



ASSEMBLY — 37TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 14: Universal Security Audit Programme (USAP)

IMPLEMENTATION AND EVOLUTION OF THE ICAO UNIVERSAL SECURITY AUDIT PROGRAMME

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

The 36th Session of the Assembly (Resolution A36-20, Appendix E refers) requested the Council to report to the next ordinary session of the Assembly on the overall implementation of the ICAO Universal Security Audit Programme (USAP).

A first cycle of USAP audits and follow-up visits, focusing on States' compliance with Annex 17 – *Security Standards*, was conducted between November 2002 and December 2009. In all, 181 Member States and one Special Administrative Region were audited under this cycle and 172 follow-up visits were conducted. A second cycle of audits was launched in January 2008, focusing, wherever possible, on States' aviation security oversight capabilities and incorporating the security-related provisions of Annex 9 – *Facilitation*. As at 31 July 2010, 76 second-cycle audits had been conducted.

Other major developments since the last Assembly include the introduction of a limited level of transparency with respect to aviation security audit results; the approval of a mechanism to deal with significant security concerns in a timely manner; and the direction given by the Council to the Secretary General to assess the feasibility of extending a continuous monitoring approach (CMA) to the USAP after the conclusion of the second audit cycle in 2013.

Action: The Assembly is invited to adopt the text in Appendix C to this working paper, which would then be included as Appendix E to the revised version of Resolution A36-20: *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference*.

<i>Strategic Objectives:</i>	The action proposed will further Strategic Objective B (<i>Enhance global aviation security</i>) through the continuation of the USAP.
<i>Financial implications:</i>	The work involved for the Secretariat is expected to be undertaken within the resources included under the Draft Budget 2011-2013, including voluntary contributions from States.
<i>References:</i>	A37-WP/18, ICAO Comprehensive Aviation Security Strategy (ICASS) – Strategic Plan of Action – 2011 – 2016 Doc 9734, <i>Oversight Manual</i> , Part C — <i>The Establishment and Management of a State's Aviation Security Oversight System</i> Doc 9902, <i>Assembly Resolutions in Force</i> (as of 28 September 2007)

1. INTRODUCTION

1.1 The ICAO Universal Security Audit Programme (USAP) was established in 2002 as one of the elements of the Aviation Security Plan of Action, pursuant to Assembly Resolution A33-1 and the recommendations of the High-level Ministerial Conference on Aviation Security (Montreal, February 2002).

1.2 In accordance with Assembly Resolution A36-20, Appendix E (2007), this working paper reports on the overall implementation of the USAP and other related developments since the last ordinary session of the Assembly¹.

2. STATUS OF IMPLEMENTATION – AUDIT ACTIVITIES

2.1 First Cycle Audits and Results

2.1.1 The initial cycle of USAP audits was conducted between November 2002 and December 2007. A total of 181 Member States and one Special Administrative Region (SAR) received audits during this cycle. The corresponding programme of audit follow-up visits to validate the implementation of State corrective action plans was initiated in 2005 and completed in December 2009. In all, 172 follow-up visits were conducted. A small number of States did not receive audits and/or follow-up visits due either to the United Nations Security Phase in effect for the State, the limited level of activity in the State or the failure of the State to submit a corrective action plan.

2.1.2 The majority of the 172 States which received a follow-up visit showed a significant improvement in the level of compliance with Annex 17 — *Security* Standards from the time of the initial audit. The progress made by States during the first audit cycle is shown at Appendix A.

2.1.3 Complete audit results from the first cycle at the national and airport levels, both by region and globally, have been consolidated in a supplementary document entitled *Universal Security Audit Programme – Analysis of Audit Results*, Second Edition – 2010, which has been distributed to all Assembly Delegations and is available on the USAP secure website (portal.icao.int).

2.2 Second Cycle Audits and Results

2.2.1 The second cycle of USAP audits was launched in January 2008. It focuses, wherever possible, on States' aviation security oversight systems and also covers relevant security-related provisions of Annex 9 — *Facilitation*. As at 31 July 2010, a total of 76 second-cycle audits had been conducted, as well as an assessment of the European Commission aviation security inspection system. The USAP is on course to complete the remaining second-cycle audits before the next ordinary session of the Assembly in 2013. The audit schedule is distributed twice a year by Electronic Bulletin, and is also available on the USAP secure website.

