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REGULATORY INITIATIVES AT THE INTERNATIONAL LEVEL

Note by the secretariat

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14 September 2007

**AN INVENTORY OF REGULATORY INITIATIVES AT THE INTERNATIONAL LEVEL
IN THE FIELD OF INLAND TRANSPORT SECURITY**

DRAFT 1

**THE MULTIDISCIPLINARY GROUP OF EXPERTS ON INLAND TRANSPORT
SECURITY**

United Nations Economic Commission for Europe

Geneva

International Organizations

Introduction

A thorough search of international organizations was undertaken to find any regulations, suggestions, articles and references to transport security. The following is a summary of what was located during the course of that search.

Methodology:

Given the breadth of organizations in existence, the search was confined to those organizations, which were perceived as the most pertinently associated with international relations, international policy and international regulations.

The listed organizations were researched in much the same way as the national documents. Following a general web search to identify relevant organizations, searches were carried out on their web pages. Results linked to transport security in any form were recorded and the document saved. These results were then re-evaluated and documents relating directly to transport security, including some form of evaluation, recommendation, regulation, or reference to significant legislation, were included in this report.

List of organizations researched

- UN
- EU
- International Road Transport Union
- IPU
- OSZE
- Europarat
- NATO
- OECD
- WHO
- IWF
- IOM
- African Union (AU)
- Andean Community
- Arctic Council
- Asia-Pacific Economic Cooperation
- Asian Development Bank
- Asian Productivity Organization
- Asociacion Latinoamericana de Integracion
- Association of Southeast Asian Nations
- CAB International
- Caribbean Community and Common Market
- Caribbean Export Development Agency
- Central American Bank for Economic Integration
- Central Bank of West African States (BCEAO)
- Centre on Integrated Rural Development for Asia and the Pacific
- Chemical Weapons Convention. See OPCW
- North American Commission for Environmental Cooperation
- Common Market for Eastern and Southern Africa
- The Commonwealth
- Commonwealth of Independent States (CIS)
- Community of Portuguese Speaking Nations (CPLP)
- Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)
- Council of the Baltic States
- Council of Europe
- European Bank for Reconstruction and Development
- European Court of Human Rights
- European Free Trade Association
- European Organization for Nuclear Research (CERN)
- European Central Bank (ECB)
- Free Trade Area of the Americas
- G8 (Group of 8) Information Centre
- G20 (Group of 20)
- Gulf Cooperation Council
- Inter-American Development Bank (IADB)
- Inter-governmental Authority on Development
- International Criminal Police Organization (INTERPOL)
- International Development Association
- International Institute for the Unification of Private Law (UNIDROIT)
- International Labour Organization (ILO)
- International Organization for Migration (IOM)
- International Telecommunication Union
- International Trade Centre
- Inter-Parliamentary Union
- Islamic Development Bank Group
- Latin Union
- League of Arab States
- Nordic Council and Council of Ministers
- North American Development Bank
- North American Free Trade Agreement Secretariat (NAFTA)
- Non-Aligned Movement (NAM)
- North Atlantic Treaty Organization (NATO)
- The Northern Forum
- Nuclear Energy Agency
- Organisation Internationale de la Francophonie
- Organisation for Economic Co-operation and Development (OECD)
- Organization for the Prohibition of Chemical Weapons (The Chemical Weapons Convention Website)
- Organization for Security and Co-operation in Europe (OSCE)
- Organization of the Islamic Conference
- Organization of the Petroleum Exporting Countries (OPEC)
- Paris Club
- Parlamento Amazónico
- Pacific Islands Forum
- Pan-American Health Organization (PAHO)
- Secretariat of the Pacific Community
- South Asian Association for Regional Cooperation
- South Centre (An Intergovernmental Organization of Developing Countries)
- UNIDROIT See International Institute for the Unification of Private Law

Document Summaries

Andean Community

The Andean Community has issued two documents concerning transport security.

Decision 398 International Passenger Transportation by Road; Replacing Decision 289¹ recognizes the need for security checks along the transport route. The decision states: “Such inspections as must be carried out along the route for legal reasons of national security or if there is evidence of the commission of customs violations are excepted from the stipulation of the previous paragraph,” exempting them from legislation which prevents inspections of vehicles along the transport route for other purposes.

Decision 399 International Transportation of Merchandise by Road, Replacing Decision 257² further elaborates on transport security inspections, once again incorporating their consideration into legislation to facilitate international border crossing and transportation. Under article 201, the Decision states that authorized vehicles engaged in international transportation services shall not be submitted to customs, immigration, police, and sanitary controls at places other than the border. However, it provides for inspections to be carried out along the route for legally stipulated reasons, national security or if customs violation evidence is found, making such inspections excepted from the provision. Additionally, the Decision enforces security considerations in the construction and maintenance of road transport vehicles. It provides that vehicles are equipped with doors or other openings outfitted with safety devices that guarantee its inviolability during transportation or storage, and that allow for the placement of stamps, customs seals, inspection seals or other elements of customs security.

¹ Decision 398 International Passenger Transportation by Road, Replacing Decision 289,
<http://www.comunidadandina.org/ingles/normativa/D398e.htm>

² Decision 399 International Transportation of Merchandise by Road, Replacing Decision 257,
<http://www.comunidadandina.org/ingles/services/directory.htm>

ASEAN

ASEAN Regional Forum *Statement on Strengthening Transport Security Against International Terrorism*, 2 July 2004³

In the statement participating states and organization will endeavour to:

- Enhance wherever possible efforts and cooperation in fighting terrorism and will endeavour to jointly explore new practical measures and initiatives to combat terrorism in the transport sector
- Strengthen the legal cooperation framework to counter terrorism in all modes of transport by accession to relevant global anti-terrorist conventions and protocols and the conclusion of appropriate bilateral and multilateral treaties, agreements, and conventions
- Strengthen cooperation in the exchange of information, particularly on terrorist activities – planned or being committed – and persons and entities/organizations/groups involved
- Strengthen practical cooperation between law-enforcement bodies, and relevant security and intelligence services, as well as state transportation agencies and organizations in counteracting terrorism in transport
- Explore possible ways of improving interoperable methods of identifying members of terrorist groups active in international transport routes
- Hold appropriate simulation and joint exercises, with a view to enhancing institutional capacity building of coastal states, especially with regard to piracy and maritime and aerial terrorism, to ensure effective modal coordination of maritime and aviation security and safety measures
- Consider opportunities to plan and implement, as appropriate, coordinated special operations and criminal investigations, and set up under the most appropriate jurisdiction, joint operative teams to mitigate the effects of terrorist attacks on transport facilitates and bring the perpetrators to justice
- Cooperate, consistent with existing relevant transportation regimes, in preventing transportation systems from being used by terrorist, either as a site to commit terrorist acts or for transporting personnel, arms, explosives and explosive devices, and weapons of mass destruction
- Promote cooperation between research institutions to examine terrorism against the transport network, carry out joint research, exchange expertise and recommend methodologies, technologies, and best practices for combating such threats through meetings, seminars and conferences or through exchange of legislative and other legal regulations, and scientific research results
- Assist in providing appropriate training and equipment to respective transport security services

³ Asean Regional Forum Statement on Strengthening Transport Security against International Terrorism, 2 July 2004, <http://www.aseansec.org/16249.htm>.

