

NOTES

1. Information obtained from www.icao.org/icao/en/ro/eurnat/history02.htm.
2. The comprehensive aviation security training material is contained in the ICAO Training Programme for Aviation Security (a series of Aviation Security Training Packages – ASTPs). The ASTPs include aviation security training programmes encompassing basic airport security, specialised areas of aviation security at the state, airport and airline levels. To date, six of the ASTPs have been completed (www.icao.org/icao/en/atb/avsec/packages.htm).
3. This expansion also involved the renaming of the ASM as the *Mechanism for effective implementation of Standards and Recommended Practices (SARPs) contained in Annex 17* (www.icao.org/icao/en/atb/avsec/mechanism.htm).
4. Information obtained from www.icao.org/icao/en/atb/avsec/mechanism.htm.
5. ICAO Press Release, 27 December 2001.
6. Amendment to Annex 17, 2001, pp. 3–7.
7. ICAO declaration, 20 February 2002.
8. IATA was founded in Havana, Cuba in April 1945. The modern IATA is the successor to the International Air Traffic Association founded in The Hague in 1919; the year the world's first international scheduled services were launched (www1.iata.org/about/history.htm).
9. Currently it has over 230 members from more than 130 nations.
10. www1.iata.org/oi/security/index.htm.
11. The information below on IATA's security role has been drawn from different documents on the IATA website at: www1.iata.org/oi/security/index.htm, www1.iata.org/oi/securityfacilitation/security/index.htm and www1.iata.org/cargo/dg/index.htm.
12. GASAG members are IATA; Airline Regional Associations, the International Air Carriers Association (IACA), Airports Council International (ACI), the International Federation of Airline Pilots Associations (IFALPA), the International Transport Workers Federation (ITF) with ICAO, Interpol, Airbus and Boeing companies providing input as observers (www1.iata.org/oi/security/index.htm).

13. The information below on the FAA's security role has been drawn from different documents on the FAA website at: www.faa.gov, www.cas.faa.gov/pdf/ACSPNLN.doc and www.cas.faa.gov/esp/htm.
14. The CAA emanated from the enactment of the South African Civil Aviation Authority Act No. 40 of 1998, which provided for the establishment of a stand-alone authority charged with promoting, regulating and enforcing civil aviation safety and security.
15. Information obtained from www.caa.co.za/overview.htm.
16. Information obtained from www.caa.co.za.
17. This airport is privately owned and managed by the Lanseria Management Company. The only other privately owned airport is the recently opened international airport serving the Kruger National Park.
18. www.imo.org/introduction. See Annexure A for the position on container inspections in other countries.
19. The Convention on Facilitation of International Maritime Traffic, 1965, in its annex contains "Standards" and "Recommended Practices" on formalities, documentary requirements and procedures that should be applied on arrival, stay and departure to the ship itself, and its crew, passengers, baggage and cargo. But the issue of port side security was never really outlined in any of the IMO conventions. The IMO has also developed the comprehensive International Maritime Dangerous Goods (IMDG) Code. This code makes provision for the carriage of dangerous goods in packaged form or in solid form or bulk and includes provisions for the classification, packing, marking, labeling and placarding, documentation and stowage of dangerous goods. This Code is also constantly updated to accommodate new dangerous goods and to supplement existing provisions (www.imo.org/conventions/contents).
20. For more detail concerning aspects of the tightening of border controls in South Africa see the following by A. Minnaar, *Policing the borders post-April 1994: The tightening up of controls*, paper presented to a SAPS Conference: *Policing Priorities and Objectives*, HSRC, Pretoria. 25–26 May 1998; *The crossborder movement of people: Security and political implications*, paper presented to an Institute for Strategic Studies, University of Pretoria (ISSUP) workshop on border control and protection: *The illegal movement of people and goods – where is South Africa heading and how can it be managed?* University of Pretoria, Pretoria. 18 June 1998; *Policing South Africa's borders: Post-April 1994 – The exploitation of border porosity and lax controls by organized crime and syndicates*, paper presented to the TechnikonSA Conference: *World Conference – Modern Criminal Investigation, Organised Crime & Human Rights*. Sun City, South Africa. 21–25 September 1988.
21. Constitution of the Republic of South Africa, Section 218(1).

