



Agenda Item 5: Aviation Security (AVSEC) Matters
5.1 ICAO Universal Security Audit Programme (USAP)

ICAO UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)

(Presented by the Secretariat)

SUMMARY This working paper provides information regarding the activities and results of the ICAO Universal Security Audit Programme (USAP) and the status of implementation of Corrective Action Plans by States in order to comply with the Standards and Recommended Practices of Annex 17 for strengthening security systems in their States and thus international civil aviation.	
References: <ul style="list-style-type: none">• Annex 17 – Security• Annex 9 – Facilitation• Machine Readable Travel Documents (Doc 9303, Part I)• Security Manual for Safeguarding Civil Aviation against Acts of Unlawful Interference (Doc 8973)• ICAO Universal Security Audit Programme (USAP)• The Establishment and Management of a State's Aviation Security Oversight System, Part C of Safety Oversight Manual (Doc 9734)	
Strategic Objective	<i>This working paper is related to Strategic Objective B.</i>

1. Introduction

1.1 This working paper presents information for the consideration and proper action by the Meeting in support of the implementation of ICAO Strategic Objective B. - Security – *Enhance global civil aviation security*, and the accountability of States for implementing the corresponding actions in order to comply with their commitment with respect to Annex 17 of the Convention on the International Civil Aviation.

2. Discussion

2.1 The ICAO Universal Security Audit Programme (USAP) ended the first cycle of audits at a global level in December 2007 with 182 Contracting States audited. By March 2009, the follow-up visits to Bahamas, Belize and Panama completed the first cycle of audits and follow-up visits in the CAR/SAM Regions. The second cycle of the USAP started in January 2008, and Jamaica was the first State audited in the CAR/SAM Region, followed by audits in Trinidad and Tobago in February, and Bolivia, Paraguay and Mexico in September of that year.

2.2 There are 30 audits scheduled for 2009 around the world. Audits in the CAR/SAM Regions started in March with Honduras. Antigua and Barbuda, Colombia, El Salvador, Nicaragua, Suriname, Saint Kitts and Nevis, and Venezuela are scheduled to be audited during the second semester of 2009; for a total of 34 States globally audited to date under the second cycle of the USAP.

2.3 Regarding the results of the USAP in the Region, it is important to note that follow-up visits have demonstrated some important improvements with regards to the results of the first audit in most of the States. However, there are still some areas of concern identified, and Civil Aviation Authorities should consider solving these issues for an effective implementation and to maintain compliance with the dates defined in their corrective action plans based on the recommendations of the first and second cycle AVSEC audit reports, where applicable. In this regard, the following aviation security areas of concern should be noted:

National Level

- a) National Civil Aviation Security Programme (NCASP) (Standard 3.1.1, Annex 17);
- b) Quality Control and enforcement capabilities (Standards of Part 3.4, Annex 17);
- c) Certification of screening personnel (Standard 3.4.3, Annex 17); and
- d) Aviation security training (Standard 3.1.6 and 3.4.2, Annex 17).

Airport level

- a) Airport organization and administration (Standards in Part 3.2, Annex 17);
- b) Access control (Standards and Recommended Practices [SARPs] in Part 4.2, Annex 17);
- c) Passenger and cabin baggage security (SARPs in Part 4.4, Annex 17);
- d) Hold baggage security (SARPs in Part 4.5, Annex 17);
- e) Cargo and catering security (SARPs in Part 4.6, Annex 17);
- f) Aircraft and in-flight security (SARPs in Part 4.3 and Part 4.7, Annex 17); and
- g) Response to acts of unlawful interference (SARPs in Part 5.2, Annex 17).

2.4 **Appendix A** shows the general level of Annex 17 SARPs implementation in the NAM/CAR States according to the security areas of concern. **Appendix B** shows the specific affected areas in the AVSEC field.

2.5 Among the outstanding issues, the NCASP has been established in all the States of the Region; however, in many cases this program is still in a draft stage or in the process of being approved by States, which have shortcomings in their legal frameworks. In most of the cases where the NCASP has been approved, it has not been widely disseminated and has limited implementation.

2.6 Another issue is the effective activation of the National Civil Aviation Security Committee, or similar entity, which will facilitate the interaction and coordination between government entities to provide full support to the appropriate authority on civil aviation security issues.