- Continue to develop and harmonize measures aimed at enhancing necessary security regimes for container shipping, while taking into account national legal systems and the need to avoid unnecessary increase in costs and disruption to trade
- Jointly examine and consider means to counter suicide terrorist attacks against transportation and transport facilities
- Continue to develop concerted efforts to fight piracy and other border crimes such as smuggling of illicit containers, under the aegis of IMO and respective national and regional frameworks, in particular, those relating to enhanced export control measures
- Develop and share best practices in the formulation of an intermodal transport security framework that would link air, rail, road, inland waterway and maritime transport, believing that such a framework will provide a coherent, cost-effective, and rational approach to cargo transport security
- Encourage constructive interaction between the ARF and other regional and international organizations in this area with counter-terrorism mandates
- Cooperate to ensure that terrorists are prevented from using information technology and its applications to disrupt and sabotage the operation of transportation systems
- Annually review the progress of these and other efforts to combat terrorism in transport at the following ARF Ministerial Meetings

Asociación Latinoamericana de Integración

The *Informe de Seguimiento de las Actividades Sobre la Iniciativa de Transporte Para el Hemisferio Occidental*,⁴ recognizing the importance of transport security within the organization, supports the immediate creation of the Grupo de Trabajo sobre Seguridad en el Transporte, whose stated objectives are to identify areas of technical cooperation, to adopt methods to facilitate contacts between government specialists, to evaluate the development of transport systems and to develop financially solvent security programs for the protection of goods and individuals in the arena of transport.

*The Disposiciones Particulares para el Transporte de Mercancías Peligrosas en Cantidades Limitadas*⁵ holds unique suggestions concerning transport of dangerous materials. It recommends there be a limit on the quantity of dangerous materials transported per shipment. It further requires that a panel be maintained for the evaluation of dangerous material transport, that an assessment be made of risks involved with transport, specific training for transport personnel, that dangerous good transport cannot be conducted in association with passenger transport, and that adequate documentation be prepared for the shipment, including a statement of conformity with the regulations of the shipment.

⁴ Informe de Seguimiento de las Actividades Sobre la Iniciativa de Transporte Para el Hemisferio Occidental, [http://www.aladi.org/nsfaladi/estudios.nsf/decd25d818b0d76c032567da0062fec1/f5bd4f91920ec4ad0325703500600f89/\\$FILE/1918.pdf](http://www.aladi.org/nsfaladi/estudios.nsf/decd25d818b0d76c032567da0062fec1/f5bd4f91920ec4ad0325703500600f89/$FILE/1918.pdf)

⁵ Disposiciones Particulares para el Transporte de Mercancías Peligrosas en Cantidades Limitadas, [http://www.aladi.org/nsfaladi/textadcos.nsf/5907ef28575b756103256d2c005e5b6c/5aaaa0385327a8d903256825007916f7/\\$FILE/PC7-Anexo%20II.CapVI.doc](http://www.aladi.org/nsfaladi/textadcos.nsf/5907ef28575b756103256d2c005e5b6c/5aaaa0385327a8d903256825007916f7/$FILE/PC7-Anexo%20II.CapVI.doc)

CEC

The *Crossing the Border Opportunities to Improve Tracking of Transboundary Hazardous Waste Shipments in North America*⁶ report comments on the dangers of hazardous waste but includes three suggestions for transport security, specifically at borders. It recommends the appropriate authorities:

- Designate specific hours of operation and ports of entry for hazardous waste shipments
- Identify capacity building needs for personnel with responsibility for tracking transboundary hazardous waste shipments
- Develop standards for sharing information electronically between agencies

These measures primarily address tracking and control of hazardous waste, but do not specifically address issues that occur along the supply chain outside of border posts.

⁶ Crossing the Border Opportunities to Improve Tracking of Transboundary Hazardous Waste Shipments in North America, http://www.cec.org/files/PDF/LAWPOLICY/Crossing-the-Border_en.pdf

Communication from The Commission to The Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions: *Proposal for a Regulation of the European Parliament and of the Council on Enhancing Supply Chain Security*⁷

The proposal begins with an elaboration of the need for transport security. It notes that terrorism is one of the greatest threats to democracy and freedom, and that the risk of a terrorist attack targeting freight transport remains high. As such, transport security has become a vital worldwide issue. It specifically concerns the European Union whose role as trading partner relies on effective and secure transport by all modes and at all levels.

Recently, considerable improvements have been made to transport security in Europe. In 2003 the Commission already pointed to the need for enhanced security in land freight transport. There are currently no rules in place for the European land transport supply chain in its entirety. The supply chain is defined as comprising all the transport and transport related operations and processes beginning at the production site and ending at the cargo's point of destination.

To combat terrorism, the EU Heads of State called for “the strengthening of all forms of transport systems, including the enhancement of the legal framework and the improvement of preventive mechanisms.” To do nothing is not an option. The Commission therefore proposes Community action to enhance the security in the land transport supply chain to complement existing Community transport security rules. This proposal does not cover passenger transport security, in particular in mass transport systems, which could be addressed at a later stage if necessary.

