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AGENDA ITEM 5: AVIATION SECURITY

**BUILDING MEANINGFUL PARTNERSHIPS TO ADDRESS  
THE CHALLENGES TO THE REGULATED AGENT SYSTEM  
IN FIJI AND MITIGATE THE RISKS TO AVIATION  
SECURITY**

Presented by Fiji

**INFORMATION PAPER**

**SUMMARY**

This paper discusses the importance of building meaningful partnerships as part of a proactive security strategy to mitigate the risks to aviation security in Fiji, address the diverse challenges faced by the Regulated Agent Regime (RAR) and comply with ICAO Annex 17 Standards and Recommended Practices (SARPs) governing cargo.

## **BUILDING MEANINGFUL PARTNERSHIPS TO ADDRESS THE CHALLENGES TO THE REGULATED AGENT SYSTEM IN FIJI AND MITIGATE THE RISKS TO AVIATION SECURITY**

### **1. INTRODUCTION**

1.1 Building meaningful partnerships with all agencies involved in the aviation industry, including key partners abroad like the Transportation Security Administration (TSA) and other regulatory authorities is a critical component of Fiji's proactive security strategy to mitigate the risks to aviation, address the diverse challenges faced by the regulated agent regime (RAR) and comply with the International Civil Aviation Organisation (ICAO) Annex 17 Standards and Recommended Practices (SARPs). Central to this strategy is the concept of meaningful partnership which, for the purpose of this paper, is defined as working in collaboration with the different agencies (both internal and external) toward achieving the safety and security of aviation, through professional feedback and the implementation of complementary security measures and legislations for air cargo that are effective, efficient and sustainable.

1.2 Meaningful partnership requires trust and focusses on placing the collective need of the travelling public for safety and security above the individual interests of the different agencies. It involves trusting each agency to play its role efficiently to ensure that the safety and security of aviation is not compromised. Meaningful partnership requires constant dialogue to find amicable solutions to existing challenges, while exploring opportunities for learning and growth. It is a two way process of engagement and commitment founded on the principles of trust, accountability, transparency and continuous improvement. Building meaningful partnership is first and foremost, a precursor to a secure operating aviation environment. Such partnerships take time to forge and require tact and commitment to grow but can also be destroyed with incredible swiftness.

1.3 Fiji recognizes that aviation security is a collective responsibility which can be fostered through the establishment and maintenance of meaningful partnerships amongst the different agencies. Fiji remains committed to growing these partnerships as a first step in its proactive security strategy. In so doing, Fiji is able to achieve a level of security that is robust and which mitigates the risks to air cargo and aviation to a reasonably acceptable level.

### **2. DISCUSSION**

2.1 As part of its proactive security strategy, the Civil Aviation Authority of Fiji (CAAF) conducted consultative meetings with representatives from airports, airlines, cargo, mail, freight forwarders and concessionaires to enhance cargo security. Consultations commenced in 2002 and focused on strengthening existing partnerships and establishing and nurturing new ones. As these partnerships developed, discussions focussed on how to implement the new Annex 17 SARPs relating to cargo in a consistent manner. The subsequent amendments to Annex 17 SARPs on cargo after September 11 highlighted the inherent vulnerabilities that existed within the global cargo system that needed to be addressed in a uniform manner to mitigate the growing risks to aviation.

2.2 The Civil Aviation Authority of Fiji (CAAF) in its consultations with the different agencies in country explained the objectives for the Annex 17 SARPs and impressed upon the aviation industry the importance of implementing them consistently. It was important to emphasize the benefits to be gained by the aviation industry (and global aviation). Equally

important was the need for the aviation industry to understand how the new cargo standards contributed to overall security in aviation, where they fit in, in the greater scheme of things and the potential implications that could occur if the integrity of air cargo is compromised. Initially, there was skepticism in some quarters toward the regulated agent regime, but over time and through aviation security training, the regulated agents understood the important functions they performed. They also realized that to a large extent, the success of their businesses depended on the safety and security of air cargo.

2.3 Terrorists and adversaries of aviation continue to test the cargo system as demonstrated in the case involving the discovery of 2 IED's in toner printer cartridges sent from Yemen to the United States in October 2010. These terrorists have become unorthodox in their tactics and innovative in their planning. Their ability to conduct reconnaissance and collect good intelligence makes them a formidable force that should not be underestimated. They understand that security is only as good as its weakest link and have continued to make in-roads to cargo.

2.4 Air cargo remains the weakest link in the global aviation security chain because it is impossible to screen all cargo due to the complex nature of cargo. Cargo can range from simple perishable food items such as fruit and vegetables to the more complex cargo like live animals and aircraft engines. That an increasingly high volume of cargo is carried every day on board passenger aircraft globally, and the availability of insider information about the air cargo processes makes the responsibility of maintaining the integrity of the cargo and security of the aircraft, extremely challenging and sometimes difficult.

2.5 In the absence of cargo screening equipment, Fiji chose to adopt the regulated agent model (RAM) which was initially developed and implemented by the British based on the principle of protecting the cargo from source and along the supply chain until it is loaded onto the aircraft. The RAM functions on the principle of trust and begins when the cargo is 'made known' during the acceptance phase. Once cargo is made known and secured, it is maintained in that state until it is handed over to the air cargo operator for loading onto the aircraft. A security declaration is raised with the cargo to the air cargo operator declaring that the integrity of the cargo is intact and the cargo, secure to be carried on board the aircraft.

2.6 Fiji has a total of thirteen (13) regulated agents who are certified by the CAAF on a yearly basis to determine compliance with their approved regulated agent security programme (RASP) and Annex 17 SARPs. The security programme highlights how the regulated agent will handle and protect cargo to prevent the introduction of improvised explosive devices (IED). In comparison with the more developed countries, Fiji has a reasonably small cargo system which is easier to manage and regulate. This smallness is our strength.

