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FIATA responds to ICAO's Secretary General

Trends, development and challenges facing the airfreight industry

GLOBAL airfreight posing global CHALLENGES

Enhanced Aviation Safety and Security in balance with Trade Facilitation

Simplicity and transparency are essential to trade facilitation. The future of aviation security and the challenges faced by those responsible for aviation safety and security rest on their ability to achieve and enhance aviation security and safety globally, while not impeding the advancement of the global air cargo industry. The achievement of such balance between these two seemingly opposing requirements will be the challenge for ICAO and other relevant organisations in the next few years.

Trends, developments and history

Over the past fifteen years ICAO has been committed to increasing aviation security. For example, in November of 2010, ICAO adopted more stringent air cargo security standards as part of its ongoing efforts to enhance the overall security of air transport operations worldwide. These include air cargo security, screening technologies to detect prohibited articles, strengthening international standards, improving security information-sharing and providing capacity-building assistance to States in need.¹ In 2014, updated security requirements were contained in the 12th revision of Annex 17 (Security) to the Convention on International Civil Aviation, adopted by the Council of the Organisation.

At the same time ICAO has committed, with organisations such as the WCO, to reinforce their common message that a secure and efficient air cargo supply chain is essential for international trade and world economic development.² Training and capacity-building are also important pillars in ICAO's current No Country Left Behind initiative. This is seeking to ensure that all States can realise the full prosperity benefits of safe and reliable air services through the more effective implementation of ICAO's international Standards and Recommended Practices (SARPs) and policies.³

Over the past decade, member States have implemented their responses to ICAO's requirements, at times without sufficient coordination. ACC3 is an example of this: when there is air cargo or mail carriers operating into the European Union from a third country airport, carriers require a designation in order to fly cargo into or through the European Union. Since July 2014, carrier stations in third countries are required to have undergone an audit to obtain an EU Aviation Security Validation in order to acquire or maintain their ACC3 designation. This validation needs to be reissued every five years according to the EU Regulation, but the sufficiency of the arrangements taken for the required validating resources has been questioned by many stakeholders. This is one example of a security program that adds administration cost and burden to the air cargo industry, in the name of aviation security.

¹ <http://www.icao.int/Newsroom/Pages/icao-strengthens-air-cargo-security-measures.aspx> [September 28, 2015]

² <http://www.icao.int/Meetings/jointconferencebahrain/Pages/default.aspx> [September 28, 2015]

³ <http://www.icao.int/Newsroom/Pages/ICAO-Regional-Training-Centre-of-Excellence-Develops-First-ICAO-Training-Package.aspx> [September 28, 2015]

Similarly, three pilot programmes have been in place in the United States, Europe and Canada since 2011-2012, focused on requirements of the shipping community to provide data in advance of shipping. In March 2012, the U.S. Customs and Border Protection (US CBP) and the Transportation Security Administration (TSA) introduced Air Cargo Advance Screening (ACAS). Launched on 1st October 2012, the Pre-Load Air Cargo Targeting (PACT) pilot is a joint initiative between the Canada Border Services Agency (CBSA) and Transport Canada (TC), designed to allow the CBSA and TC to conduct a risk-assessment for indications of threat to national security and aviation security. In 2011, the twenty-seven (27) Member States in the European Union (EU) implemented the Import Control System (ICS), which requires filing a pre-arrival Entry Summary Declaration (ENS) and means that all cargo, whether or not consigned to the EU, must be declared. This is the first phase of implementation of the EU-wide Automated Import System (AIS). These programmes all consume member State resources, private sector resources and add complexity. At times it becomes clear in time that the sterling development of such programmes is hampered by lack of resources.

In addition to these pilot programmes many countries have introduced Customs requirements for advanced data. For example, the US CBP introduced AMS Marine in 2002 and also then AMS Air with its own requirements. In 2006 India Customs introduced advance requirements for air shipments as has Canada's CBSA with its similar but slightly different ACI Air and e-Manifest requirements. The list grows; FIATA fully understand the sovereignty principles that make it impossible for one state to adopt another one's provisions, but on the other hand it is impossible not to take account of sometimes inexplicable differences, which result in undesired obstacles in trade.

Regulatory Challenges

Harmonization instead of growing lists of requirements.

Air cargo security and aviation security cannot be achieved at the expense of efficiency and simplicity. Far from its original intention, increasingly the result of the work of organisations such as ICAO eventually create an air cargo environment that is overly complex, frequently modified and is duplicated or handled by multiple agencies within member States, mostly because of insufficient international and – alas – even national coordination.

ICAO to promote standardisation in Pre-departure data

From FIATA's point of view, the standardisation of pre-departure information for all countries should be and remain as one of the priority tasks of ICAO. FIATA is happy to be part of the JWGACI exercise that has been laudably organised by ICAO with the WCO and it has significantly contributed with its input.