22. Customs & Excise Act, 1964.
23. Immigration Act, 2002.
24. NCPS, 1996.
25. Immigration and Naturalization Service, Office of Inspections, *South Africa Border Assessment*, 1997.
26. INS, op cit., p. 17 and *NIDS Collective Approach: Implementation Plan*, 1997, p. 29.
27. INS, op cit. and NIDS, op cit., p. 37.
28. INS, op cit., p. 9.
29. INS, op cit., p.17 and NIDS, op cit., p. 35.
30. INS, op cit., p. 9.
31. NIDS, op cit., p. 3
32. NIDS Time Line, 1998.
33. The following departments were represented on NIDS: SARS Customs & Excise; SAPS (Border Police & Detectives); DHA; NIA; SASS; and SANDF, while the departments of Transport, Health, Agriculture, Public Works and Foreign Affairs attended on an ad hoc basis. However, with the agreement between the SANDF and SAPS concerning SANDF responsibility for securing and protecting the borderline, the SANDF were given a permanent representative on NIDS. NIDS reported directly to a Steering Committee which was established in October 1997 and consisted of the director-generals of SAPS, SARS and DHA; the deputy director-generals of Transport, Safety & Security, NIA, SASS and Public Works. The deputy ministers of Finance, Safety & Security and Home Affairs attended meetings by invitation. The Steering Committee reported directly to the NCPS Ministers Committee.
34. NIDS Time Line, 1998.
35. NIDS Project, MDUs, 1997, p. 2.
36. Ibid, p. 4.
37. NIDS Time Line, 1998.
38. NIDS, Project: MDUs, 1997: p. 3.
39. These five were Durban, Richards Bay, East London, Port Elizabeth and Cape Town. Subsequently City Deep Container Terminal has been designated as an 'internal port' with international status, i.e. it handles (exports) and receives international point of origin cargo directly while Saldanha Bay and Mosselbay have Customs officials placed there to deal with any international shipping docking there.

40. Operation Jacuzzi was jointly initiated by the SAPS, SARS, DHA, NIA, SASS and the SANDE.
41. The operational mandate of NIDS came to an end on 31 December 2000 although managerial oversight functions continued during a wrap-up period into 2001.
42. Information provided by B. van Niekerk.
43. Unless otherwise stated the information in this section was supplied by Dir. Z. Gouws, Head: SAPS Border Police.
44. While the October 2001 Cabinet instruction effectively disbanded the NIDS Secretariat created in 1997, the collective approach to border controls remains firmly in place, the BCOCC being but one example of this.
45. For example Agriculture, Health and Intelligence (NIA).
46. See 2nd Amendment Act, Income Acts, No. 60 of 2001, section 115(1).
47. Currently Border Police are receiving specialised training in profiling (for all crimes) that is being offered by the UN Office for Crime Prevention and Drug Control (UNOCPDC). This has assisted Border Police personnel by enhancing levels of experience and expertise.
48. The Act was passed by Parliament in October 2000 and assented to in April 2001, but the regulations were only released for public comment in October 2002 with an envisioned implementation date of April 2003.
49. It is not clear if or whether any other policing agency in the world is doing the same kind of container profiling that is being applied at South African ports-of-entry in particular Durban Harbour and JIA. It is assumed that the US government's Container Security Initiative would incorporate some of this type of risk profiling (See Annexure A for info on CSI).
50. With Amendment Acts No. 35 of 1973; No. 94 of 1974; No. 16 of 1978; No. 19 of 1983; No. 60 of 1988; No. 30 of 1990; No. 79 of 1991; No. 117 of 1992; No. 65 of 1993; No. 177 of 1993 No. 7 of 1995.
51. Arms and Ammunition Act, 1969: Part IV sections 25–26.
52. *Ibid*, Part IV section 27.
53. Firearms Control Act, 2000, section 45(1 &2)and 73(1)
54. *Ibid*, section 73(2).
55. *Ibid*, section 74(2).
56. *Ibid*, section 79.