The Communication sets out the essential facts about freight transport security that any initiative in this area must take into account. It discusses the advantages and disadvantages of certain options and the reasons why the legislative measure proposed is the most realistic and focused approach to enhance security for European freight transport. The goal of the proposal is to enhance supply chain security to provide greater protection for all European freight transport against possible terrorist attacks with the following objectives:

- To increase the level of security along the supply chain without impeding the free flow of trade
- To establish a common framework for a systematic European approach without jeopardizing the common transport market and existing security measures
- To avoid unnecessary administrative procedures and burdens at European and national levels

⁷ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Proposal for a Regulation of the European Parliament and of the Council on Enhancing Supply Chain Security, http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0079en01.pdf

The measure proposed by the Commission establishes a mandatory system requiring Member States to create a security (“secure operator”) quality label which can be awarded to operators in the supply chain that meet European minimum security levels, thus allowing mutual recognition of the label on the internal market. It introduces, within the mandatory provisions for the Member States, a voluntary scheme under which operators in the supply chain increase their security performance in exchange for incentives. The proposal makes operators in the supply chain responsible for their security performance in European freight transport and provides for “secure operators”, who benefit from facilitations where security controls are carried out. “Secure Operators” also distinguish themselves positively from other competitors in the area of security, giving them a commercial and competitive advantage. The proposal further allows for regular updating and upgrading of security requirements, including recognized international requirements and standards, through the committee procedure.

The report addresses several key questions. Prominent among these is the question of what security level is needed. The discussion concludes that the security awareness of all actors involved in the intra-EU supply chain should be increased and that, depending on the goods transported, the position of the operator within the chain and the vulnerability of the infrastructure, the level of security needed can be defined.

However, it is impossible in practice to establish, in a single all-embracing operation, security rules and measures for the land transport supply chain comparable to those in air and maritime transport. Instead, it is more realistic to establish a framework of minimum-security requirements that can gradually evolve in line with technological progress and risk developments to ensure satisfactory security levels in an operational environment.

The rest of the proposal discusses the finer details of the proposed program. This includes addressing issues of the competent authority for supply chain security; the awarding of “Secure Operator” status and the benefits of that status; the withdrawal or suspension of the status; the focal point for supply chain security; the implementation and conformity checking; the confidentiality and dissemination of information; personnel security; documentation procedures; information security; education and training awareness; risk assessment; and the conditions to be met by a recognized organization for supply chain security.

Commission of the European Communities, Brussels, 1.8.2006, *Report from the Commission to the Council and the European Parliament on Transport Security and its Financing*⁸

The Commission reports its findings on transport security funding in this document and notes the following:

- According to studies on aviation and maritime security, security costs can be significant and are currently largely borne by the users

⁸ Commission of the European Communities, Brussels, 1.8.2006, Report from the Commission to the Council and the European Parliament on Transport Security and Its Financing, http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0431en01.pdf

- Increased transparency relating to security taxes and charges would give users of transport services better information and provide insight into possible effects on competition. The current lack of transparency increases the difficulty to identify potential distortions
- The multitude of approaches to the implementation funding of security measures can lead to distortion of competition. This is particularly relevant in cases where Member States require additional, more stringent measures than those imposed by Community legislation
- The Commission's general views set out in its *Communication to the European Parliament and to the Council on "The repercussions of the terrorist attacks in the United States on the air transport industry"* remain valid. In particular, the Commission considers that, because the protection of European citizens against terrorist attacks is essentially a State responsibility, public funding prohibitive actions do not constitute state aid as it is associated with the exercise of power typical of a public authority

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the EESC

*Opinion of the European Economic and Social Committee on the Proposal for a Regulation of the European Parliament and of the Council on Enhancing Land Supply Chain Security Recommendations*⁹ notes the proposal of several measures, which consist of the following considerations:

- The Commission points to the need for enhanced security in land freight transport and notes the current absence of rules for the European land transport supply chain in its entirety
- The Commission proposes measures to enhance land transport supply chain security as a complement to existing Community transport security rules. These measures are mandatory for the Member States and voluntary for supply chain operators. The Commission also notes that this proposal does not cover passenger transport security, in particular mass transport systems, which may be addressed at a later stage if necessary
- The freight transport modes covered by the draft regulation are thus internal waterways, rail and road
- Alongside the proposal for a regulation, the Commission is also submitting a communication listing the key freight transport security considerations and the reasons why the draft regulation is deemed to be the most realistic and focused approach to enhancing the security of European freight transport
- The Commission's objectives as set out in the communication on enhancing supply chain security are as follows:
 - To increase the level of security along the supply chain without impeding the free flow of trade

⁹ Opinion of the European Economic and Social Committee on the Proposal for a Regulation of the European Parliament and of the Council on Enhancing Land Supply Chain Security Recommendations, <http://eescopinions.eesc.europa.eu/eescopiniondocument.aspx?language=en&docnr=1580&year=2006>

- To establish a common framework for a systematic European approach without jeopardizing the common transport market and existing security measures; and
- To avoid unnecessary administrative procedures and burdens at European and national levels

The measures can be summarized in the following way:

- To establish a mandatory system requiring Member States to create a security ("secure operator") quality label which can be awarded to operators in the supply chain meeting European minimum security levels, thus allowing mutual recognition of the label on the internal market
- To introduce, within the mandatory provisions for the Member States, a voluntary scheme under which operators in the supply chain increase their security performance in exchange for incentives
- To make operators in the supply chain explicitly responsible for their security performance in European freight transport
- To allow "secure operators" to benefit from facilitations where security controls are carried out and to distinguish themselves positively from other competitors in the area of security, giving them a commercial and competitive advantage; and
- To allow regular updating and upgrading of security requirements, including recognized international requirements and standards, through the committee procedure

European Bank

*The Document of the European Bank for Reconstruction and Development Strategy for the Russian Federation as Approved by the Board of Directors at its Meeting on 25 July 2006*¹⁰ gives an overview of the bank's intentions to revitalize transport infrastructure in Russia. The report notes the potential of the Russian infrastructure, but also notes that severe problems must be addressed. Given controls and the difficulty of attaining government assistance in revitalization projects, the bank has courted private investors to improve the transport infrastructure. It is through these private investors under the direction of the European Bank that the organization believes it can revitalize the transport infrastructure in Russia and enhance transport security.

The document states that the quality of the transport network and associated services in Russia is one of the main determinants of the country's economic prosperity and is key to maintaining the integrity of the Russian domestic market. Given the scale and scope of the sector, the Bank will pursue a flexible approach to the financing of each transport mode to take account of the diverse needs of its clients and in line with the priorities identified by the High Level Group on the extension of the major trans-European transport axes to the neighbouring countries. Particular attention will be given to investments enhancing land transport security.

