Aviation security with a special focus on security scanners

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The Committee on Transport and Tourism adopted the own-initiative report by Luis de GRANDES PASCUAL (EPP, ES) on aviation security, with a special focus on security scanners, in response to the Commission Communication on the subject.

The report takes the view that an integrated approach to aviation security is needed, with one-stop security so that passengers, luggage and cargo arriving at an EU airport from another EU airport do not need to be screened again. It notes that Member States are entitled to apply more stringent measures than the common basic standards required by European legislation and may thus introduce security scanners on their territory. However, the introduction of security scanners by Member States makes genuine one-stop security impossible, and if the present situation continues the operating conditions that apply to the Member States will not be uniform and will therefore not benefit passengers.

Security scanners: Members call on the Commission to propose adding security scanners to the list of authorised screening methods, under the condition that it will be accompanied with appropriate rules and common minimum standards for their use, as set out in this resolution. However, the impact assessment requested by the European Parliament in 2008 must first be carried out. It must demonstrate that the devices do not constitute a risk to passenger health, personal data, the individual dignity and privacy of passengers and the effectiveness of these scanners. Furthermore, security scanners should serve to speed up the pace and tempo of checks at airports and reduce inconvenience to passengers, and the report calls on the Commission to take this aspect into account in its proposed legislation.

- **Necessity and proportionality**: the escalating terrorist threat means that public authorities must take the protective and preventive measures. Members state that the detection performance of security scanners is higher than that offered by current metal detectors, particularly with regard to non-metallic objects and liquids, whilst a full hand-search is more likely to cause more irritation, waste more time and face more opposition than a scanner. Concerns regarding privacy and health can be resolved with the technology and methods available. Members feel, however, that **people undergoing checks should be given a choice** as to whether use security scanners whereby if they refuse, they would be obliged to submit to alternative screening methods that guarantee the same level of effectiveness as security scanners and full respect for their rights and dignity. A refusal should not give rise to any suspicion of the passenger.
- **Health:** the committee takes the view that **exposure to doses of cumulative ionising radiation cannot be acceptable**, and that any form of technology using ionising radiation should be explicitly excluded from use in security screening. It calls on the Commission to examine the possibility, under the next research framework programme, of using technology that is completely harmless to all members of the public and which at the same time guarantees aviation security. Member States are asked to monitor the long-term effects of exposure to security scanners, taking new scientific developments into account, and to check that the equipment has been correctly installed and is properly used and operated.
- **Body images**: Members feel that **only stick figures should be used** and insists that no body images may be produced. Data generated by the scanning process must not be used for purposes other than that of detecting prohibited objects, may be used only for the amount of time necessary for the screening process, must be destroyed immediately after each person has passed through the security control and may not be stored.

- **Prohibition of discrimination**: Members take the view that the operating rules must ensure that a random process of selection is applied and passengers must not be selected to pass through a security scanner on the basis of discriminatory criteria.
- **Data protection:** as well as using a stick figure to protect passengers' identities, Members stress that the technology used must not have the capacity to store or save data. The use of security scanners must comply with Directive 95/46/EC on the protection of personal data.
- **Information and treatment of people scanned**: Members feel that people undergoing checks should receive comprehensive information in advance, particularly regarding the operation of the scanner concerned, the conditions in place to protect the right to dignity, privacy and data protection and the option of refusing to pass through the scanner. Security staff must receive special training in the use of security scanners in such a way as to respect passengers' fundamental rights, personal dignity, data protection and health.

Financing aviation security: the report urges the Council to adopt a position on aviation security charges at first reading, given that legislation on aviation security and legislation on aviation security charges are closely linked. Security charges should be transparent, that they should be used only to cover security costs and that Member States which decide to apply more stringent measures should finance the ensuing additional costs.

Ban on liquids: the committee reiterates that the ban on carrying liquids should come to an end in 2013, and it invites Member States and airports to ensure that adequate technology is available in good time so that the scheduled end of the ban on carrying liquids does not have the effect of undermining security.

Security measures for cargo: Members recall that 100% scanning of cargo is not practicable. They want Member States to continue their efforts to implement Regulation (EC) No 300/2008, and the corresponding Commission Regulation (EC) No 185/2010, in order to enhance security throughout the entire supply chain. The Commission and Member States are asked to strengthen screening and inspections concerning air cargo, including those relating to the validation of regulated agents for known consignors. Members stress the need to have more inspectors available at national level. They ask the Commission to:

- continue its work on the possible use of customs-related electronic systems for aviation security purposes; in particular by making use of the EU's Import Control System to improve cooperation between customs authorities;
- ensure the safe transport of cargo originating in third countries, starting at the airport of origin, and to lay down criteria for determining high-risk cargo, identifying the responsibility of each of the various agents;
- propose a harmonised system for the initial and further training of security staff in relation to cargo, in order to remain abreast of the latest technical developments in the field of security.

International relations: the committee calls on the Commission and Member States to promote global regulatory standards within the framework of the ICAO in order to support the efforts made by third countries to implement those standards, move towards the mutual recognition of security measures and pursue the objective of effective one-stop security.

Lastly, Members believe that the comitology procedure is inappropriate in the aviation security sector, at least for measures having an impact on citizens' rights, and calls for Parliament to be fully involved through co decision.