57. Prior to Border Police taking over control of the whole process some security companies at JIA had merely stored passengers' firearms for safekeeping in a wire cage before being loaded in the diplomatic locker on board an airplane. Border Police now insist that such firearms be stored in a safe or the vault at the SAA Cargo warehouse.
58. Border Police: Procedure Manual, 2002, p. 55.
59. Ibid, p. 56.
60. Ibid.
61. Ibid, p. 61.
62. Ibid, p. 57.
63. Ibid.
64. Ibid.
65. The following information must also be provided when handing a firearm in for safekeeping:
 - Full name of licence holder;
 - Address of licence holder;
 - Identity number or passport number of licence holder;
 - Description of firearm (type, calibre and serial number);
 - Amount of ammunition;
 - Details of holder having authorisation to safekeep the firearms (Border Police Officer)
 - Date and time received;
 - Period of safekeeping;
 - Place of safekeeping;
 - Reason for safekeeping;
 - Signature of licence holder;
 - Signature of receiver of firearm;
 - Signature of person endorsing SAPS authorisation.

A copy of this form will be handed to the owner as proof that the firearm is in safekeeping. The firearm/s will then be immediately locked up in the prescribed safe/strongroom for safekeeping. If all these requirements are not met the firearm must be handed to the Border Police for safekeeping and will be released to the owner on departure from the country. If he/she refuses to hand over the firearm they will be directed to the Immigration Official for possible cancellation of their entry visa or temporary residence permit and they will then be refused entry into the country (*Border Police: Procedure Manual*, 2002, pp. 61–62).

66. The secure locked locker/small compartment in the hold of an airplane originally termed the diplomatic locker but now abbreviated to 'diplock'.

67. *Border Police: Procedure Manual*, 2002, pp. 60–61.
68. The information concerning these procedures and documentation was from interviews undertaken with members of the Border Police at JIA; Durban Harbour; Durban Airport; Richards Bay Harbour; City Deep Container Terminal and Lanseria Airport (see list of interviews) and was confirmed by Dir Z. Gouws, Head: SAPS Border Police. The exact procedure to be followed is also set out step by step in the *Border Police: Procedure Manual*, 2002 pp. 65–68).
69. *Border Police: Procedure Manual*, 2002, pp. 65–67.
70. Unless otherwise stated the information in this section was provided by Snr Supt. B. Trollip.
71. Currently JIA Border Police contingent have 305 staff members (inclusive of 95 police students who have only undergone the 26 week course and cannot yet be used in special policing operations). There are another 168 members on detached duties for special operations (Currently this is Operation Octopus) but these do not resort directly under Border Police JIA. In addition, Border Police capabilities are supplemented by a 22 person Crime Information Management Unit/Crime Intelligence Unit of the SAPS Crime Information Analysis Centre which was only established at JIA in April 2001 (this is where the integrated information database will be housed). Border Police JIA staff is distributed among a number of sites and duties: Movement Control Centre (Immigration Services); client centre services; SANAB; detectives; crime prevention and patrolling of air terminal. The personnel assigned to these posts work a 4-shift duty pattern. Only 11 of JIA Border Police are assigned to the cargo section for inspections. In addition, there are 10 permanent members for the Valuable Cargo section who are assisted with escort duties by members from Operation Octopus. A further 8 work in shifts (2 per shift) for dealing with unscheduled (private) flights.
72. Unless otherwise stated the information in this section was supplied by B. van Niekerk, H. Tripmaker, A. Niedermeyer and R. Raath.
73. Currently there are customs officials at seven seaports and at ten airports.
74. As soon as a customs crime has occurred or is suspected of having been perpetrated, an intervention or detection made etc., a SAR is filled in and sent to the Customs & Excise SAR Analysis Unit at SARS in Pretoria. The information from these SARs is then circulated to all Customs stations in South Africa. While the initial SAR is still paper based (manual) a system of electronically inputting the information is being developed.
75. Currently there are approximately 4,000 DA 500 entries per day through JIA
76. Lanseria airport have experienced similar problems.
77. Because of compactness and value (i.e. VAT and tax evasion) cigarettes are also a favoured smuggle item, both in and out of South Africa.

