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**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Thirty-seventh session**

Geneva, 21–30 June 2010

Item 7 of the provisional agenda

Cooperation with the International Atomic Energy Agency (IAEA)**Guidance for the security in transport of radioactive material****Transmitted by the International Air Transport Association (IATA)¹**

1. Document ST/SG/AC.10/C.3/2010/3 submitted by the International Atomic Energy Agency (IAEA) proposes revisions and additions to Chapter 1.4 – Security Provisions, primarily to introduce additional material specific to the security in transport for Class 7 material.
2. In paragraph 11 of ST/SG/AC.10/C.3/2010/3 the IAEA makes specific mention to the new text proposed in the Annex for paragraph 1.4.1.4, which would apply to all dangerous goods in transport. The comments provided by the IAEA indicate that industry questioned the competence of the consignor in providing security information to crew members employed by a carrier, although the IAEA noted that no member States questioned the proposed text and therefore the text remains as proposed.
3. IATA also believes that the consignor is not qualified to provide instruction to a carrier's employees on security measures, or on the appropriate response to any security event during transport. For air transport the aviation security plan of an air operator must be developed in accordance with the aviation security regulations of the State of registry and in most instances must also be approved by the national authority responsible of aviation security in that State. In addition, the air operator must also comply with the aviation security provisions applicable to each State into which they operate.
4. Access to the content of these aviation security plans will typically be restricted to the appropriate personnel within the air operator responsible for the implementation and

¹ In accordance with the programme of work of the Sub-Committee for 2009–2010 approved by the Committee at its fourth session (refer to ST/SG/AC.10/C.3/68, para. 118 (a) and ST/SG/AC.10/36, para. 14).

compliance with the aviation security plan. Any security consideration specific to dangerous goods consignments will be managed with the context of the air operator's existing aviation security plan. Additionally, consignors of dangerous goods will not be permitted direct access to flight crew members and typically will not be provided with any information that would allow them to identify the specific flight or aircraft on which their consignment may be carried, the exception being where dangerous goods are being carried under a specific permit or exemption.

5. While these comments are specific to air transport, it is quite likely that shipping lines, railway operators and trucking companies will have similar reservations to any application of paragraph 1.4.1.4 to those modes of transport. On that basis we believe that paragraph 1.4.1.4 as shown in the Annex to ST/SG/AC.10/C.3/2010/3 should not be adopted.

6. In reviewing document ST/SG/AC.10/C.3/2010/3 and how it would impact on the existing content of Chapter 1.4 it was identified that while paragraph 1.4.3.2 – *Security Plans* sets out some very detailed requirements with respect to the development and content of a security plan, there is no requirement or recommendation that these security plan should be developed in accordance with transport security regulations or approved by the national authority responsible for transport security.

7. For air transport, there is a requirement as set out in Annex 17 to the Convention on International Civil Aviation, dealing with Security, that “contracting States shall require air operators providing service from that State to establish and implement a written aviation security program appropriate to meet the requirements of the national civil aviation security program of that State.” A significant number of ICAO members States mandate that these operator aviation security plans require formal written approval from the national authority responsible for aviation security.

8. For these reasons we believe that there should be some additional text added into paragraph 1.4.3.2 to recommend that any security plan developed for high consequence dangerous goods should be done in accordance with the transport security requirements of the State concerned, and that where applicable this security plan be approved by the national authority responsible for transport security.

Annex

Proposed amendments to Chapter 1.4 of the United Nations Model Regulations on the Transport of Dangerous Goods

1. Add paragraph after 1.4.3.2.2, as follows:
 - “1.4.3.2.3 Security plans developed in accordance with this Chapter:
 - (a) shall be aligned with the provisions for security in transport for the mode(s) of transport as set out in regulations developed by the national authority responsible for transport security, where such regulations exist; and
 - (b) where applicable, such security plans shall be subject to review and approval by the national authority responsible for transport security.”.
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