2.7 It is important to mention that USAP second cycle audits focus, whenever possible, on the ability of the States to provide appropriate national oversight of its aviation security activities. The USAP second cycle audits include security-related aspects of *Annex 9 – Facilitation*, such as Machine Readable Travel Documents (Doc 9303, Part I), and a new comprehensive system approach that verifies eight (8) Critical Elements (CE) within the State AVSEC system, as follows:

- | | |
|-------|---|
| CE 1: | Aviation security legislation; |
| CE 2: | Aviation security programmes and regulations; |
| CE 3: | State's appropriate authority for aviation security; |
| CE 4: | Personnel qualifications and training; |
| CE 5: | Provision of technical guidance, tools and security-critical information; |
| CE 6: | Certification and approval obligations; |
| CE 7: | Quality control obligations; and |
| CE 8: | Resolution of security concerns. |

2.8 In order to assist States for preparing their security system for the USAP second cycle audit, ICAO has developed and published Part C of Doc 9734 - *Safety Oversight Manual*, entitled *The Establishment and Management of a State's Aviation Security Oversight System*. This document will also help the respective State authorities to conduct an effective oversight of the efficient implementation of AVSEC regulations and procedures within their State.

2.9 It is also important to mention that in line with the request of the 36th Session of the ICAO Assembly, the Council considered the introduction of a limited level of transparency with respect to aviation security audit results. The matter was considered by the Council, which approved a proposal to introduce such transparency. Under the proposal, which balances the need for States to be aware of unresolved security concerns with the need to keep sensitive security information out of the public realm, a graphical representation similar to the one used for the dissemination of safety oversight audit results, is now available to all Contracting States on the USAP secure website.

2.10 Finally, it is also important to recall that according to the provisions of the ICAO Council, the Audit Results Review Board (ARRB) reviews the progress in the implementation of State corrective action plans and, when appropriate, adopts measures for the States that do not show an improvement in their aviation security systems with respect to the recommendations of the audits report and the follow-up visits for the compliance of the standards and recommended practices.

3. Conclusions

3.1 Since its inception, the USAP has enjoyed the support of Contracting States and is promoting a positive change as States become increasingly sensitized to the international requirements. The audits are proving to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution. Although the USAP follow-up missions have validated a markedly increased level of implementation of ICAO security Standards, thereby attesting commitment of States, it is important that this commitment be effective and permanently implemented for achieving the objective of the USAP to strengthen aviation security within their State and hence worldwide security.

4. Suggested Action

4.1 The Meeting is invited to take note of the content of this working paper, and approve the following Draft Conclusion:

DRAFT

CONCLUSION 10/X

ICAO UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)

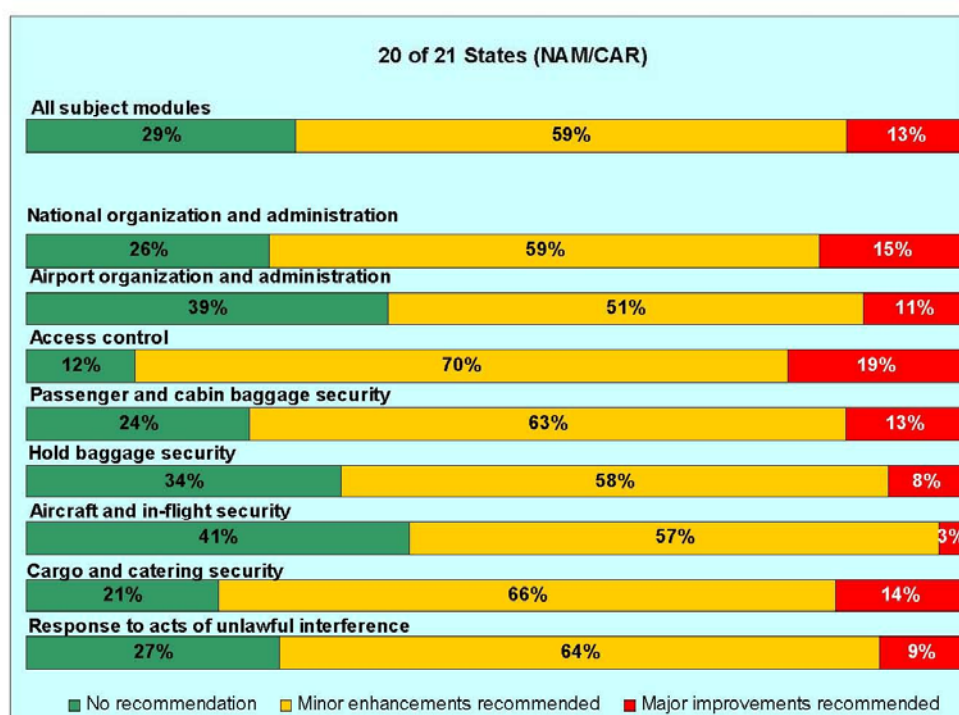
That C/CAR States:

- a) ensure the support for the AVSEC organization within their administration for the establishment, approval and effective implementation of their AVSEC National Civil Aviation Security Programme (NCASP), and related programmes and documents, and the activation of their National Civil Aviation Security Committees, or similar arrangements;
- b) ensure complete and effective implementation of their corrective action plans regarding the recommendations of the USAP first cycle audit report before receiving the USAP second cycle audit, notifying the progress on their action plans to ICAO; and
- c) notify ICAO should any differences identified during the USAP audit remain unaddressed.

