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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	WK 12063/18 INIT + ADD 1 - ADD 3
Subject:	ICAO - Coordination for the ICAO High Level Security Conference (Montréal, 29-30 November 2018) – Approval

1. In preparation for the EU coordination activities for the 2nd ICAO High Level Conference on Aviation Security (hereinafter 'HLCAS/2') (29-30 November 2018), the Commission services have submitted 3 European Working Papers. All these three papers have been prepared and approved by the ECAC *Ad hoc* coordination group on aviation security and have been endorsed by the ECAC DGCA's.
2. On 12 October 2018, the Aviation Working Party examined the above-mentioned papers. Delegations expressed their overall support for them and the actions recommended to the HLCAS/2, and the Commission representative provided answers and clarifications to the questions raised by delegations.

3. In light of the above, COREPER is invited:

- to approve the text of the European Working Papers as set out in annex to this note and to endorse the actions recommended to the HLCAS/2 contained in them;
- to forward it to the COUNCIL for approval in one of its upcoming sessions, so that the above-mentioned papers can be submitted to ICAO with a view to the upcoming High Level Conference on Aviation Security (Montréal, 29-30 November 2018).



International Civil Aviation
Organization

HLCAS/2-WP/xx
xx/09/18

WORKING PAPER

SECOND HIGH-LEVEL CONFERENCE ON AVIATION SECURITY (HLCAS/2)

Montréal, 29 to 30 November 2018

Agenda Item 1: Aviation security threat and risk context

Agenda Item 2: Future approaches to managing aviation security risks

INSIDER THREAT AND SECURITY CULTURE

(Presented by Austria on behalf of the European Union and its Member States¹, the other Member States of the European Civil Aviation Conference²)

SUMMARY

Insider threat presents one of the most serious and growing concerns for aviation security, and it shall be addressed without undue delay. An effective global response to insider threat is essential to the sustainable success of the GASeP and to ensure that aviation security objectives more generally are not undermined. It is best dealt with through a combination of robust and consistently implemented regulatory measures, and through the development and promotion of security culture for all employees/contractors working in or for the air transport sector.

The High-level Conference on Aviation Security is invited to:

- a) Reaffirm the importance of measures to deal with insider threat and urge the ICAO Council, based on advice of its Aviation Security Panel, to enhance Standards and Recommended Practices in Annex 17 to deal with insider threat based on all components of the multi-layered approach presented in this paper;

¹ Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

² Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey and Ukraine.

- b) Urge States and industry to ensure the effective implementation of regulatory measures regarding insider threat, as these measures are key to ensure that other measures are not undermined by a compromise of the system through insiders; and
- c) Urge States and industry to promote security culture as a means of addressing insider threat, through initial and recurrent training and through high-profile campaigns aimed at the aviation workforce to raise their awareness.

INTRODUCTION

Terrorists consistently look to exploit vulnerabilities in security controls in an attempt to find the path of least resistance to their targets. This could mean the exploitation of people in the form of employees/contractors working in or for the aviation sector whose role provides them with privileged access to secured locations, secured items or aviation security information. By exploiting these individuals with privileged access, they can gain a potential tactical advantage in perpetrating or facilitating an act of unlawful interference. The personnel that may be so exploited includes flight crew and all ground-based employees in airports or other facilities related to air transport and its supply chains and encompasses contract, temporary or self-employed personnel as well as full- or part-time staff members.

Insider threat can also take the form of ill-intentioned persons having interest in obtaining employment in the aviation sector at large with the intent of having this tactical advantage for the perpetration of an act of unlawful interference or contributing to it. Or, over the course of time, existing employees/contractors may become radicalised with an intent to assist with or attempt an act of unlawful interference. The on-going increase in trends such as unprecedented speed under which radicalisation (and self-radicalisation) can occur has been confirmed by the ICAO Working Group on Threats and Risk.

How to address the insider threat already in the pre-employment phase before an individual is hired/contracted, throughout the employment relationship and even after the termination shall be reflected by the employer's processes i.e. background check, vetting, active promotion of a healthy security culture.