The transport sector remains largely state-owned. In light of the current Russian government policy not to provide sovereign guarantees for infrastructure development, the strategic direction and priorities of the Bank in the transport sector represent a combination of non-sovereign projects with state-owned corporate entities benefiting from identifiable and regular revenue streams; non-sovereign projects with support from local authorities or development initiatives such as the Russian Investment Fund; PPP solutions where such structuring is appropriate and purely private projects. The Bank is keen to draw on its experience of financing infrastructure projects on a PPP basis in other countries of operation and collaborate with the Russian Federation and Russian and international banks in developing and financing a PPP programme for upgrading infrastructure. The Bank will also encourage and support the establishment of a dedicated PPP Unit at the appropriate government level, which will allow the centralizing of expertise, the preservation of institutional experience and a consistent approach to the markets.

The European Bank will pursue opportunities in the areas of:

- **Road and Bridges:** Emphasis will be put on encouraging greater private sector participation
- **Railway Sector**
- **Inland Waterways:** The sector requires extensive renewal and rehabilitation of its canal network, navigation and safety system and hydrological installations. The Bank will continue its efforts to structure potential non-sovereign investment in this sub-sector by looking at opportunities in key regions in cooperation with dedicated development initiatives

¹⁰ Document of the European Bank for Reconstruction and Development for the Russian Federation, <http://www.ebrd.com/about/strategy/country/russia/strategy.pdf>

- **Multimodal:** The Bank will also consider financing selected privately-run multimodal logistic centres facilitating the containerization of freight and the transit between road, rail, sea and inland waterways

European Parliament

The European Parliament released an act establishing the European Railway Agency in *Regulation (Ec) No 881/2004 of the European Parliament And Of The Council Of 29 April 2004*.¹¹ However, the act notes that safety levels in the Community rail system are generally high. The act further states:

All those operating the railway system, infrastructure managers and railway undertakings, should bear full responsibility for the safety of the system, each for their own part. Whenever it is appropriate, they should cooperate in implementing risk control measures. Member States should make a clear distinction between this immediate responsibility for safety and the safety authorities' task of providing a national regulatory framework and supervising the performance of the operators.

With specific regard to security, the only commentary is for the security of information and transmitted documents, which allows authorities to indicate which documents are not to be disclosed to the public for reasons of security.

¹¹ Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004, http://europa.eu.int/eur-lex/en/refdoc/L_164/L_2004164EN_1.pdf

European Union

Communication of the Commission of 18 July 2005 on Measures to Ensure Greater Security of Explosives, Detonators, Bomb-Making Equipment And Firearms¹² discusses the European Union's disposition concerning the security of explosives along the transport chain.

The summary clarifies that this Communication provides for the adoption of storage, transportation and traceability measures for explosives at all stages of the supply chain. The ultimate goal remains the fight against terrorism and, in particular, preventing explosives from falling into the hands of terrorists.

The Commission calls for greater coordination between the parties concerned: manufacturers of, and traders in, explosives, experts from Europol and SitCen, national experts from the Member States, the Commission and the Council Terrorism Working Party. It is also considering establishing an expert group to prepare an EU Plan to enhance the security of explosives and firearms.

The Communication concerns commercial explosives, homemade explosives and demilitarized explosives, which present a major risk since they are normally not marked. The measures proposed by the Commission concern several stages of the supply chain from production to commercialization:

- It must be made easier to trace explosives and to check that their movement has been approved by the national authorities
- A policy should be developed for national supply chain security to complement existing legislation in various areas of transport security (air, maritime and port security) and increase security for land transport
- Awareness must be raised within the industry of security in the national supply chain
- Checks should be made in coordination with the aviation security committee on the implementation of technical specifications and performance criteria of different families of detection equipment used at airports in the Member States

Commission Staff Working Document - Annex to the Communication From the Commission to the Council, The European Parliament, The European Economic and Social Committee and The Committee of the Regions On Enhancing Supply Chain Security and Proposal for a Regulation of The European Parliament and of The Council on Enhancing Supply Chain Security - Impact Assessment¹³

¹² Communication of the Commission of 18 July 2005 on Measures to Ensure Greater Security of Explosives, Detonators, Bomb-Making Equipment and Firearms, <http://europa.eu/scadplus/leg/en/lvb/l33221.htm>

¹³ Commission Staff Working Document - Annex to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on Enhancing Supply Chain Security and Proposal for a Regulation of the European Parliament and of the Council on Enhancing Supply Chain Security - Impact Assessment, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006SC0251:EN:NOT>

The document concludes that freight transport in the EU is at risk, and that intermodal security can best be achieved through a supply chain perspective. Two evaluations of particular note are included in the annexes:

- Annex 1 assesses which transportation elements, that make up the transport systems and supply chains, are the most vulnerable to terrorism. The document observes that cargo and mobile units are particularly vulnerable to misuse by terrorists, as weapons or for transportation of malicious cargo, because of the large number and variety of operators active in the supply chain
- Annex 2 contains numerous measures for mitigating transport security risks, including ways to secure infrastructure and the supply chain. It proposes actions to be taken by all who are associated with transport, suggesting operators first make a risk assessment of their operations, then address security, for instance by denying unauthorized access to their organization and to critical working areas. Measures implementing training and awareness programmes are also proposed

Other suggestions, when deemed appropriate, include: denying unauthorized access to means of transportation; to cargo; confined spaces and steering houses in means of transport; to traffic control systems; information about cargo/routes; inspecting confined spaces in means of transportation; separating dangerous goods from other cargo; and rerouting dangerous cargo.

Ensuring Better Protection against Terrorism for Freight Transport¹⁴ includes in its report that the European Commission has proposed new rules aimed at improving protection against terrorist attacks within the inland freight transport sector. Under these rules, operators providing more stringent security will enjoy favorable inspection conditions and improved relations with trading partners.

The Commission is further proposing a regulation to improve supply chain security without creating a barrier to free trade. It wishes to enhance security across the whole supply chain by means of a common framework. This would also avoid unnecessary administrative procedures at European and national levels. The Commission recommends:

- A mandatory system requiring Member States to create a security ("secure operator") quality label to be awarded to operators meeting European minimum security levels, thus allowing mutual recognition of the label across the internal market
- A voluntary scheme under which operators in the supply chain increase their security performance in exchange for incentives
- Making operators in the supply chain responsible for their security performance
- Allowing "secure operators" to benefit from favourable security inspection conditions, giving them a commercial and competitive advantage

¹⁴ Ensuring Better Protection against Terrorism for Freight Transport, <http://europa.eu/scadplus/leg/en/lvb/l24462.htm>

- Allowing regular updating and upgrading of security requirements, through the committee procedure, whereby the Commission is assisted by a committee of representatives from Member States

"Secure operator" status is given special consideration. The document stresses that before being granted this status, operators must meet a number of security management requirements relating to the preparation, transportation, forwarding and shipment of merchandise.