2.2.2 The second-cycle audits measure the degree of implementation by States of the eight critical elements of an aviation security oversight system, as identified in Doc 9734 — *Oversight Manual*, Part C — *The Establishment and Management of a State's Aviation Security Oversight System*. A graph is

¹ A36-18 urged the Council to support the long-term financial sustainability of the Aviation Security Plan of Action by continuing to incorporate the funding requirements within the Regular Budget progressively, and accordingly requested that the Secretary General make specific proposals for their complete integration in Programme budgeting for 2011-2013. This issue is addressed in A37-WP/18 – ICAO Comprehensive Aviation Security Strategy (ICASS) – Strategic Plan of Action – 2011 – 2016.

attached at Appendix B which depicts the global results for each of the eight critical elements based on 71 States. These results indicate that, overall, quality control obligations represent the lowest level of effective implementation, while the resolution of security concerns, personnel qualifications and training, and the provision of technical guidance, tools and security-critical information are also areas of concern.

2.2.3 Detailed information on the results of the second audit cycle is contained in the supplementary document *Universal Security Audit Programme – Analysis of Audit Results*, Second Edition – 2010.

3. OTHER ACTIVITIES AND DEVELOPMENTS

3.1 Training Courses and Seminars

3.1.1 A programme of auditor recertification was initiated in December 2007 in order to provide training to all USAP auditors on the audit methodology for the second cycle. The training programme, which consisted of live interactive web-based briefings and an e-learning programme, concluded in 2008, with over 120 USAP auditors recertified. The continued support received from States through the short- and long-term secondment of experts to the Programme has been instrumental in the effective implementation of the USAP.

3.1.2 In addition to recertification activities since the start of the second audit cycle, three *ab initio* USAP auditor training and certification courses have been conducted in Nairobi, Casablanca and Hong Kong SAR, resulting in the certification of close to 40 auditors.

3.1.3 Seminars designed to familiarize State officials with the tools and methodology used for the preparation, conduct and reporting of aviation security audits under the second cycle have also been conducted in Singapore, Nairobi, Casablanca, Moscow and San José (Costa Rica), with the participation of over 180 officials.

3.2 Transparency

3.2.1 As directed by the 36th Session of the Assembly, the Council, during its 184th Session, approved a proposal to introduce a limited level of transparency with respect to aviation security audit results, whereby a graphical representation depicting the level of implementation of the critical elements of an aviation security oversight system for each audited State is posted on the USAP secure website. A consequential amendment to the model Memorandum of Understanding (MoU) between ICAO and States regarding aviation security audits was subsequently approved by the Council. This limited level of transparency applies to all audits conducted under the second cycle of the USAP. All States which were invited to provide their consent to this amendment to the MoU have done so.

3.3 Application of Article 54 j) of the Convention to Aviation Security

3.3.1 The Council, during its 184th Session, considered and approved a procedure, within the scope of Article 54 j) of the *Convention on International Civil Aviation* that would enable disclosure of information regarding a State having significant compliance shortcomings with respect to security-related Standards and Recommended Practices, including failure to act in accordance with its security oversight obligations and failure to carry out recommendations of the Council.

3.4 **Significant Security Concerns**

3.4.1 The Council, during its 189th Session, approved a definition of significant security concern (SSeC) and the associated mechanism to address such concerns outside of the established timeline for the production of aviation security audit reports and corrective action plans. This will allow SSeCs to be addressed in a much shorter time frame. A consequential amendment to the model MoU between ICAO and audited States was subsequently approved by the Council to reflect the new mechanism.

3.5 **Audit Results Review Board**

3.5.1 Despite the overall progress made by States in addressing identified deficiencies, a number of States continue to experience difficulties in increasing their level of compliance with ICAO provisions and in meeting their security oversight obligations. Assistance to these States is coordinated through the Audit Results Review Board (ARRB), the ICAO Implementation Support and Development (ISD) Programme and ICAO's Technical Cooperation Programme.

3.6 **Cooperative Arrangements**

3.6.1 A Memorandum of Cooperation (MoC) between the European Community (EC) and ICAO was signed in September 2008. This MoC establishes mutual cooperation in the field of aviation security audits/inspections to ensure optimum use of limited resources to avoid duplication of effort, given that most of the Standards contained in Annex 17 are also covered by relevant EC legislation. The Annex 17 security Standards not already covered under this legislation, together with relevant security-related provisions of Annex 9, are being assessed in all European Union Member States (plus Switzerland) on an individual basis.