78. A trend is the replacement of old Russian cargo planes with second-hand light aircraft even though these cut down on cargo size.
79. It has been found that firearms smuggled out in this manner have largely been handguns and not rifles.
80. In fact the US Customs Service, because of the volume of container traffic, have acknowledged that their Customs officers can physically only check about 2 per cent of the containers arriving in the US.
81. Most of this documentation (see procedure at SAA Cargo facility) is inputted onto an electronic system as the cargo is brought in for shipment. Accordingly Customs do not always physically see the paper documents from such 'known shippers' but work on the assumption that most of the checks have been made by other agencies within the shipment/transporting chain. In essence Customs would merely confirm that all documentation is in order and place the various customs seals and stamps accordingly. It is only when suspicions arise and a risk profile has been developed that actual searching would be done of the goods being shipped.
82. Currently this service at access gates (with the exception of the Contractors' Gate, which is supplied by Springbok Khulani Patrols Security Company,) and perimeter fence guarding is provided by Enlightened Security Company.
83. There are ten manned gates at JIA with a number of smaller gates that are only used at specific times.
84. Unless otherwise stated the information in this section was supplied by Mr L. Phatang.
85. In 1994 there were approximately only 15 airlines operating from JIA, currently this number is 82.
86. The World Summit on Sustainable Development held in Johannesburg in August 2002 made increased security demands on these personnel and in all probability will be the same for any future international gatherings.
87. For example a 'Super' South Gate with six lanes with x-ray and screening facilities and separate pedestrian access. Information supplied by L. Venter.
88. Unless otherwise stated the information below supplied by L. Venter.
89. In terms of the screening of cargo currently only the SAA Cargo terminal and the DHL warehouse have X-ray facilities although there are plans to increase the number of machines in use.
90. Although valuable and/or dangerous goods cargo has, by law, to be removed into safekeeping immediately upon arrival or on acceptance for export.
91. Unless otherwise stated information below supplied by M. James

92. Springbok-Khulani Patrols.
93. In the multi-storey parkade the guards carry 'clock-in batons' with various electronic clock-in points where an individual guard will clock-in at regular intervals as they do their rounds. These clock-in batons are handed in to the duty officer in the control room at the end of every shift so that their movements during their shift can be downloaded onto a computer and as proof that the security patrols are being undertaken.
94. Information supplied by L. Venter and M. James.
95. The principle reason for security screening hold baggage is to identify and confiscate improvised explosive devices or bombs. The Z-scan machine will pick up firearms but all the operator will be interested in is whether it is properly packed and not whether it is illegal, since it is not classed as dangerous goods. Operators, if they do become aware of suspicious substances like quantities of drugs, will report this to the Border Police but this does not fall within their screening brief. Most drug finds are based on prior information, profiling of passengers and originating points or on tip-offs and not on the actual baggage screening process.
96. All the operators manning screening machines in the baggage screening area will have undergone a 'Dangerous Goods' training course approved by ICAO.
97. This machine differentiates between organic and inorganic substances by means of densities.
98. Information provided by P. O'Sullivan.
99. Unless otherwise stated the information in this section supplied by Mr N. Smit.
100. Interviews with Border Police personnel at Durban International Airport were also held in order to check on systems there since JIA was used as the pilot project in terms of the implementation of the new security measures envisaged in the Firearms Control Act and the Border Police Manual.
101. Unless otherwise stated the information in this section was provided by Supt. A. Antoine and Insp. P. Naidoo.
102. Currently the Border Police unit at Durban Airport has 49 permanent staff (recommended complement 84) working a four-shift pattern and providing a 24-hour service.
103. This request has been submitted despite the objections of a number of airlines that this will considerably lengthen passenger processing times as well as concerns around the declining numbers of international passengers passing through Durban.
104. This is one of the anomalies of containers coming in through Durban but destined for the inland container port of City Deep, see later section for a discussion on this issue.