Member States must designate a competent authority for granting such a status, which attests to an operator's ability to keep the supply chain for which it is responsible free of security breaches.

"Secure operator" status is granted to those operators who can prove that:

- They have established, implemented, and documented a security management system
- They ensure that measures needed to counter possible risks are made available to that part of the supply chain for which they bear responsibility
- Their security management system allows continuous improvements
- They meet specific requirements

"Secure" status can be withdrawn if operators are in serious or repeated breach of security requirements.

According to the Commission, the proposal has the added benefit of increasing security awareness amongst operators, by encouraging them to take a more hands-on approach to security management. The proposed measures would also facilitate interconnection between the different modes of transport: the security standards applied to inland transport would complement the strict Community rules already in place in airports and seaports.

IAEA

***Radioactive Material: Transport Security*, Ms. Ann-Margret Eriksson Eklund, IAEA Office Of Nuclear Security¹⁵**

The IAEA has provided a tiered list of security provisions for the transport and safety of nuclear material. They are divided and presented as follows:

General security provisions

- The competent Authority, should provide, at its discretion, threat information to operators
- Operators should consider Security Requirements commensurate with their responsibilities
- Transfers limited to appropriately identified carriers/consignees
- Use of appropriate security measures at in-transit storage sites
- Procedures to initiate inquiry for overdue shipments and, if lost or stolen, to initiate efforts to locate and recover
- Security locks
- Security awareness
- Security awareness training of personnel
- Personnel identity verification: Carrier personnel should carry positive identification
- Security verification of conveyances
- Security inspections of conveyances
- Written instructions with required security measures
- Security related information exchange by operators
- Trustworthiness verification

Enhanced Security Measures

- Apply to packages exceeding thresholds
- The Competent Authority should identify carriers and consignors
- All operators should develop, implement and periodically review a security plan:
 - Allocation of responsibilities
 - Records of packages/materials transported
 - Review of operations and assessment of vulnerability
 - Identification of measures used to reduce security risks
 - Procedures for reporting and dealing with threats, breaches, and incidents
 - Evaluating, testing and review/update of security plan
 - Measures to ensure information security
 - Measures to limit distribution of sensitive information
 - Measures to monitor the shipment
- The State should assign responsibility for security plans
- The security plan may be incorporated into other plans

¹⁵ Radioactive Material: Transport Security, Ann-Margret Eriksson Eklund, Iaea Office of Nuclear Security, http://www.unece.org/trans/doc/2007/its/1st_ppt07e.pdf

- Operators should ensure appropriate response plans
- Advance notification
 - Consignor should notify consignee of planned shipment, mode, and expected delivery time
 - Consignee should confirm receipt/non-receipt
 - Consignor should notify receiving/transit States (if required)
- Tracking devices
 - When appropriate, transport telemetry or other tracking methods or devices should be used, ranging from bar code to more sophisticated near real-time tracking systems
- Carrier should provide ability to communicate from conveyance
- Additional provisions for road, rail, and inland waterway
 - Carriers should ensure operational readiness of devices, equipment, etc.
 - Continuous attendance or secure parking of road conveyance

Additional Security Measures

- States should consider enhancing measures based on a DBT, prevailing threat or nature of the material, inter alia:
 - Additional training
 - Carrier licensing, approval of their security plans, and auditing
 - Use of automated real-time tracking
 - Use of guards
 - Evaluation of potential for sabotage
 - Transfer of security responsibilities during shipment
 - Review of security plans, holding exercises, etc

Minimizing the Impact of Radioactive Transport Security Compliance

- Consistency with other dangerous goods security requirements
- Consistent application
 - National regulations and interpretations that set up unique requirements have caused some carriers to opt out of carrying radioactive material
 - “Context sensitive” (i.e., flexible) application of requirements, for example to air transport
- As requirements are put into place, Competent Authorities and carriers should share experience
 - Consistent interpretation of requirements
 - Application experience and ideas for improvement

Inter-Parliamentary Union

The Inter-Parliamentary Union produced a resolution entitled *The Role of Parliaments in Strengthening Multilateral Regimes for Non-Proliferation of Weapons and for Disarmament, in the Light of New Security Challenges*.¹⁶ In this resolution, the Union:

- Calls on all parliaments to provide strong and effective support to all resolutions and recommendations on peace, disarmament and security previously adopted at IPU Conferences and Assemblies
- Urges national parliaments to press their governments to sign, accede to and ratify, as appropriate, all conventions, treaties and other international instruments aimed at ensuring non-proliferation, arms control, disarmament and greater international security, and to implement them fully
- Calls on governments, national parliaments and the international community to address the root causes which create an environment that might lead people to resort to violence at the individual, national and international levels
- Calls for the convocation, under the auspices of the United Nations, of an international conference on combating terrorism, with a view inter alia to establishing a clear-cut definition of this serious problem
- Invites all countries to build on the existing achievements in disarmament, arms control and non-proliferation, so as to ensure that they are sustained processes in the future
- Calls on the United Nations to work more closely with the IPU in reducing tensions, resolving conflicts and fighting terrorism
- Urges parliaments also to focus on particular areas of international tension
- Further urges the bold identification of the most dangerous threats to international order and stability, such as the Arab-Israeli conflict and the conflicts in Iraq and Afghanistan, the situation in the Darfur region and the Great Lakes region of Africa, and other trouble spots that could pose a serious threat and that require urgent political action to prevent conflict
- Encourages parliaments to adopt appropriate national legislation to control the export of armaments of all types, more particularly focusing on items relating to weapons of mass destruction, such as components and precursors
- Calls on European parliaments and Governments to ratify without delay the Adaptation Agreement relating to the CFE Treaty, taking into account its paramount importance for maintaining a high level of security and stability in Europe
- Calls also for accession by States to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, with a view to enabling its entry into force
- Further calls on all countries to intensify efforts for the implementation of Security Council resolution 1540 (2004) and of United Nations General Assembly resolution 58/48, to

¹⁶ The Role of Parliaments in Strengthening Multilateral Regimes for Non-Proliferation of Weapons and for Disarmament, in the Light of New Security Challenges <http://www.ipu.org/conf-e/111/111-1.htm>

prevent the spread of weapons of mass destruction and their means of delivery, and to consolidate policies aimed at preventing the transfer, especially to terrorists, of equipment, materials and technology which may be used for the proliferation of such weapons

- Urges parliaments to enact legislation holding governments responsible when they allow arms to be leaked to terrorists and organized crime groups, and prohibiting such leaks

The NATO Parliamentary Assembly

Two relevant documents were located. The first is document *036 Cds 07 E - The Protection of Critical Infrastructures*¹⁷. It claims the military must play a more active role in the protection of infrastructure, including the transport infrastructure. It also states that informing the public is crucial, as is coordination with other international organizations. With globalization spreads, the danger to critical infrastructure increases and must be addressed more fully. Finally, it recognizes the existing standards and regulations of the UN and the EU, and recommends their consideration and implementation.

