

**54th CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS**

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Agenda Item 7.3: Session on Aviation Security & Facilitation(AVSEC&FAL) issues
Issue No. 3 : Resolution of Aviation Security Deficiencies

**INTRODUCTION OF THE ROK'S AVIATION SECURITY
OVERSIGHT AND QUALITY CONTROL ACTIVITIES**

(Presented by Republic of Korea)

INFORMATION PAPER

SUMMARY

The Republic of Korea (ROK) has conducted aviation security oversight and quality control activities focusing on the resolution of identified security deficiencies, through which the ROK is trying to comply with national and international Standards and requirements in order to make traveling public safe.

INTRODUCTION OF THE ROK'S AVIATION SECURITY OVERSIGHT AND QUALITY CONTROL ACTIVITIES

1. INTRODUCTION

1.1 The Resolution of Security Concerns – Critical Element 8 of States' Aviation Security Oversight System is almost always the Critical Elements at the lowest level in terms of effective implementation as demonstrated through the results of ICAO USAP audits.

1.2 The Republic of Korea (ROK) has conducted aviation security oversight and quality control activities focusing on the resolution of identified security deficiencies, through which the ROK is trying to comply with national and international Standards and requirements in order to make traveling public safe.

2. DISCUSSION

2.1 Regulation structure for AVSEC Oversight and Quality Control

2.1.1 The Aviation Security Act (ASA) requires the Ministry of Land, Infrastructure and Transport (MOLIT) to establish the National Civil Aviation Security Plan (NCASP). The Act also requires airport operators and airlines to develop their own Aviation Security Plan (ASP). The specific contents which should be included in NASP and ASP are listed by the Ministerial Decrees. The ASP should be approved by MOLIT when it is newly established or amended.

2.1.2 Since the ASP is by nature to be developed by different airlines and airport operators, it is necessary for MOLIT to provide a common baseline in establishing the ASPs. Keeping this necessity in mind, MOLIT established a Model Regulation for ASP in 2013 for airport operators and in 2016 for airlines respectively. The Model Regulation for ASP is a platform which gives guidelines to airport operators and airlines on what should be included within their own ASP in order to thoroughly reflect the requirements of ASA and NCASP.

2.1.3 Along with ASA, NCASP and ASP, the National Civil Aviation Quality Control Program (NCAQCP) is also an important component supporting continuous improvement of AVSEC in ROK. Airport operators and airlines are responsible for developing their own QCP according to the requirements of NCAQCP. The AVSEC Inspector Manual depicts more details, such as, the standard course; planning, on-sight observation, reporting and follow-up.

2.2 Monitoring Activities

2.2.1 About 30 MOLIT AVSEC inspectors are allocated at MOLIT headquarters, three (3) regional offices, and fifteen (15) nationwide airports. They conduct audits, inspections, surveys and tests for around 900 entities including airport operators, airlines and airport tenants according to the NCAQCP. Each inspector carries out about forty (40) rounds of monitoring activities in average per year.

2.2.2 The scope or subject of inspection at a specific airport is outlined based on study and analysis on the outcome of the previous inspection results, type of security threat and what filed at the AVSEC voluntary reporting system. In an effort to increase efficiency and transparency at the inspector's monitoring activities, MOLIT introduced a "cross-inspection" programme, by which an inspector of airport "A" is invited to join an audit or inspection at airport "B".

2.2.3 Inter-agency inspections are also carried out when necessary. Heightened security threat, sports or diplomatic events, and threat analysis result are the examples which require test or inspection on national air carrier oversea branches. Besides, MOLIT periodically inspects airports and aircraft along with the National Counter-Terrorism Centre (under the Office of Prime Minister) and the National Intelligence Service as required by the Counter-terrorism Act which was newly established in 2016.

2.2.4 Every year, MOLIT develops the Annual AVSEC Monitoring Activity Plan. This plan provides regional offices of up-to-date information including global trend and threat need to be noticed by inspectors. The regional offices shall establish their own specific annual monitoring plan for each airport then submit the plan to the headquarters. MOLIT visits the regional offices in a yearly basis to check if the offices duly take monitoring responsibility which is mandated by the headquarters.