Insiders have been involved in a number of attacks and attempted attacks on aviation. In particular, it appears certain that there was insider involvement in the introduction and explosion of improvised explosive devices on Metrojet flight 9268 in October 2015 and Daallo Airlines flight 159 in February 2016. At a lower level, of risk directly to flight, there are numerous examples of individuals using insider access and the absence of effective controls to exploit security vulnerabilities for other purposes such as smuggling of drugs or the unauthorised carriage of firearms. Therefore, an effective global approach to insider threat is essential to ensure that the overall security concept is not undermined.

Moreover, dealing with insider threat is also essential to the successful implementation and sustainability of the Global Aviation Security Plan (GASeP). The GASeP contains as priority action 1.7.1G to “*Review adequacy of current measures to address insider threat, including background checks, physical measures, training and awareness and reporting mechanisms.*” Clearly, the benefit from the enhanced security performance that we expect from the GASeP could be undermined if security measures leave a gap in the form of a vulnerability posed by an "insider".

REGULATORY MEASURES TO DEAL WITH INSIDER THREAT

To address the vulnerability posed by insider threat demands a multi-layered approach, as no single measure itself can deliver a sufficiently high level of protection. The essential, and complementary, components in this multi-layered approach should be as follows:

- Access control for all persons other than passengers and for vehicles
- 100% screening of persons other than passengers and the items they carry on entry into secure areas
- A comprehensive system of security controls for vehicles, airport and in-flight supplies
- Randomness and unpredictability built into that screening and/or within secure areas
- A comprehensive employment process that includes an understanding of each function, the access to secure areas or sensitive information that necessarily comes with those functions ("need to know" principle), and the potential risks thus created.
- A system of background checks on all personnel with unescorted access to and working in secure areas and enhanced checks (e.g. security vetting) on personnel with access to sensitive parts of the aviation operation and/or sensitive information, including those implementing security measures.

It is important that all six of these components are in place. A system of 100% screening that contains no randomness and unpredictability is insufficiently effective as insiders wishing to defeat security can learn about a predictable system through being exposed to it regularly and may be able to identify and exploit vulnerabilities in it. Equally, systems of background checks that do not involve 100% screening will not stop the use of “clean skin” insiders (those with no criminal history or known terrorist connections), nor people who are subject to coercion, are giving unwitting assistance to terrorists, have been radicalised rapidly or who have undiagnosed mental issues. Understanding of the necessary insider access associated with certain functions enables additional measures to be applied to those areas of greatest risk. Furthermore, access control measures complement these measures and assist the manageability of security processes by limiting the staff in secure areas to those with a clear operational need.

Europe is committed to tackling insider threat and underscores the importance of addressing it globally. It stands ready to cooperate with all international partners in efforts and initiatives to effectively mitigate the insider threat.³

SECURITY CULTURE

Beyond regulatory requirements it will be of even greater longer-term importance to ensure that responses to insider threat are part of a positive security culture. Its development supports and complements security requirements, while adapting to an ever evolving threat landscape. It also highlights the importance of investment in human resources, which in turn brings improvements in the way security requirements are implemented in practice.

Security culture is included as the second Priority Action in the GASeP, which sets out that:

“The promotion of effective security culture is critical to achieve good security outcomes. A strong security culture must be developed from the top management across and within every organization. The existence of a well-trained, motivated and professional work force is a critical prerequisite for effective aviation security.”

³ For a description of actions undertaken by the European Union and its Member States to address Insider Threat see WP-45 as presented to the 2018 AVSECP/29. For a description of the vulnerability assessments on insider threats undertaken by the European Civil Aviation Conference see WP/43 presented to the 2018 AVSECP/29.

An effective security culture means that all relevant government and industry workforce, from senior management to the employees, and indeed members of the public, are engaged with and take responsibility for security issues. It means that those lapses in security that can happen from time to time are dealt with or drawn attention to immediately by colleagues, rather than allowing an unsatisfactory situation or practice to persist in a way that it could become a vulnerability capable of being exploited by terrorists. It can reduce the likelihood of security breaches occurring in the first place, as staff develops the habit of thinking and acting in more security-conscious ways. It can also have a beneficial effect on morale if it is promoted in a manner that emphasises that a healthy security culture is about supporting each other's efforts to create a secure industry rather than being "watched" on by others. Therefore, every element of the airport network (and beyond) has to be security aware and empowered. By creating a strong security culture we are reducing risks/vulnerabilities.

