area

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Global and APAC Regional Average Effective Implementation of Critical Elements

<table>
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<th>Element Description</th>
<th>Global Average EI of CEs</th>
<th>APAC Average EI of CEs</th>
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<td>CE-1: Primary Aviation Security Legislation</td>
<td>88.07%</td>
<td>84.04%</td>
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<td>CE-2: Aviation Security Programmes and Regulations</td>
<td>82.21%</td>
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<td>CE-3: State Appropriate Authority for Aviation Security and its Responsibilities</td>
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<td>81.49%</td>
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<td>71.30%</td>
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<td>CE-5: Provision of Technical Guidance, Tools and Security-critical Information</td>
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<td>CE-6: Certification and Approval Obligations</td>
<td>64.78%</td>
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<td>CE-7: Quality Control Obligations</td>
<td>57.05%</td>
<td>48.36%</td>
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<td>CE-8: Resolution of Security Concerns</td>
<td>63.50%</td>
<td>60.44%</td>
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What is Air Cargo?
Ensuring air cargo security: two options

- 100% screening (Standard 4.6.1)

- Secure supply chain - from point of origin/point of screening until loaded on to an aircraft (Standard 4.6.2)

Screening is the application of technical or other means which are intended to identify and/or detect weapons, explosives or controls that are accepted or required by the appropriate authority in respect of cargo or mail.

Even with 100% screening, cargo must still be protected from the point of screening until loading on to an aircraft.
Screening challenges

- **Nature**
  - Easily damaged

- **Volume**
  - Dangerous
  - Large, complex
100% screening – selecting most appropriate method

- Manual search
- X-ray
- Neutron scanners
- Metal detection
- Explosive trace detection
- Explosives detection dogs

Standard 4.6.10

Too dense for effective x-ray

High metal content, metal detectors unsuitable
Secure Supply Chain

- Reduces pressure on airport screening facilities
- Can avoid issues with screening
- Raises awareness of security issues

- But a chain may be complex and is only as strong as its weakest link
Figure 13-1. Air cargo supply chain
Links in the Chain

- Regulated Agent (RA)
- Known Consignor (KC)
- Account Consignor (AC)*
- Transport companies
- Aircraft operators

*Account Consignors will be phased out by 30 June 2021
27th meeting of ICAO AVSEC Panel (2016), agreed that entities such as account consignors which implement security controls for air cargo but are not approved by the State’s Appropriate Authority for aviation security, should be **phased out over a five-year period, by 30 June 2021**, with a mid-term review of progress.

Supported by ICAO’s Committee on Unlawful Interference and approved by the ICAO Council. This decision reflected the common interpretation of provisions included in Amendment 13 to Annex 17 – *Security* of the Chicago Convention. The decision was confirmed by **State Letter AS 8/2-16/85**.
13.4.4.1 An **account consignor** is a consignor who originates cargo or mail for its own account for carriage on all cargo aircraft only and who applies procedures that meet common security rules and standards set by the appropriate authority sufficient to allow carriage of its cargo and mail only on all-cargo aircraft (to be phased out by June 2021).

13.4.3.1 A **known consignor** is a consignor who originates cargo and/or mail for its own account and whose procedures meet common security rules and standards set by the appropriate authority sufficient to allow the carriage of cargo or mail on any aircraft.
To be or not to be....?

- A secure supply chain including RAs and KCs provides an alternative to 100% screening which addresses the problem of hard to screen freight and may allow the cargo to move more quickly and efficiently while providing assurance of high security standards to regulators and other operators.

- But it requires commitment from all involved. It is not a legal requirement for any ICAO Member State.
Annex 17 Standard 4.6.2

USAP-CMA PQ 7.065 If the State has established a regulated agent and/or a known consignor regime, has the State implemented a process for the approval of regulated agents and/or known consignors?

85.71% of States have a process for the approval of regulated agents and/or known consignors.
What is the Role of the State?

- Establish regulatory framework – National Civil Aviation Security Programme (NCASP) (Standard 3.1.1)
- Conduct national threat assessment (Standard 3.1.3)
- Outline roles and responsibilities (Standard 3.1.4)
- Monitor implementation (Standard 3.4.4)
- Define RA/KC approval processes (Standard 4.6.2)
- Set requirements for high risk cargo (Standard 4.6.4)
ICAO Resources

- Aviation Security Manual including:
  - Air cargo secure supply chain process chart
  - Air cargo acceptance form - security
  - RA/KC approval process model
  - Detailed security requirements for RAs/KCs
  - RA/KC security programme template
  - Model Consignment Security Declaration
- Air cargo training courses
- Basic guide - Moving Air Cargo Globally (jointly with WCO)
Preloading Advance Cargo Information

- Cargo PLACI pilot projects (USA, EU, Canada) in progress, exploiting possibilities of WCO’s SAFE Framework of Standards
- Unlikely to be mandatory for AvSec
- An additional layer of security, on top of screening/secure supply chain
- Aiming for harmonised standards, avoidance of duplication
Thank you for your attention

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