The second document located is the *060 Cds 06 E - NATO and Civil Protection*¹⁸ report. It gives an account of NATO's involvement with international security in a variety of programs. No suggestions are given, however, concerning transportation security.

¹⁷ 036 Cds 07 E - the Protection of Critical Infrastructures, <http://www.nato-pa.int/Default.asp?CAT2=0&CAT1=0&CAT0=576&SHORTCUT=1165>

¹⁸ 060 Cds 06 E - Nato and Civil Protection, <http://www.nato-pa.int/Default.asp?CAT2=0&CAT1=0&CAT0=576&SHORTCUT=903>

OSCE

The Bucharest Plan of Action for Combating Terrorism¹⁹

This Action Plan recognizes that terrorism as a threat to international peace and security, in the OSCE area as elsewhere. The OSCE commits to worldwide efforts at combating terrorism and is able to contribute through its comprehensive security concept linking the politico-military, human and economic dimensions; its broad membership; its experience in the field; and its expertise in early warning, conflict prevention, crisis management, post-conflict rehabilitation and building democratic institutions. In addition, many effective counter-terrorism measures fall into areas in which the OSCE is already active and proficient, such as police training and monitoring, legislative and judicial reform, and border monitoring.

The aim of the Action Plan is to establish a framework for comprehensive OSCE action, to be taken by participating States and the organization as a whole, to combat terrorism, fully respecting international law, including the international law of human rights and other relevant norms of international law. The Action Plan seeks to expand existing activities that combat terrorism, facilitate interaction between States and, where appropriate, identify new instruments for action. Recognizing that the fight against terrorism requires sustained efforts the Plan will identify activities to be implemented immediately, as well as over the medium and long term.

The stabilization of governments is discussed as one way of reducing terrorist acts, as are the promotion of human rights and the rule of law, addressing socio-economic needs and preventing violent conflict. The Plan commits to strengthening national anti-terrorism legislation and supporting law enforcement agencies. Notably, it also commits to halting the movement of terrorists.

The OSCE document ***Transportation in the OSCE Area: Secure Transportation Networks and Transport Development to Enhance Regional Economic Co-Operation and Stability 24 January 2006: Report of the Rapporteur Agenda Item 6: OSCE Political Dialogue and Unresolved Transport Issues in the South Caucasus Region and in Eastern Europe***²⁰ includes the following specific areas for possible OSCE action in discussing transport security:

- The OSCE could promote a holistic approach to the issue of transport in the South Caucasus by integrating the security, economic and regional dimensions. The regional approach should not preclude considering every conflict according to its own specificity
- The OSCE could advance and work on the assumption that the opening up and development of transport networks can help resolve conflicts

¹⁹ The Bucharest Plan of Action for Combating Terrorism, <http://www.state.gov/coalition/cr/ddr/8833.htm>

²⁰ Transportation in the OSCE Area: Secure Transportation Networks and Transport Development to Enhance Regional Economic Co-Operation and Stability 24 January 2006: Report of the Rapporteur Agenda Item 6: OSCE Political Dialogue and Unresolved Transport Issues in the South Caucasus Region and in Eastern Europe, http://www.osce.org/documents/eea/2006/01/18056_en.pdf

- The OSCE could play a role in monitoring developments in the region through its field presences. The information could be shared with other relevant international organizations and bodies
- The OSCE could implement need assessment studies following the example of the one being undertaken in Georgia-South Ossetia. In that regard, it could identify and create networks of experts and convene working groups as appropriate
- The OSCE could help enhance the capacities of ministries of transport of the countries concerned, also with a view to facilitating links among them

The Organization for Security and Co-Operation in Europe 6 December 2005 Ministerial Council Ljubljana 2005: Second Day of the Thirteenth Meeting Mc(13) Journal No. 2, Agenda Item 8 Decision No. 6/05: Further Measures to Enhance Container Security²¹ proposes the following:

- That all OSCE participating States should take measures recommended in the WCO Framework of Standards to Secure and Facilitate Global Trade as soon as possible
- That, in taking measures foreseen by the Framework of Standards to Secure and Facilitate Global Trade, the OSCE participating States will in particular aim to promptly incorporate into their national procedures and regulations the Seal Integrity Program for Secure Container Shipments, contained in the Appendix to Annex 1 of the Framework
- That all OSCE participating States will inform each other on the measures taken to implement the above commitment

²¹ Organization for Security and Co-Operation in Europe 6 December 2005 Ministerial Council Ljubljana 2005: Second Day of the Thirteenth Meeting Mc(13) Journal No. 2, Agenda Item 8 Decision No. 6/05: Further Measures to Enhance Container Security, http://www.osce.org/documents/mcs/2005/12/17430_en.pdf

OECD

The *Container Transport Security Across Modes*²² report evaluates the weaknesses in the container transport chain, calling on authorities to address container transport by creating an intermodal framework integrating measures across the entire chain. Although there is already an attempt to do this among a variety of agencies, these attempts do not adequately succeed in addressing the issue of container transport security.

The report further states that more specific threat assessments involving transport authorities are needed, and that security must be adapted to the threat. Policy must be instituted to allow authorities the necessary power to address threats and emergencies, and principles must be considered when addressing policy issues. Some of these principles include emphasizing that security is a shared responsibility and that security procedures must be more specifically adhered to.

²² "Container Transport Security across Modes," OECD, 2005

Other

Transport Security: *TRANSFORUM Presentation*²³

This presentation evaluates the issues involved in supply chain and infrastructure risks. It differentiates between the two, contrary to most other reports. In short, it describes the security risks associated with infrastructure as the intention to damage or destroy transport elements in order to disrupt the transport supply chain, which tend to be aggressors' main target. Supply chain threats exist when an aggressor plans to exploit the transport supply chain to create damage or fatalities. Transport elements are not the target but the means, in this description. This can be done in two ways: either the supply chain is misused as a means of transport, or the supply chain is misused as a weapon.