2.3 Corrective Actions

2.3.1 Inspectors shall submit a report to regional offices or the MOLIT within 10 days after completing their monitoring activities, which may include, but not limited to, identified deficiencies, on-site resolution, and recommendations.

2.3.2 The regional office or the MOLIT shall issue the official monitoring result to the monitored entities within 10 days after completing monitoring activities. If there is something to be clarified or additionally examined, the official monitoring report can be sent later than 10 days after completing monitoring activities.

2.3.3 When deficiencies are defined during the monitoring activities, the following actions shall be taken;

- a) Analyze the AVSEC environment of the monitored entity including, but not limited to, human resources, equipment and facilities, regulations and organizational structure;
- b) Issue Recommended Corrective Actions and file them into the log;
- c) Monitor the monitored entity's follow-up activities through tests and inspections to ensure that the deficiencies have been resolved;
- d) The monitored entities, such as airport operator or airlines, shall submit their corrective action plan within 20 days after receiving the official results. The action plan can be short-term plan (resolve within 10 days), mid-term plan (within 3 months) and long-term plan (longer than 3 months); and
- e) Reflect the countermeasures for the defined deficiencies into the Annual Monitoring Activity Plan of the coming year.

2.3.4 Most of the deficiencies are found during the inspector's monitoring activities. However, AVSEC accidents and AVSEC Voluntary Reporting System are also routes through which some deficiencies are revealed too. The MOLIT operates different type of reviewing groups consist of government agencies, airport operators, airlines, and external specialist to develop and implement effective countermeasures.

2.4 Legal and financial enforcement and sanction

2.4.1 MOLIT undertakes continuous monitoring activities as the primary measure which shall be applied in achieving effective prevention of reoccurrence of similar deficiencies.

2.4.2 However, when the monitored entities severely violate the security requirements set forth by the Aviation Security Act, punishment can be imposed as below;

- a) The entity which failed to establish Aviation Security Plan or AVSEC Contingency Plan : subject to civil penalty of up to 50,000,000 KRW(about 50,000 USD);
- b) The entity which failed to obtain an approval from MOLIT on Aviation Security Plan or AVSEC Contingency Plan : subject to civil penalty up to 30,000,000 KRW(about 30,000 USD) ;

- c) The entity which failed to comply with the approved Aviation Security Plan or AVSEC Contingency Plan; subject to civil penalty up to 10,000,000 KRW(about 10,000 USD) ; and
- d) The entity who failed to provide relevant papers or data which inspectors required for monitoring activities or submit dishonest papers or data : subject to civil penalty up to 5,000,000 KRW(about 5,000 USD).

2.4.3 If an entity has been imposed administrative fine or required to take corrective action based on the result of monitoring, the entity is subject to disadvantage in managerial evaluation for airport operator conducted by Ministry of Strategy and Finance. It is also subject to disadvantage in allocation of international air traffic rights for airline.

2.5 Efforts to improve AVSEC

2.5.1 Strong and stringent sanctions imposed to negligent non-compliance could be one of the measures to improve the level of security. However, building successful and sustainable aviation security is realistic only when AVSEC stakeholders work together as one single community. The community where the members have the same level of recognition of the seriousness of the identified deficiencies and take full responsibility of their own tasks in the course of resolving the deficiencies in a most reasonable and effective way is at the core of continuous improvement of aviation security.

2.5.2 Understanding that adequate preventive security measures can be identified through continuous review of threats and risk assessment, ROK is developing a comprehensive and practical threat and risk assessment system. An advisory group consists of academy, aviation security experts, and government will be composed in the near future to provide a fresh 3rd party look into current ROK aviation security system.

3. Action by the Conference

3.1 This conference is invited to note the information contained in this paper.

3.2 This conference is also invited to note that ROK is willing to support AVSEC capability building efforts of APAC member States by sharing experience in AVSEC oversight and enforcement.