2.7 The second cycle of the ICAO Universal Security Audit Programme (USAP) of Fiji in 2012 did not raise any issues about the regulated agent regime. This was perceived as endorsement of the quality of implementation of the regulated agent regime. In 2017 ICAO included air cargo security as part of its Global Aviation Security Plan (GASeP).

2.8 As part of capacity development and in line with meaningful partnership with the different agencies responsible for the security of cargo, CAAF provides the ICAO Basic STP 123 Cargo Course on a yearly basis. CAAF is optimistic that by developing this partnership and providing some aviation security training, the aviation industry will be knowledgeable and better equipped to enhance aviation security.

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3.1 Another important aspect of proactive security is the sharing of information in a timely manner on a regular basis amongst the agencies. This enables the regulated agents to keep abreast of developments in aviation and helps them stay connected. Furthermore, it gives them a sense of identity and purpose to know that they are an important component of the security team.

3.2 Fiji's economy relies heavily on tourism and trade which is facilitated through aviation. In this respect, Fiji cannot afford to be complacent. Fiji must remain vigilant and trust the meaningful partnerships forged amongst the different agencies in the aviation industry (and abroad) to ensure security for air cargo and air travel. There is also a reporting culture that is encouraged and promoted amongst the different agencies. Such reporting is non punitive in nature and aims to identify gaps and seal them before adversaries of aviation have a chance to exploit them.

3.3 While the regulated agent regime has grown since its inception in 2006, it is not immune to challenges. One of the challenges to the implementation of the RAR in Fiji is the absence of capacity and capability amongst the regulated agents and within the aviation industry to be able to conduct air cargo security training, consistent with the ICAO Basic STP 123 Course on Cargo. This gap has temporarily been addressed within the last 8 years by CAAF with the provision of this training. However, CAAF is a regulator and not a training institution and therefore cannot be relied upon, going forward to continue to fulfil this function in light of the growth in aviation and CAAF's limited resources. CAAF had only stepped in because of an absence of capacity for cargo security training within the aviation industry. However, there is an increasing demand from the regulated agents for CAAF to continue to provide this training.

3.4 This poses a number of challenges for CAAF. Firstly, at least three (3) weeks every year a minimum of 2 AVSEC Inspectors are assigned to provide security training for the aviation industry. One (1) week out of the three (3) weeks is dedicated specifically to the conduct of the Basic STP 123 Cargo Course which is resource intensive. Also, this raises the expectations of the regulated agents and instils a culture of continuing dependence on CAAF to provide training all the time.

3.5 From a quality control perspective, the above practice raises concern about CAAF impartiality; providing cargo security training for the regulated agents and then conducting oversight of its own training through certification audits of the regulated agents. Best practice would require an independent security training provider or an independent auditor.

3.6 Another challenge lies in the timely implementation of new Annex 17 requirements for cargo. It takes time for the CAAF to develop new legislation and have it passed. Similarly, it takes time for the regulated agents to familiarize themselves with the cargo requirements and implement the changes in consultation with their management and clients. Put differently, amendments to Annex 17 happen at a faster rate than CAAF and the regulated agents can respond. New requirements sometimes supersede CAAF's ability to implement in a timely manner.

3.7 Unlike the use of advanced screening equipment for cargo, the regulated agent regime is resource intensive. Validating known shippers/consignors is a time consuming process. It is also a costly exercise particularly if there are many known shippers/consignors based across the country. The regulated agents would be required to travel long distances to validate their known shippers/consignors' cargo facilities and security processes. Apart from that, the regulated agents are required to conduct monthly quality control activities of their known

shippers/consignors and regulated agent processes. This includes conducting an inspection or test of their security processes to determine compliance and ascertain the quality of implementation of their security programme.

3.8 There is the potential for regulated agents to ‘cut corners’ and make clients known shippers/consignors without actually validating their processes on the ground. Furthermore, unknown shippers/consignors may deliver cargo to the regulated agent without the latter making the cargo known. In both cases, this could endanger the safety and security of aircraft and undermine the integrity of the regulated agent regime. While CAAF is mindful of these potential scenarios, it remains confident that the meaningful partnerships it has forged will ensure that this does not happen.

3.9 Turnover of trained staff with specific security responsibilities for the implementation of the RASP means there is no continuity and the regulated agents will have to wait for the next round of CAAF training to train the replacement(s). This takes time and may affect their manpower and ultimately, their operations.

3.10 There have been informal discussions on purchasing screening equipment for cargo. Fiji Airways had purchased ETD equipment for screening cargo bound for the United States. However, Fiji is of the view that ETD should only be used to complement the primary mode of screening. It is not a substitute for primary mode of screening. Given the advancements in cargo screening technology and equipment and the demands for modernization, Fiji will consider the need to purchase cargo screening equipment in future.

3.11 Despite some of the aforementioned challenges, the regulated agent regime in Fiji has successfully managed to provide a level of security that is not only robust, but also appropriate, to avert compromising the security of air cargo and air travel because of its smallness of scale. Fiji acknowledges that there are areas that can be fine-tuned as part of its internal process of continuous improvement going forward, and will continue to build on its meaningful partnership with the aviation industry and external partners like TSA and other Authorities to ensure that both, air cargo and air travel remain safe and secure.

3.12 Meaningful partnerships within the aviation industry have been the backbone of Fiji’s regulated agent regime and clearly demonstrate that we can achieve the same outcomes through collaboration and a genuine commitment to succeed.

#### **4. ACTION BY THE CONFERENCE**

4.1 The Conference is invited to note the information contained in this Paper.