In this light we should like to make our recommendation in favour a standard format, which should be used throughout the world so that cargo from any country will be securely cleared and reported in a manner acceptable to any other nation, by virtue of mutual recognition agreements. This is obviously a big task and one that will not be solved overnight, but we must all work towards this goal, if we are to make sure air cargo is secure and safe and borders do not become barriers. In terms of security, this format should be similar for all countries as they are all making use of the pre-departure data to conduct risk management evaluations, based on the WCO SAFE Framework of standard specifications. It is not a question of using the same process everywhere, or it would be too simple for users with malicious intent to abuse the system, it is a question of making interoperable systems that can cooperate at the right level between different administrations.

The standardisation should also be based on the current recommendation practices of ICAO guidelines which indicate the Known Consignor validation by competent authority; it is impossible to avoid noticing that differences exist in the implementation of the KC/RA programmes in different areas of the world and in certain countries these programmes do not exist at all. Greater harmonisation in this area should definitely be one of the top priorities of ICAO.

Harmonization in the legislation for Dangerous Goods transportation

Harmonisation of rules in hazardous goods is one of the best risk insurances that trade can afford. Harmonised, equivalent processes across the board at global level would significantly contribute to enhancing global compliance. This would also contribute with savings on compliance costs in process implementation. To achieve global harmonisation, national regulators should base Dangerous Goods safety and training requirements globally on the strictest adherence to the ICAO T.I. standards. It is essential that national administration use the Technical Instructions as their only reference material.

As an item of interest FIATA had developed a standardised Dangerous Goods shipper's declaration that could be referenced and used if appropriate.

Training and Human Resource Development

ICAO should clearly acknowledge that the safe transportation of Dangerous Goods does not start with freight forwarders, but with the shipper. Strategies need to be elaborated on enhancing the awareness of the entire supply chain stakeholders on the importance of DG compliance. The supply chains is changing, the stakeholders are changing, the internet is making e-commerce a common place exercise and awareness of the hazard connected with shipping certain articles, e.g. lithium batteries, should not and could not be underestimated, starting from the "originator of the trade" i.e. the buyer.

FIATA therefore repeats its suggestion that ICAO considers or reconsiders the structure of the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air and makes these available in the version that is in use and should be used by the legislating government together with a divulged version, possibly to be made available on line, for the wider public. If ICAO is considering this option in a positive light FIATA shall spare no effort in the errand of assisting ICAO, for example by making its FIATA Logistics Academy structure available.

Capacity-building and training development together

Support, initiate and enhance endeavours in capacity-building and training development in particular in areas such as Africa, South America and parts of Asia can do much to promote both aviation security and trade facilitation. FIATA is already working with bodies such as UNESCAP and the World Bank in this direction, as well as with private enterprises and other associations. There is no obstacle to expand the scope of such cooperation to cover areas of business that can be of interest for ICAO, in particular in vocational training, where FIATA has programmes running all over the world and has gathered experience over several decades.

ICAO should support facilitation of training and in context with Safety and Security. Operators and the freight community need this training facilitation. The number of accidents in Africa is amongst the highest in the world and it is often due to insufficient awareness and training, areas where FIATA is happy to offer its support.

Trade Facilitation must-haves

The African Skies, the Montreal Convention, Logistics Connectivity

FIATA suggest to open doors for private sector engagement in ground handling to improve efficiency. Policy makers tend to execute decisions and insufficient consideration of the ground reality sometimes appears quite evident. This is an area that requires urgent attention. The eradication of bottlenecks in supply chain is amongst the top requirements and this area will be helpful in eliminating the slow pace of development, in particular in Africa.

Please kindly take note of various FIATA Position Papers referencing the issue of liberalisation of air services in Africa, which we consider in perfect unison with the principles enshrined in the ICAO Charter.

- [FIATA POSITION PAPER on Revisiting the Yamoussoukro Decision](#)

Equally importance the position taken by FIATA and IATA in their participation to the WTO BALI 2013 ministerial:

- [Joint position on the need for States to ratify the Montreal Convention 1999 \(MC99\) to promote trade facilitation](#)

Please take note of FIATA's Position Papers with regards to Logistics Connectivity, which we believe is one of ICAO's objectives:

- [FIATA's Feedback on the Post 2015 Zero Draft Outcome document Charged by Logistics Connectivity's sustainable energy](#)
- [FIATA PUBLIC STATEMENT - Sustain YOUR Future with Logistics Connectivity](#)
- [Logistics Connectivity: the prerequisite to achieve Sustainable Development.](#)
- [More Logistics Connectivity in the Goals and Targets of the Open WG!](#)

Glattbrugg, October 9th 2015.

The FIATA Secretariat