3.6.2 ICAO provides continuing cooperation and support to the United Nations Counter-Terrorism Committee Executive Directorate (CTED).

3.7 **Evolution of the USAP after 2013**

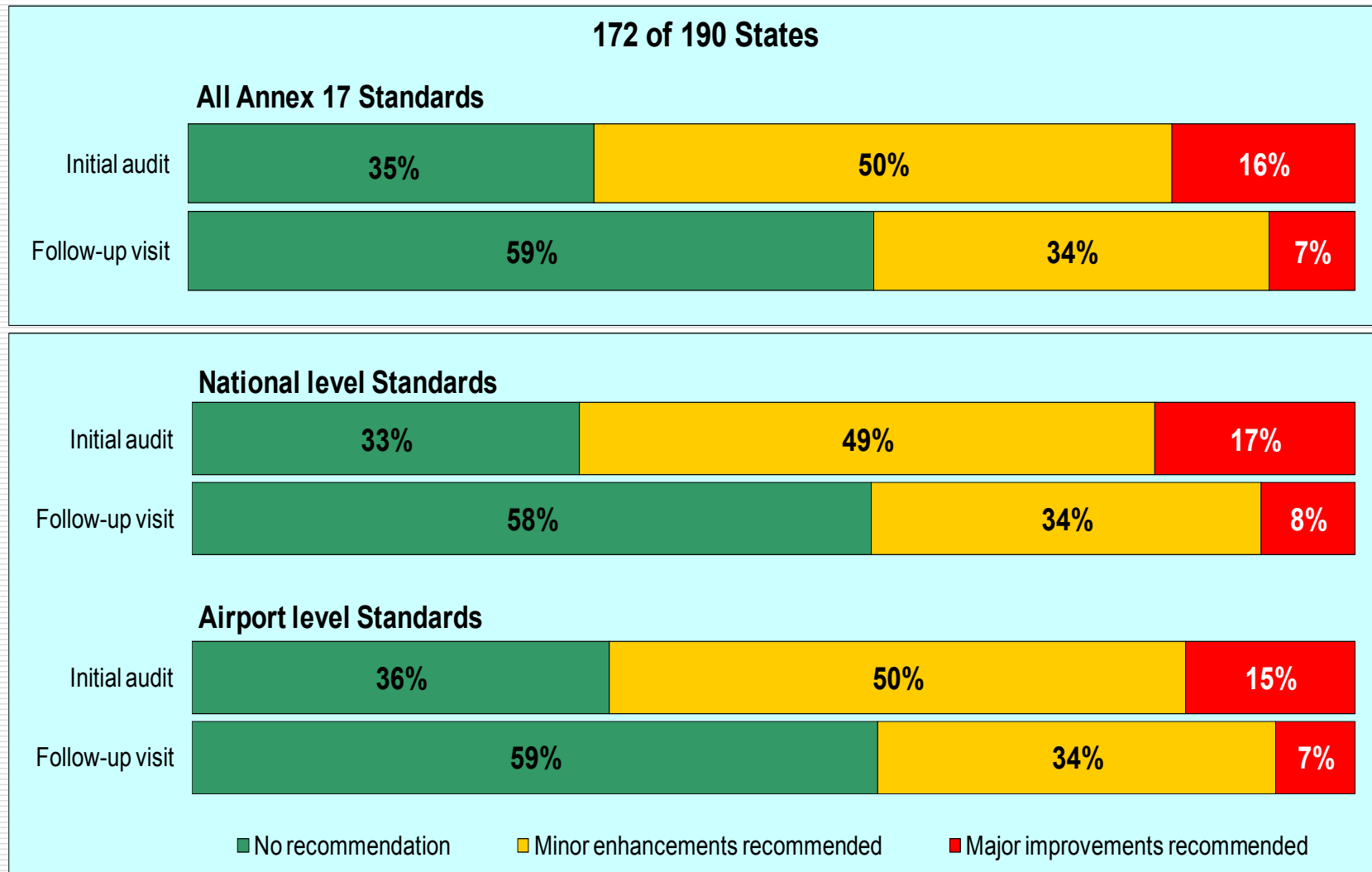
3.7.1 The Council, during its 187th Session, agreed to a proposal for the application of a continuous monitoring approach (CMA) to the ICAO Universal Safety Oversight Audit Programme. At the same time, the Council also directed the Secretary General to undertake a study to assess the feasibility of extending the CMA to the USAP after the conclusion of the current audit cycle in 2013, while taking into consideration the principle of confidentiality and the appropriate level of transparency associated with data collection and reporting under the USAP.