In light of this, the presentation makes suggestions for enhancing security in the supply chain. In the subcategory of Human Resource Security, the presentation suggests that organizations:

- Define which positions in the organization are security critical and ensure that authorities, roles and responsibilities are clearly defined for both internal and external security relevant persons
- Ensure that security critical staff including sub-contracted staff are screened and interviewed prior to employment and at reasonable intervals
- Ensure that all present and new employees, including sub-contracted staff, shall be periodically made aware of security risks and receive relevant training

In the subcategory of Procedural Security, the recommendations are:

- Ensure that only suppliers/subcontractors which have a confirmed secure operation are used and avoid fraudulent companies
- Describe the response to any security threat and breaches, including information to authorities, emergency planning, crisis management, emergency and evacuation procedures, training and drills
- Ensure inspection of confined spaces of the means of transport before delivery
- Ensure that a trusted employee is physically present during loading/unloading of the cargo unit, supervising the introduction or removal of cargo, to ensure the physical security of the cargo. This supervision shall be uninterrupted from the start of the inspection until the cargo is sealed

The presentation also recommends awareness programs, enforcement schemes and audit schemes. Finally, the benefits of increased security are outlined as follows:

Benefits for industry

²³ Transport Security: Transforum Presentation <http://www.transforum-eu.net/IMG/pdf/Transp-secur.pdf>

- Increased sustainability and resilience of organizations
- Commercial advantage for service providers
- Reduced number of cargo inspections
- Reduction of cargo theft
- Reduced chance on brand- and reputation damage
- Increased efficiency and transparency
- Common minimum security standards results in level playing field

Benefits for Member States

- Reduced risk of fatalities
- Reduced risk of economic damage
- One common approach throughout EU and across transport modes
- Equal confidence in security of different modes and Member States

Security and Transport, Dimitar Stoyanov Setref – Technical University Of Sofia, Sofia, Bulgaria²⁴

Mr. Setref's report contains summaries of a variety of policies and actions that have taken place throughout the world, divided into major geographic locations.

The report also discusses major issues relating to transport, especially in southeast Europe, noting that although a fair amount of international legislation has been passed, it has not been incorporated into national legislation. The SEECs experienced an institutional and financial destabilization of transport structures after the socio-economic crisis around 1990. Although significant progress was made in the period 2000-2004, some specific problems persist and currently prevent speedier development of the region and its integration into EU structures. The report notes that, in order to overcome existing obstacles, more attention will have to be focused on the following:

- Developing and upgrading infrastructure and existing transport facilities to European standards
- Modernizing rail and road fleets
- Implementing joint policies and carrying out coordinated actions to combat organized crime and corruption
- Supporting the development of all associated services related to transport security

The report concludes that improving transport security is an on-going process which needs sustained, well-coordinated efforts by governments, international and national institutions and transport operators. The mobilization of considerable financial and human resources is a prerequisite to successfully implement large-scale programmes. Such programmes should cover numerous issues – ranging from legislation to the implementation of modern prevention and

²⁴ Security and Transport, Dimitar Stoyanov Setref – Technical University of Sofia, Sofia, Bulgaria,
<http://hermes.civil.auth.gr/pgtransport/docs/presentations/6.Stoyanov.pdf>

protection technologies. Research and development activities should have a key role in providing appropriate policies and support for action.

***Enhancing Transport Security and Efficiency: Contradiction or Challenge*, Mr. Vassilios Sarigiannidis, Ministry of Transport and Communications Athens, Greece²⁵**

This report catalogues various organizational activities and legislation concerning all modes of transport. For inland transport security, the following observations and recommendations are made:

- To facilitate exchanges of experience and co-operation on security issues among all actors in rail transport
- To foster sharing of best practices in such areas as protection of sensitive infrastructure; station design and management; measures to prevent terrorist acts on rail infrastructure and vehicles; and organization of rescue plans
- To define guidelines for dealing with, inter alia, illegal immigration and crisis communication
- To agree on joint measures to fight crime on the railways
- To share experience on the methods and systems used to prevent railway crime
- To exchange information on security risks and incidents
- Exchange of information on security incidents and risks in international rail traffic
- Joint patrolling by PKP and DB AG security services on selected trains, particularly at night

The report further evaluates the current state of transport-security regulations and regulations in existence. It notes that anti-crime and security initiatives have been underway in the road sector for many years, notably via the conventions on the carriage of dangerous goods (ADR) and the TIR. The UN's revised rules for the ADR referred to above came into effect on 1st January 2005. The International Road Transport Union (IRU) has developed "Guidelines for Road Transport Security", clarifying how the new ADR rules will affect safety advisors, records, operations, employees, reporting and confidentiality. The IRU is also producing a "Standard Security Plan" to help transport operators meet the new requirement for them to develop a security plan when transporting "high consequence dangerous goods".

Local public transport companies in many countries have, over the last three years, carried out enhanced vulnerability assessments: developed and implemented a variety of training and emergency response measures to ensure effective response in case of attack; and conducted drills to ensure emergency preparedness. A recent United States Government survey of local transit agencies showed that further support at a federal level was needed for enhanced information transmission and funding of additional security measures. Whereas transport security policy is largely the domain of national governments, terrorist attacks first call into play the actors at a local and regional level. Efficient inter-agency co-ordination is therefore of paramount importance, though not always easy to achieve.

²⁵ Enhancing Transport Security and Efficiency: Contradiction or Challenge Vassilios Sarigiannidis Ministry of Transport and Communications Athens, Greece,
<http://hermes.civil.auth.gr/pgtransport/docs/papers/Sarigiannidis.ps.pdf>

In Paris, security forces for the public transport company, RATP, operate 24 hours a day in collaboration with dedicated police services. A special transport police for the region was recently established to enhance prevention of terrorist attacks. Contingency measures, via the national “Vigipirate” threat evaluation and response plan, are also in place. Similarly in Moscow, inter-agency co-operation between transport operator personnel and passengers of the system has been established.

A Metro Police Agency ensures collaboration between the Chief of Police and the Metro administration. A commercial Metro Security Agency has also been set up. In New York, the transit authority has established co-operation with the FBI, State and local police, which includes a website for information-sharing and regular inter-agency meetings.