105. Lanseria airport was also visited in order to check whether the same levels of security have been implemented at this airport.
106. In December 1994, the then Deputy Commissioner for Customs and Excise, Izak Smuts, had publicly stated that airports like Lanseria were becoming soft targets for criminals and illegal immigrants since they could slip into the country very easily because of the lack of control measures at those airports (see Minnaar & Hough, 1996, p. 151).
107. In official circles there was much suspicion that these operators, many of them flying old Russian Antonovs or Ilyushin planes, were involved in firearms and heavy arms running to UNITA rebels in Angola and in return would be flying in ivory, diamonds and other contraband. It was suspected that some of the 'heavy mining machinery' being flown to Angola or other countries to the north of South Africa was in fact concealed weaponry destined for UNITA.
108. See V. Bennel, Airports and State at odds over illegals, *The Star*, 7 December 1994, as quoted in Minnaar and Hough, 1996 pp. 151–152.
109. Information supplied by K. Olivier.
110. Unless otherwise stated the information in the section below provided by Capt. A.J. Olivier.
111. Currently the MCS at Lanseria is not connected to any of the other airports in South Africa, only to the central database at the DHA. There is an obvious need for the MCS to be airport linked so that when profiling is done police and the other agencies can check if a traveller is departing or arriving at one airport and leaving at another. This is a particular concern for Border Police in the case of Lanseria. Being such a large charter airport they are getting tourists and hunters coming in or leaving who bring in hunting rifles on permits. The travellers exiting from a different airport to the one they arrived at are not being checked for the removal of their firearms since, not only the MCS system but also other databases, such as firearm permit register, the Criminal Record Centre or even illegal immigrant systems are not centrally linked for checks to be undertaken by all three different control agencies.
112. Currently the Lanseria Border Police Unit has 18 staff members working four twelve-hour shifts of 2–3 people per shift.
113. Unless otherwise stated the information in this section was supplied by Mr K. Olivier.
114. This will have the capability to identify metals and other objects as a specific colour.
115. This company registered about a year ago.
116. Unless otherwise stated the information in this section was supplied by Mr P. Nel.

117. CargoLogistics, which is a cargo handling company, freight forwarder and cargo transporter flies its own cargo planes. Currently they do cargo consolidations, the packaging, manifesting and customs declarations from various suppliers for both local and international companies.
118. Unless otherwise stated the information for this section was provided by G. Engel.
119. Immigration and Naturalization Service, Office of Inspections, *South Africa Border Assessment*, 1997, p. 9.
120. Ibid.
121. Unless otherwise stated the information in the section below was provided by W. Tonkin.
122. Customs also assist other government departments like health, agriculture and State Veterinary Services.
123. The DA 500 is essentially a consolidated document that contains all the information from the Bill of Lading, Packing List and Clearing Instructions.
124. These are verified either on the list of serial numbers on the submitted SAP 312 (exports) or SAP 311 (import permit).
125. It has been found that only the first three bales might in fact actually be second-hand clothing or rags with the rest being new clothing. This smuggling practice is undertaken because of the lucrative nature of getting new clothing past Customs without having to pay the R25/kg duty on it.
126. The clearing agent would in fact be paying storage and wharf fees for every day it remains in the port area after this period.
127. Information supplied by Insp. J. Nortje.
128. Information supplied by J. Cloete, B. Jonker and M. Moloi. All this points merely to the requirement of careful seal inspections at all times along the chain of container movement.
129. Although the biggest bulk cargo shipping harbour in Africa, Richards Bay also handles a limited number of containers. Accordingly a check on security measures was made at the harbour to compare systems and standards with those in place at Durban. Unless otherwise stated the information in this section was provided by Insp. L. Boshoff and Insp P.S. Langa.
130. There are plans to install CCTV cameras at strategic points along the fence to be monitored in a Portnet control room.
131. This unit is also responsible for Richards Bay airport. They receive the passenger and billings list of every foreign flight prior to arrival. Richards Bay Airport has a small scanner for luggage and a walkthrough metal detector. There is no cargo

facility at the airport but any parcels or goods coming in on an unscheduled international flight are inspected with passengers' luggage.

