

Civil aviation security

2005/0191(COD) - 09/07/2013 - Follow-up document

This Commission report describes the implementation of Regulation (EC) No 300/2002 on common rules in the field of civil aviation security. It covers the period 1 January – 31 December 2012.

The main observations of the report are as follows:

- **New aviation security measures:** 2012 marked the year in which the first transitional period for the new aviation security measures introduced by Regulation (EC) 300/2008 and its implementing provisions came to an end. This concerned the requirement to either establish a secure supply chain for in-flight supplies and airport supplies or to screen 100% of such supplies upon entry in security restricted areas at airports. In its inspections throughout the year 2012, the Commission therefore put a lot of emphasis on verifying compliance with these new requirements.

- **Amended supplementing provisions:** the supplementing provisions to Regulation (EC) 300/2008 were significantly amended. On one hand, the amendments aimed at fine-tuning or further clarifying the existing procedures for certain aviation security measures. On the other hand, complex new measures were introduced for air cargo and air mail being carried into the Union ("ACC3"). The regime on EU aviation security validation was also significantly strengthened. Two changes were later incorporated to ensure a secure supply chain and a reliable validation system at third country airports, at which air cargo and air mail bound to the Union shall be loaded onboard an aircraft, to be in place by mid 2014.

- **Liquid explosives:** with regard to liquid explosives, a reappraisal on the present threat to civil aviation confirmed that the related risk must still be considered high and must be addressed by aviation security measures. However, it became clear in the course of the year that removing the current restrictions on carrying liquids, aerosols and gels (LAGs) as hand luggage by the deadline of 29 April 2013 would not be feasible due to operational difficulties with screening equipment that would likely result in significant inconvenience for air passengers. Draft legislation was prepared to revise the approach by phasing in screening, starting with duty-free LAGs by 31 January 2014.

Mutual recognition of the respective air cargo and mail security regimes of the EU and US: arrangements for the mutual recognition of the respective air cargo and mail security regimes of the EU and the United States (U.S.) were concluded. This is an important achievement for EU exports and eliminates duplication in the application of security measures, and thus in turn translates into cost and time savings for air cargo and mail operators.

Main conclusions:

- a high level of security continues to be ensured in the EU. Commission inspections have shown a slightly increased level of compliance with main regulatory provisions.
- in traditional measures, deficiencies identified in the areas of staff and cargo screening requirements tended, by and large, to stem from human factor issues.
- further non-compliances found in the additional measures implemented under the new legal framework of Regulation (EC) 300/2008 were related to security controls of airport supplies (where a secure supply chain had not yet been fully deployed), patrols at airports, re-certification of screeners operating certain security equipment and high risk cargo and mail.
- Commission recommendations for corrective action were on the whole followed up satisfactorily, but the inspectors' findings confirm the importance of a robust EU inspection regime and of adequate quality assurance at Member State level.
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the Commission will continue its efforts to ensure that all legal requirements are fully and correctly implemented, instigating formal infringement procedures if necessary.

- on the legislative front, further detailed implementing rules were adopted during 2012 to ensure that the new basic Regulation (EC) 300/2008 is applied in a harmonised way and in order to meet new threats or better mitigating existing threats.