4. **CONCLUSION**

4.1 The ICAO USAP has successfully completed a first cycle of aviation security audits and follow-up visits. The positive results of this cycle confirm the commitment of States to implementing ICAO security Standards and to strengthening aviation security worldwide. They also provide a good baseline for the identification of deficiencies and the determination of remedial strategies. The second audit cycle, focusing on the capability of States to conduct effective aviation security oversight through the implementation of the critical elements, promotes the development in States of sustainable aviation security structures and programmes. The USAP continues to enjoy the support of States, serving as a catalyst for their continued efforts to meet their international obligations in the field of aviation security.

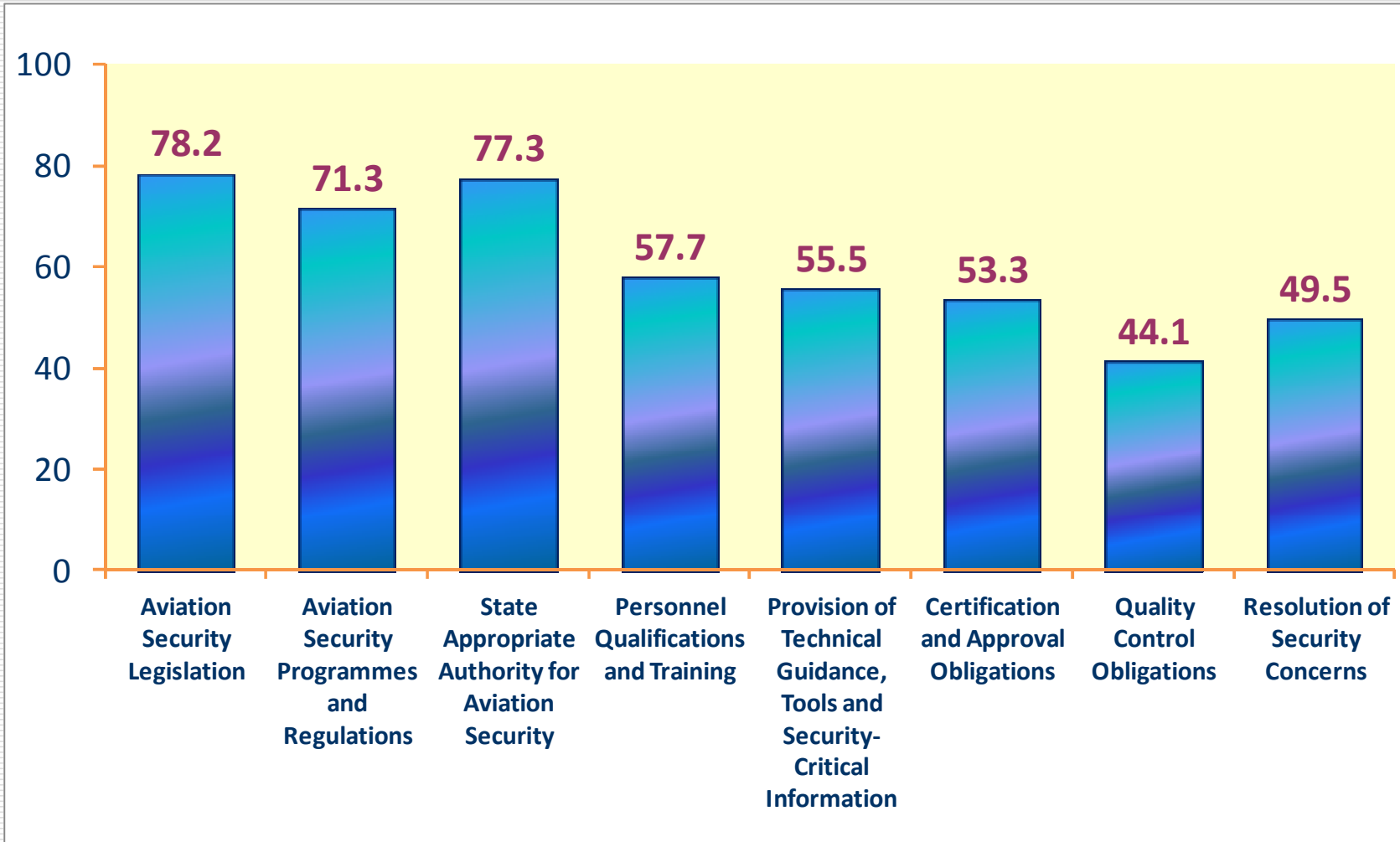
4.2 Nevertheless, the results of the first cycle of audits and follow-up visits, as well as the initial results of the second-cycle audits, indicate that a number of States continue to experience difficulties in meeting their aviation security obligations. Assistance to these States is coordinated on a case-by-case basis through the ARRB, ISD – Security Section and Technical Co-operation Bureau.

