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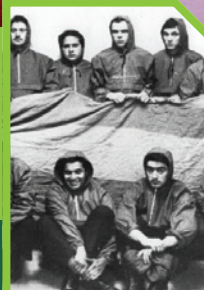
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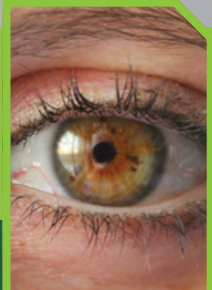
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# UNITED NATIONS SECURITY COUNCIL ADOPTS RESOLUTION 2309:

## TIME TO CONVERT WORDS INTO ACTION

by Philip Baum

For the first time in its history, the United Nations Security Council has adopted a resolution specifically focusing on civil aviation security; on 22 September 2016 UNSCR 2309 was passed, demonstrating global resolve to tackle the threat posed to the industry.

Admirable though it may be - and certainly a source of great pride for Britain's new Prime Minister, Theresa May, and her new Foreign Secretary, Boris Johnson, who led the initiative - we must now ask ourselves the question how 2309 is actually going to have a positive impact on security at the coal face.

Branded a 'landmark' declaration of intent by many commentators, what does 2309 actually provide beyond the welcome sight of political heavyweights stating the obvious? After all, the international community already has conventions (Chicago, Tokyo et al) designed to mitigate the threat in force. What does a resolution that, in effect, asks member states to abide by their own rules achieve?

Reaffirming commitment to a cause does have value as we can all benefit from being reminded of the basic principles by which we are supposed to operate - in all areas of our lives. Furthermore, with ever-changing leadership and regimes around the world, it is reassuring to see our modern day politicians express their faith in the International Civil Aviation Organisation. Yet talking heads are one thing, concrete action another.

After all, statements that terrorist attacks against civil aviation pose a serious threat to international peace and security, and cause damage to economies and trading relationships, are little more than fluff. So too are expressions of the need for states to put in place effective security arrangements to better safeguard aviation. Statement of the obvious! Of course,

no resolution can go into the specifics of the security measures we need to adopt, but we must be honest with ourselves and challenge every new procedure, technology deployment, audit process and training programme, and ask whether aviation security is truly enhanced as a result.

Aviation is essential to our daily lives, so there is a natural tendency to overlook an aviation security regime's shortcomings for fear of the economic impact of instigating sanctions against those who do not made the grade. It's all too easy to recommend improvements

**"...the failure of the aviation security system had already cost US\$3.3 trillion..."**

whilst continuing operations, but we must resist the modern-day primary school approach where nobody is actually ever allowed to fail; governments need to show their teeth and the international community ought to be resolute in having minimal (ideally zero, but let's be realistic!) tolerance for any state failing to meet minimum standards which are, by their very nature, already well below optimum standards.

Perhaps as it was borne out of the attacks against civil aviation in Egypt (Metrojet) and Somalia (Daallo Airlines), 2309 implies that our greatest challenge lies in helping certain states achieving those minimum standards through the provision of targeted capacity development, training and other technical assistance. Many of the foreign ministers who gathered in New York expressed the need for states to comply with Annex 17 requirements and strengthen their screening regimes. To my mind it is more sad than reassuring that, in 2016, Japan's Ambassador to the UN, Yoshifumi Okamura, had to state to the Security Council that, "Under Japan's leadership of the Group of Seven (G7), an action plan had been developed for aviation security that called on States to strictly abide by the Chicago Convention and its annexes." That's so 1970s - a period when, perhaps, there was a justifiable excuse for a state to be non-compliant. Are we really, despite the multitude of attacks that have succeeded, plots that have been detected and threats that we knowingly face, still having to get states to 'abide' by the Chicago Convention?

As the attacks in Brussels and Istanbul airports demonstrated and as France's Minister for the Environment, Energy and Marine Affairs, Ségolène Royal, pointed out, "States must move beyond standards". It's that old 'thinking outside the box' challenge that we need to promulgate. Boris Johnson himself said that, "Precautions should adapt to terrorists' changing tactics", and that is a big ask in a rule-based, compliance-based, standards-based industry.

Much of 2309 does 'reaffirm' commitment and 'note' what we all see on the television news on a daily basis, but there were key 'expressions' which must not be allowed to be suffocated by the aforementioned fluff, most notably the Security Council "Expressing particular concern that terrorist groups are actively seeking ways to defeat or circumvent aviation security, looking to identify and exploit gaps or weaknesses where they perceive them", and "stressing the need for international aviation security measures to keep pace with the evolution of this threat".

The Security Council "Further calls upon all States, as part of their efforts to prevent and counter terrorist threats to civil





## "...precautions should adapt to terrorists' changing tactics..."

aviation" to address the insider threat by ensuring that "such measures take into account the potential role of those with privileged access to areas, knowledge or information that may assist terrorists in planning or conducting attacks". Perhaps the time is nigh for the global community to exert pressure on the United States to introduce a more robust staff screening system?

Uruguay's Luis Bermúdez told the Security Council that "many countries lacked the technical capacity and adequate finances to apply international standards" and that "assistance should be provided to them, including technology transfer programmes." Global cooperation, as expressed by industry and government alike, is of unquestionable importance, but perhaps there are some more fundamental questions that should be addressed if, as Bermúdez claims, states do lack 'adequate finance' to do the minimum. Given what we know about the terrorist threat, doing the minimum is insufficient. We also know that technology has limited value if the security mindset does not exist to prevent a deployed technology either being bypassed by an insider, as happens on a daily basis by those involved in narco-trafficking, or being operated by a screener who is simply not capable of interpreting X-ray images or resolving alarms.

States need to recognise the cost of failure. Back in 2011, a decade after the attacks of 9/11, the New York Times estimated that the failure of the aviation security system had already cost US\$3.3 trillion – taking into consideration

physical damage, the economic impact, subsequent spending on homeland security, veterans' care and war funding (and related costs). That's some responsibility to place on the shoulders of our screeners, but it is the nature of the task, and challenge, at hand. One screener not up to the job, one supervisor putting on-time performance ahead of security protocols being met, one flight attendant incorrectly assuming that a nervous passenger was frightened of flying, one CEO adopting a 'we don't face that kind of threat' attitude, one regulator placing complete faith in technology, or one government deciding that effective aviation security measures cannot be implemented due to fear of the political impact; one failure and the costs are beyond any of our comprehension. And then, of course, money aside, there's the potential for loss of life.

## "...some more fundamental questions that should be addressed if, as Bermúdez claims, states do lack 'adequate finance' to do the minimum..."

If UNSCR 2309 is going to be truly meaningful, those who initiated it and those who supported it must now act to create a global aviation security system capable of addressing future threats, regardless of location, and develop an auditing system that makes states fearful of failure due to the limited economic impact of sanctions, rather than the real costs incurred in the event of a successful attack. ■



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