132. Recently country-of-origin red-flagging has been bypassed by importers coming through non-suspect third party countries and listing these as the original originating country. However, Customs and Border Police are aware of this practice and are on the look out for it. In addition, the international regulatory bodies are currently in the process of trying to enforce standards that will make it obligatory and compulsory for the documentation to show all originating countries and intermediate ports-of-call of the journey of all cargo being transported around the world (this is in line with the new US Government Container Security Initiative requirements).
133. Information below supplied by Supt. B.E. Jonker and J. Cloete.
134. By the same token the RIT importers may not use South Africa as a transport route for the smuggling of any goods.
135. Documents regarding transport, customs declarations, customs dues/duties or tax due, invoices, Bill of Lading, etc. The most important documents for exporting/importing are the DA 550 while the CCA1 (the VAT control document) is for export to the BLNS countries. The DA 550 is now the consolidated export document with all the different purpose codes replacing the former DA 25, 26, 28 and 29 documents.
136. There are purpose codes for all the different actions needed placed on the container: e.g. DP = Duty Paid; RIB = Removed-in-Bond; RIT = Removed-in-Transit.
137. An "S" number will be stamped on the consignment documents to signify "temporary import for export" permit and that provisional VAT has been paid.
138. With a cross-border stamp which is used as proof that the goods have gone through the border.
139. One of the problems of transiting cargo is the so-called 'ghost' exports, i.e. cargo that never leaves South Africa. It is suspected by some Customs officers that a considerable proportion of such cargo returns to South Africa but there are no definitive statistics on the exact amount.
140. Information supplied by M. Moloji.
141. Technically RIB goods treated as normal duty paid and released after the Bill of Entry has been seen. They have a road bond registered against them or a deposit or provisional payment of duties so that they can proceed to their end destination. If after inspection it is found that incorrect amounts have been provisionally paid a voucher correction is done and sometimes penalties will have to be paid. Only two per cent of goods are actually stopped and inspected. Customs simply do not have sufficient staff, skills or equipment to do more.

142. Or the tendency is that if one client's goods are unpacked and released by Customs then all the other goods are also simultaneously unpacked and either automatically released on the assumption that all are being released with the first release or that certain goods can be illegally removed during the unpacking operation, specifically if such goods are not too bulky.
143. Information below supplied by M. Moloji.
144. There is one rail line coming in which splits into four inside the yard to facilitate off- and onloading from the different stack rows.
145. Enroute Spoornet have security patrols at marshalling yards. If a container is found to have been broken into it will be resealed and this information placed on the computer goods transporting system so that when the seal number is recorded on the RDT this information will come up on the handset to indicate that a further inspection must take place at City Deep so that claim forms can be filled in and processed. It has happened in the past that a train has been stopped either at gunpoint or having the signals tampered with and containers broken into and goods stolen.
146. The Container Movement Management (CMM) system cannot be accessed from outside without a logon password while the system operators all have their own pin number and password to enter and input information on the system.
147. Customs & Excise clearance documents with Portnet stamps on them: the CTO and the CIN.
148. These are part of the BAC surveillance system installed in Johannesburg. The four cameras at City Deep are connected to the BAC Control Centre at the Carlton Centre and have 72 hour recording tapes which are archived.
149. Currently the new legislation on security is being implemented and the new Security Industry Regulatory Authority (SIRA) is in a process of reviewing all training for security officers registered with them. In addition, no specific accredited and standardised training course exists for Aviation Security, Border Control and Ports-of-Entry security management. What training is received (operators of screening machines, immigration control and cargo inspections, border controls etc. has either been supplied by FBI, UK Customs, INS, US Border Police and UNOCPDC officials on an ad hoc basis or in specific short-term donor-funded training programmes. Most of this training has not been on the basis of train-the-trainer but specialised training for a small number of operatives at a time. Alternatively what training is being done by the various agencies consists of the basic introductory training provided in-house or gained 'on-the-job'. There is therefore a great need to develop such national short courses and accredited certificate/diploma qualifications for the further professionalisation of all aspects of port-of-entry security management.