While there is broad consensus on the importance of the promotion of security culture, practical actions to deliver this objective have so far been relatively limited. It is important that States, industry and training organisations use the wide range of guidance material and tools available to support the implementation of strong security culture behaviours within organizations, including training materials and awareness and behaviour change campaigns to ensure that this consensus is translated into action on the ground.

It is likely that aviation security actors can learn from the experience of aviation safety in this respect. Safety improvements have been made in the past as a result of persistent and highly visible campaigns run over long periods to drive home clear messages. Aviation campaigns related to foreign object debris are one such example. The aims of the GAsEP in relation to security culture require changes to day-to-day activity that will take some time to become normalised. But they can deliver great benefits, in particular in relation to tackling insider threat, in ensuring that aviation sector employees are all contributing to a high quality of security performance generally; and in particular are helping, through their vigilance and security awareness, to thwart activities of insiders who seek to use their position to commit or assist acts of unlawful interference. In time, we should hope that this high level of security awareness would become one of the most important protections against insider threats.

ACTION BY THE HIGH-LEVEL CONFERENCE

The High-level Conference on Aviation Security is invited to:

- a) Reaffirm the importance of measures to deal with insider threat and urge the ICAO Council, based on advice of its Aviation Security Panel, to enhance Standards and Recommended Practices in Annex 17 to deal with insider threat based on all components of the multi-layered approach presented in this paper.

- b) Urge States and industry to ensure the effective implementation of regulatory measures regarding insider threat, as these measures are key to ensure that other measures are not undermined by a compromise of the system through insiders.

- c) Urge States and industry to promote security culture as a means of addressing insider threat, through initial and recurrent training and through high-profile campaigns aimed at the aviation workforce and the public to raise their awareness.

— END —



WORKING PAPER

SECOND HIGH-LEVEL CONFERENCE ON AVIATION SECURITY (HLCAS/2)

Montréal, 29 to 30 November 2018

Agenda Item 3: Global Aviation Security Plan (GASeP)

Agenda Item 5: Ensuring sustainability of security measures

**THE ROLE OF THE ICAO UNIVERSAL SECURITY AUDIT PROGRAMME IN
ENSURING THE SUSTAINABILITY OF THE GLOBAL AVIATION SECURITY PLAN**

(Presented by Austria on behalf of the European Union and its Member States¹, the other Member States of the European Civil Aviation Conference²)

SUMMARY

An effectively-functioning ICAO Universal Security Audit Programme (USAP) is essential to the successful implementation of the objectives of the GASeP as well as serving the purpose of providing a due level of confidence in global aviation security. A substantial review of the USAP is therefore timely, and States should be encouraged provide high-quality auditors in the meantime to support the implementation of the USAP.

The High-level Conference on Aviation Security is invited to:

- Request ICAO, working with Member States and international organisations, to bring forward proposals for a fundamental review of the objectives and methodology of the USAP for decision by the 40th Assembly, aimed at ensuring the USAP plays a full part in the success of the implementation of the GASeP and in delivering confidence in the international aviation security system; and
- Encourage Member States to support the implementation of the USAP notably through the supply of qualified and highly-skilled auditors for the USAP.

¹ Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

² Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey and Ukraine.

INTRODUCTION

The proof of the sustainability of the aviation security improvements envisaged through the delivery of the Global Aviation Security Plan (GASeP) will be dependent on the ability to measure the successful delivery of these improvements. The Universal Security Audit Programme (USAP) will be an essential part of this, and so it is vital that the USAP provides confidence among States and industry of the state of effective and sustainable implementation of security measures as defined in ICAO Annex 17.

THE USAP AND GASEP

The establishment of the USAP is one of ICAO's major achievements. It is the only worldwide applied oversight and compliance indication programme for aviation security, based on accepted common methodology/auditing tools and performed under the same audit principles. Most relevantly to the GASeP it provides the only universal means of measuring whether the aims of the GASeP related to the effective implementation of Annex 17 Standards are really being achieved.

More generally, the USAP needs to provide States with confidence in the security of the international aviation system; and where there are problems, to enable the relevant and necessary resources to be directed at the problems identified. By increasing confidence in the generality of aviation security, the USAP should also contribute to the application of a universal approach by decreasing the need for States to request additional measures except in some specific situations.