Financing of measures to improve public transport security, including better communications systems and surveillance equipment, remains a stumbling block for many public transport authorities and operators, however. Already tight budgets with competing priorities (notably for enhancing quality of services) mean that funding for additional security measures is often drawn from budget lines attributed to initiatives to improve the quality and overall competitive status of public transportation.

Finally, the report concludes with the following recommendations to transport authorities:

- Set quantified targets for goods vehicle crime reduction, in co-operation and co-ordination with other authorities
- Create partnerships with other authorities and actors – in particular, appoint a co-ordinator of anti-crime activities in the ministries of transport
- Accelerate technical work in the framework of CEN and UNECE on standardization of security equipment; on marking of vehicles and components and on legal requirements for fitting heavy goods vehicles with specific security equipment; and on related issues, e.g. accreditation of responsible testing organizations to international standards
- In co-operation with the operators associations and the police authorities, examine the truck parking areas in their territory to see what further security steps need to be taken. Improve these parking areas and indicate the degree of protection provided, e.g. by a star or grading system. Use such an evaluation to improve further the joint IRU-ECMT booklet on safe parking areas
- Together with the police and the operators associations, provide and disseminate advice and guidance to operators, especially on safe routes, on parking areas with high security, precautions to take and appropriate equipment
- Lobby police and interior ministries to provide more police attention and resources to monitoring, preventing and solving goods vehicle crime
- Examine the possibility of introducing incentives for meeting minimum-security standards for goods vehicles at international level, linked to the ECMT multilateral quota
- Follow and support developments in technology to track the goods themselves throughout transportation

Requests to other authorities and actors

1. Operators:

- Provide security advice to drivers on the risks and on good practices for achieving high security
- Verify and monitor security records of staff and agency drivers
- Improve depot and port area security, e.g. installation of Closed Circuit TV (CCTV) and disseminate information on the subject to operators

2. Manufacturing industry:

- Continue to participate in a dialogue on fitting devices at the manufacturing stage to improve the level of security of vehicles

3. Insurance industry:

- Use their records and data to improve the dissemination of information on the extent of the problem
- Provide advice and guidance to operators on appropriate precautions and equipment

Cooperative G8 Action on Transport Security²⁶ provides a short statement of intent for Member States concerning land transport security. Goals of the member countries are to develop, in the UN and other relevant international organizations, an effective and proportionate security regime for the overland transportation and distribution of hazardous cargoes that present potentially significant security risks, with initial consultations this year. In realizing this security regime, in order to ensure timely implementation of this initiative, states shall review progress every six months, providing direction as required to G8 experts. G8 experts will pursue these priorities and will promote policy coherence and coordination in all relevant international organizations (ICAO, IMO, WCO, ILO), in partnership with the private sector.

²⁶ Cooperative G8 Action on Transport Security, <http://www.state.gov/e/eeb/rls/fs/11480.htm>

United Nations

*UN Model Regulations, Chapter 1.4, Security Provisions*²⁷

The UN Regulations for transport security are included in their totality for reference purposes.

***NOTE 1:** This Chapter provides requirements intended to address the security of dangerous goods in transport in all modes. Mode specific security provisions can be found in Chapter 7.2. National and modal authorities may apply additional security provisions which should be considered when offering or transporting dangerous goods.*

***NOTE 2:** For the purposes of this Chapter security means measures or precautions to be taken to minimize theft or misuse of dangerous goods that may endanger persons or property.*

1.4.1 General provisions

All persons engaged in the transport of dangerous goods shall consider security requirements for the transport of dangerous goods commensurate with their responsibilities.

1.4.1.2 Consignors shall only offer dangerous goods to carriers that have been appropriately identified.

1.4.1.3 Transit sites, such as airside warehouses, marshalling yards and other temporary storage areas shall be properly secured, well lit and, where possible, not be accessible to the general public.

1.4.2 Security training

1.4.2.1 The training specified for individuals in 1.3.2 (a), (b) or (c) shall also include elements of security awareness.

1.4.2.2 Security awareness training shall address the nature of security risks, recognizing security risks, methods to address and reduce such risks and actions to be taken in the event of a security breach. It shall include awareness of security plans (if appropriate) commensurate with the responsibilities of individuals and their part in implementing security plans.

1.4.2.3 Such training shall be provided or verified upon employment in a position involving dangerous goods transport and shall be periodically supplemented with retraining.

1.4.2.4 Records of all security training undertaken shall be kept by the employer and made available to the employee if requested.

1.4.3 Provisions for high consequence dangerous goods

1.4.3.1 In implementing national security provisions competent authorities shall consider establishing a programme for identifying consignors or carriers engaged in the transport of high consequence dangerous goods for the purpose of communicating security related information. An indicative list of high consequence dangerous goods is provided in Table 1.4.1.

1.4.3.2 Security plans

²⁷ Un Model Regulations, Chapter 1.4, Security Provisions
http://www.unece.org/trans/danger/publi/unrec/rev14/14files_e.html

1.4.3.2.1 Carriers, consignors and others (including infrastructure managers) engaged in the transport of high consequence dangerous goods (see Table 1.4.1) shall adopt, implement and comply with a security plan that addresses at least the elements specified in 1.4.3.2.2.

1.4.3.2.2 The security plan shall comprise at least the following elements:

- (a) Specific allocation of responsibilities for security to competent and qualified persons with appropriate authority to carry out their responsibilities;
- (b) Records of dangerous goods or types of dangerous goods transported;
- (c) Review of current operations and assessment of vulnerabilities, including inter-modal transfer, temporary transit storage, handling and distribution as appropriate;
- (d) Clear statements of measures, including training, policies (including response to higher threat conditions, new employee/employment verification etc.), operating practices (e.g. choice/use of routes where known, access to dangerous goods in temporary storage, proximity to vulnerable infrastructure etc.), equipment and resources that are to be used to reduce security risks;
- (e) Effective and up to date procedures for reporting and dealing with security threats, breaches of security or security incidents;
- (f) Procedures for the evaluation and testing of security plans and procedures for periodic review and update of the plans;
- (g) Measures to ensure the security of transport information contained in the plan; and
- (h) Measures to ensure that the distribution of the transport information is limited as far as possible. (Such measures shall not preclude provision of transport documentation required by Chapter 5.4 of these Regulations).

NOTE: Carriers, consignors and consignees should co-operate with each other and with appropriate authorities to exchange threat information, apply appropriate security measures and respond to security incidents.

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