



● THE EC AVSEC REGULATORY FRAMEWORK

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March 2009

● Background

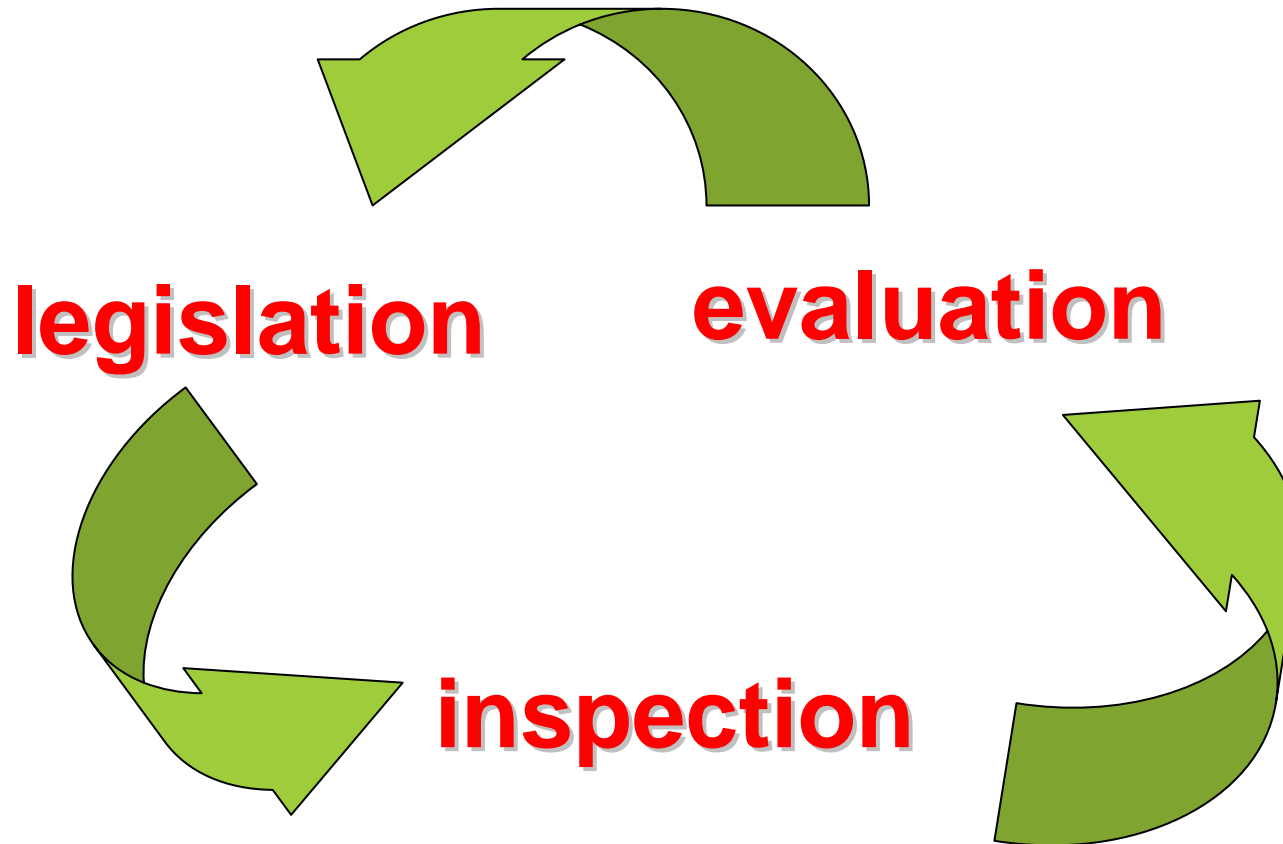
- Prior to 11 September 2001 the European Union had no legislative competence in the field of aviation security
- Following the events of 9/11 the Heads of State and Government decided to develop EU legislation on aviation security (technical basis ECAC Doc. 30 which was not enforceable)
- The EU legislation applies to all airports in 27 + 3 countries and is mandatory and enforceable

● Major elements of Regulation 2320/2002

- General requirements for security:
 - » single appropriate authority
 - » national aviation security programme
 - » national quality control programme
 - » national security training programme
 - » operator programmes
 - » member states may apply more stringent measures
- Common basic standards in Annex (13 chapters)
- Development of detailed implementing rules
- Two-level compliance monitoring regime (national and EU) → unique world-wide



'VIRTUOUS CIRCLE'



● Common basic standards

- Airport security
- Aircraft security
- Passengers and Cabin baggage
- Hold baggage
- Cargo, courier and express parcels,
- Mail
- Co-mat, Catering, Cleaning
- General Aviation
- Equipment standards
- Training

- Implementing legislation (2004 – 2008)

Regulation 820/2008 (public)

Decision C(2008)/4333 (non-public)

Laying down detailed measures for the implementation of the common basic standards

● Implementing legislation 2

- Regulation 1217/2003 laying down common specifications for national quality control
- Regulation 1486/2003 laying down procedures for Commission inspections

● Common requirements for NQC (Reg.1217/2003)

- Enforcement powers of AA
- Defined organisational structure with responsibilities and resources
- Deficiency reporting and follow-up
- Announced and unannounced compliance monitoring activities
- Security audits, inspections and tests
- Harmonised classification system
- Sufficient number of auditors
- Qualification criteria for auditors
- Reporting to the European Commission

- Commission inspections (Reg. 1486/2003)
 - Scope (ca. 30 inspections/year):
 - » appropriate authorities (since 2004: 41)
 - » airports (since 2004: 104)
 - Methods (mandatory support by MS):
 - » observations
 - » tests
 - » interviews
 - » verifications
 - Pool of qualified Commission inspectors
 - » 11 Commission staff
 - » Ca. 70 national auditors



OVERALL EFFECT OF EU LEGISLATION

Positive!

Inspections: Results are improving

● New Framework Regulation 300/2008

● Objectives:

- » More harmonization across EU
- » More facilitation / less duplication
- » More international cooperation

● Deadlines:

- » All new implementing acts stand to apply early 2010

● International Cooperation (1)

● Multilateral:

- » ICAO (EU – AVSEC Panel)
- » EU auditors participate in ICAO – USAP
- » ICAO audits EU as a whole
- » EU seeks strengthening of ICAO (more transparency on audit results)

● International Cooperation (2)

● Bilateral:

- » Comprehensive aviation agreements (USA)
- » EU interest in improving quality of security for flights to EU

Options: Technical assistance
 Mutual inspections