CURRENT ISSUES WITH THE USAP

Full implementation of the Continuous Monitoring Approach (CMA) to the USAP began in 2015. With the launch of the GASeP in November 2017, it is timely to review the function of the USAP to ensure that it is capable of providing sustainably the high level of confidence on the real implementation of security measures on the ground, and achieving the wider objectives set out above.

A Secretariat Study Group on the USAP has been established, and chaired by the ICAO Secretariat, but to date it has mostly considered issues of detail such as the wording of Protocol Questions. However, during these discussions, various parties have commented on the need to explore more substantial issues relating to the USAP, its objectives and scope. These have included matters such as the need for: consistent interpretation of Annex 17 Standards by all auditors; a more operational focus reflecting the reality of security on the ground and a more self-explanatory representation thereof; outcomes to be reflected in Corrective Improvement Plans rather than numerical results; a formalised risk-based approach to the audit process including the prioritisation of audits and of the choice of the USAP-CMA activity; more specific information on the implementation of measures that enables targeting of capacity development resources; the supply of and quality of auditors; the training of auditors and other matters.

ACTION BY THE HIGH-LEVEL CONFERENCE

The High-level Conference on Aviation Security is invited to

- Request ICAO, working with Member States and international organisations, to bring forward proposals for a fundamental review of the objectives and methodology of the USAP for decision by the 40th Assembly, aimed at ensuring the USAP plays a full part in the success of the implementation of the GAsEP and in delivering confidence in the international aviation security system; and
- Encourage Member States to support the implementation of the USAP notably through the supply of qualified and highly-skilled auditors for the USAP.

— END —



WORKING PAPER

SECOND HIGH-LEVEL CONFERENCE ON AVIATION SECURITY (HLCAS/2)

Montréal, 29 to 30 November 2018

Agenda Item 3: Global Aviation Security Plan

CAPACITY-BUILDING: MAKING A DIFFERENCE

(Presented by Austria on behalf of the European Union and its Member States¹, the other Member States of the European Civil Aviation Conference²)

SUMMARY

The Global Aviation Security Plan (GASeP) states that capacity-building activities delivered by ICAO, individual States, regional organisations or industry stakeholders play a crucial role in supporting Member States' efforts to reach compliance with ICAO Standards and Recommended Practices (SARPs). The rapid implementation of the provisions of the GASeP related to capacity building is key to ensure a focused approach to capacity building by ICAO as well as tangible and sustainable results.

The High-level Conference on Aviation Security is invited to:

- a) Request ICAO to map existing capacity-building resources and providers so as to have a comprehensive understanding of available capacities;
- b) Request ICAO to map delivered, on-going and planned capacity-building activities so as to have a comprehensive overview of the situation; and
- c) Urge ICAO to focus its efforts on high-level actions to trigger political commitment from beneficiary States and to promote the durability of the benefits of capacity-building activities.

¹ Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

² Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey and Ukraine.

INTRODUCTION

Under the Chicago Convention, ICAO Contracting States are responsible for compliance with ICAO Annexes in order to ensure safe and secure air transport system. In the field of aviation security, each State is responsible for the effective and sustainable implementation of ICAO Annex 17 Standards and Recommended Practices (SARPs), and of the security-related SARPs of ICAO Annex 9.

There is an overall understanding, based on the ICAO USAP results and the issuance of Serious Security Concerns (SSeCs) that effective and sustainable implementation of Annex 17 SARPs may be challenging in several States and regions, for a number of reasons.

The GASeP, especially under its priority action 5 “Increase cooperation and support” recognises that capacity-building activities play an important role in supporting States in fulfilling their international obligations and effectively implementing baseline security measures.

LISTING EXISTING CAPACITY-BUILDING RESOURCES

Member States, regional organisations and industry stakeholders support Member States’ efforts to implement Annex 17 and Annex 9 SARPs, in a spirit of partnership with the national authorities involved. Engaging in capacity-building activities also demonstrate their willingness to support the ICAO No Country Left Behind Initiative.

Europe is strongly committed to design and deliver capacity-building activities as demonstrated by the actions undertaken by individual States and by European organisations such as the European Union (EU) and the European Civil Aviation Conference (ECAC). Significant resources, both human and financial, are dedicated to these capacity-building activities, which are tailored to the real and practical needs of Partner States.

