

Civil aviation security

2005/0191(COD) - 02/05/2006

The committee adopted the report by its chair, Paolo COSTA (ALDE, IT), amending - under the 1st reading of the codecision procedure - the proposed regulation on common rules in the field of civil aviation security:

- several amendments sought to make it clear that the aim of the regulation was to protect civil aviation from acts of unlawful interference "that jeopardise the security of civil aviation", i.e. terrorist acts rather than other acts of unlawful interference such as theft or smuggling;
- a number of the definitions used in the regulation were clarified, e.g. the committee expanded the definition of 'potentially disruptive passenger' so that it would include a passenger "whose behaviour is manifestly abnormal and threatens to compromise the security of a flight";
- several amendments sought to ensure that the distribution of mail would continue to operate smoothly and that the public did not receive a worse postal service as a result of the regulation;
- on the question of the funding of the proposed security measures, which was not addressed in the proposal, MEPs introduced a new article providing for the costs to be shared by Member States and airline users. To avoid distortions of competition, the Commission should put forward proposals as soon as possible introducing uniform arrangements for financing the measures;
- if a Member State wishes to take more stringent security measures, it must duly report them to both the Commission and the Regulatory Committee responsible for drawing up the technical implementing measures. It must also meet the costs of applying more stringent measures;
- security taxes and charges must be used "exclusively to meet airport or on-board aircraft security costs". Where such costs are included in the price of an air ticket, they should be shown separately on the ticket or otherwise indicated to the passenger;
- the measures proposed in the regulation should be subject to a risk and impact assessment, including the estimated costs;
- on the controversial question of in-flight security measures (Chapter 10 of the Annex), the committee said that weapons should be carried on board only if authorisation has been given "by the State granting the operating licence to the air carrier concerned" and if "prior approval has been given by the States of departure and arrival and, where applicable, by any State which is flown over or in which intermediate stops are made";
- MEPs also stipulated that responsibilities for taking appropriate action in the event of any act of unlawful interference committed on board a civil aircraft or during a flight shall be clearly defined, "without prejudice to the principle of the authority of the captain of the aircraft";
- as a matter of principle, all pilots and applicants for pilot licences should be subject to uniform background checks, to be repeated at regular intervals. Decisions of the appropriate authorities regarding background checks should be taken on the basis of the same criteria;
- every European airport covered by the regulation should be inspected at least once within four years of the regulation's entry into force;

- the Commission should establish a Stakeholders' Advisory Group on Aviation Security, composed of European representative organisations engaged in or directly affected by aviation security, whose role would be to advise the Commission;
- lastly, the committee wanted the regulation to stress the role of the European Aviation Safety Agency as a Community-wide monitoring body.