USAP First-Cycle Audits - Progress Made by States (%) Compliance with Annex 17 Standards (172 States)



Degree of Effective Implementation of the Critical Elements of a Security Oversight System (%)

Global – 71 Audited States – Second-cycle Audits 60.1%



APPENDIX C

Draft APPENDIX E to the revised version of Resolution A36-20:
*Consolidated statement of continuing ICAO policies related to the safeguarding
of international civil aviation against acts of unlawful interference*

The ICAO Universal Security Audit Programme

Whereas the ICAO Universal Security Audit Programme (USAP) has been successful in meeting the mandate of Resolution A36-20, Appendix E;

Whereas the primary objective of the Organization continues to be that of ensuring the safety and security of international civil aviation worldwide;

Whereas the establishment of an effective security oversight system by States supports the implementation of international aviation security Standards and contributes to this objective;

Recalling that the ultimate responsibility to ensure both the safety and security of civil aviation rests with Member States;

Recalling that the 36th Session of the Assembly directed the Council to ensure the continuation of the USAP following the initial cycle of audits at the end of 2007 focusing, wherever possible, on a State's capability to provide appropriate national oversight of its aviation security activities through the effective implementation of the critical elements of a security oversight system; and expanding future audits to include relevant security-related provisions of Annex 9 — *Facilitation*;

Considering that the USAP has proven to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution, and that the programme has validated an increased level of implementation of ICAO security Standards;

Recognizing that the effective implementation of State corrective action plans to address the deficiencies identified through the audit is an integral and crucial part of the audit process in order to achieve the overall objective of enhancing global aviation security;

Considering the introduction of a limited level of transparency with respect to ICAO aviation security audit results, balancing the need for States to be aware of unresolved security concerns with the need to keep sensitive security information out of the public realm;

Considering the approval by the Council of a mechanism to address significant security concerns (SSECs) in a timely manner;

Recognizing the importance of a coordinated strategy for facilitating assistance to States through the high-level Secretariat Audit Results Review Board;

Recognizing that the continuation of the USAP is essential to create mutual confidence in the level of aviation security between Member States and to encourage the adequate implementation of security-related Standards; and

Recognizing the need to consider the future nature and direction of the USAP following the completion of the current audit cycle in 2013 and the direction given by the Council to conduct a study to assess the feasibility of extending the continuous monitoring approach (CMA) to the USAP after the conclusion of the current audit cycle;

The Assembly:

1. *Notes* with satisfaction that the ICAO Universal Security Audit Programme (USAP) has proven to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution;

2. *Expresses* its appreciation to Member States for their cooperation in the audit process and for making available security experts to be certified as USAP auditors to serve as short-term experts in the conduct of audits, as well as long-term experts to act as USAP audit team leaders;

3. *Requests* the Council to establish a mechanism to validate the implementation of State corrective action plans through the conduct of ICAO coordinated validation missions or other means when sufficient evidence is presented by a State to warrant such a mission;

4. *Urges* all Member States to give full support to ICAO by:

- a) accepting the audit missions as scheduled by the Organization, in coordination with relevant States;
- b) facilitating the work of the audit teams;
- c) preparing and submitting to ICAO the required pre-audit documentation; and
- d) preparing and submitting an appropriate corrective action plan to address deficiencies identified during the audit, as well as other post-audit documentation;

5. *Urges* all Member States to share, as appropriate and consistent with their sovereignty, the results of the audit carried out by ICAO and the corrective actions taken by the audited State, if requested by another State; and

6. *Requests* that the Council report to the next ordinary session of the Assembly on the overall implementation of the USAP, including its decision with regard to the study to assess the feasibility of extending the CMA to the USAP after the conclusion of the current audit cycle in 2013.

— END —