In a context where there is a variety of providers, both public and private, of capacity-building activities, there is a need to have a comprehensive understanding of which human and financial resources are available, which activities (e.g. training course, technical support/mentoring, coaching, workshops) have been developed, and which entities have which capacity to design and deliver capacity-building activities. As mentioned in the GASeP (5.G), ICAO should complete the mapping of all capacity-building activities (States, ICAO, other organizations, industry, etc) as a matter of priority and with the assistance of the Aviation Security Assistance Partnership (ASAP), and make the results available as soon as possible so that a suitable way forward can be defined. This would not only show what exists but also help identify whether there are any gaps that need to be addressed in the capacity-building offer, and avoid duplication.

MAPPING EXISTING CAPACITY-BUILDING ACTIVITIES

In a context where human and financial resources are limited and where the need for capacity-building sometimes exceeds the offer, it is essential to prioritise capacity-building activities, and ensure that these activities reach their expected outcomes, notably through the use of key performance indicators.

The sharing of information on capacity-building activities with the objectives of achieving maximum efficiency, avoiding the repetition of identical activities for the same States and ensuring the adequate prioritization of States and actions is key to the overall efficiency of the system.

To avoid duplication of efforts and ensure that States in need do receive the relevant type of capacity-building activities, ICAO, as a matter of priority and with the assistance of the Aviation Security Assistance Partnership (ASAP), should map activities which have been/are being delivered or are planned by States, regional organisations (e.g. AFCAC, ACAO, ECAC, EU, LACAC) and industry stakeholders (e.g. ACI, IATA), as mentioned in the GAsEP. When necessary, the confidentiality of certain activities should be preserved.

The results of this mapping exercise should be made available as soon as possible so that a suitable way forward can be defined. This would ensure that the same type of activities is not unnecessarily repeated by different providers, and also help identify whether there are any gaps that need to be addressed, i.e. States that are in need of assistance and do not receive it. This would enable ICAO to intervene where there are gaps in the capacity-building activities, which are not already covered by other entities.

A mapping exercise also creates conditions for synergies by recognising the added value and complementarity of capacity-building activities undertaken by individual States, regional organizations and industry. This not only benefits the partners involved, but ultimately serves all ICAO objectives, and in particular GAsEP implementation.

FOCUSING EFFORTS ON HIGH-IMPACT ACTIONS THAT PROMOTE DURABILITY OF ACTIVITIES

The practical results of capacity-building initiatives in terms of sustained and effective aviation security on the ground have to date been mixed, with some States having significantly improved their level of effective compliance, while others have made little or no progress. ICAO as the UN leading organisation for aviation, should use its authority at the highest level, ICAO Secretary General and President of the ICAO Council, to seek and secure the political commitment of Member States receiving capacity-building activities to ensure continuity and proper application and enforcement of measures at national level. Actions that would typically have a high impact would be a special visit of the ICAO Secretary General and/or President of the ICAO Council, to a country, with meetings at president and ministerial levels. This would be consistent with the need

for “long term political will to improve” and the commitment of States that receive/require assistance to “apply assistance to improve effective implementation”, mentioned in the GASeP.

In addition, when a State Improvement Plan is being considered, ICAO should invite contributions from all States and organisations which have assistance capacity. ICAO would act as a coordinator, and where providers would work – in partnership – to address holistically the needs of a given State. This would also help target assistance based on the risk profile of States, as mentioned in GASeP (ref. 5.D). Furthermore, at the design stage of the State Improvement Plan, performance indicators should be agreed during the preparation phase, tracked during implementation and used as a measurement instruments to monitor any results.

Both interventions at the political level and true coordination in the framework of a State Improvement Plan, would focus ICAO limited resources on actions which would support the States to reach compliance with the baseline security measures defined in ICAO SARPs, in line with its obligations under the Chicago Convention.

ACTION BY THE HIGH-LEVEL CONFERENCE

The High-level Conference on Aviation Security is invited to:

- a) Request ICAO to map existing capacity-building resources and providers so as to have a comprehensive understanding of available capacities;
- b) Request ICAO to map delivered, on-going and planned capacity-building activities so as to have a comprehensive overview of the situation; and
- c) Urge ICAO to focus its efforts on high-level actions to trigger political commitment from beneficiary States and to promote the durability of the benefits of capacity-building activities.

— END —