APPENDIX A

LEVEL OF IMPLEMENTATION NORTH AMERICA, CENTRAL AMERICA AND THE CARIBBEAN (NAM/CAR)

The following chart depicts, by subject module, the level of implementation of Annex 17 Standards for States audited in the North American, Central American and Caribbean region. Haiti has not been audited due to the United Nations security phase in effect.



Overall compliance with Annex 17 Standards averaged 29 per cent in the NAM/CAR regions, below the global average of 34 per cent, with access control, followed by cargo and catering security, being the primary areas of concern.

Notes: ■ **Minor enhancements recommended:** some improvements needed to correct the deficiencies identified, but generally a question of minor adjustments and fine tuning only. Example: The State has a National Civil Aviation Security Programme, but it has not been revised to reflect newer national requirements.

■ **Major improvements recommended:** significant improvement necessary to correct the deficiencies identified, and generally requires a considerable effort to ensure compliance. Example: The State does not have a National Civil Aviation Security Programme or a National Civil Aviation Security Quality Control Programme.

The NAM/CAR regions are comprised of the following States: Antigua and Barbuda, Bahamas, Barbados, Belize, Canada, Costa Rica, Cuba, Dominican Republic, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago and United States.

APPENDIX B

SPECIFIC AREAS OF CONCERN IN AVSEC

The following is specific information regarding findings of the first cycle audit report, the follow up visits, and progress on the timely implementation of States corrective action plans with respect to the recommendations of the AVSEC audit report.

National Civil Aviation Security Programme (NCASP) ***(Standard 3.1.1, Annex 17)***

1. The NCASP has been established in all States of the Region. However, in many cases this programme is still in draft stage; or in the process of approval by the Government's executive power; or by the appropriate authority, having shortcomings in their legal frameworks. In the cases where the NCASP was approved, in most cases it has not been disseminated and implemented.

National Civil Aviation Security Training Programme (NCSTP) ***(Standard 3.1.6, Annex 17)***

2. In many cases the NCSTP is still in the development phase and in draft, or in the process of approval from the appropriate authority; therefore, having shortcomings in their legal frameworks with respect to AVSEC training of stakeholders and personnel involved in the security inspections. In cases where the NCSTP was approved, it has not been disseminated or implemented. Otherwise, it doesn't contain clear and specific objectives for the AVSEC personnel training, on the job training (OJT) or the criteria and procedures for certifying AVSEC personnel and instructors (Standard 3.4.3).

National Civil Aviation Security Quality Control Programme (NQCP) ***(Standard 3.4.4, Annex 17)***

3. Like the other national programmes, the NQCP is still in the development phase or awaiting approval; generally this document does not contain procedures on how the civil aviation authority will perform an effective surveillance of the efficient application of the security measures and inspection procedures applied by service providers, whether they are airport operators, private companies hired by the State or airport, or States entities assigned to these tasks.

4. In most cases, the proper authorities in charge of carrying out AVSEC surveillance tasks do not have material resources and qualified personnel to conduct the surveillance on behalf of the State. These personnel in many cases do not have the legal empowerment to implement the surveillance, or in some cases the legal framework for empowering (sanctions), in order to comply with the national AVSEC laws and regulations.

Contingency Plan
(Standard 5.1.4, Annex 17)

5. Even though many States have developed Contingency Plans, these plans were not coordinated with the entities involved, mainly with the State's entities that respond during an act of unlawful interference, and this reflects the lack of knowledge of the procedures that each involved entity should implement in such cases. Additionally, even though there is no requirement for establishing a National Contingency Plan, it would be important to consider that entities involved should have knowledge about the State's criteria and policy regarding the management and the procedures to be implemented in case of an act of unlawful interference. Therefore it becomes imperative to develop a National Contingency Plan that must be coordinated by all entities at governmental level involved in the response of an act of unlawful interference.

National Civil Aviation Security Committee (NCASC)
(Standard 3.1.5, Annex 17)

6. Even though States have established laws for the creation of a National Civil Aviation Security Committee or similar arrangement, in many States, the NCASC has not convened since its creation, and in general, these laws require an update about the composition of the members on such committees. The activation of these National Committees would facilitate a greater interaction and coordination among government entities to provide full support to the proper authority in all aspects related with civil aviation security issues.

Airport Security Programme (ASP)
(Standard 3.2.1, Annex 17)

7. All the airports have established an Airport Security Programme, generally approved. However, in most cases, the ASP still needs to be adjusted to the specific local needs and resources for each airport, and the great majority need to include more procedures to ensure how the national regulations will be applied for the efficient and standard application of the security measurements related with passenger, baggage, cargo and mail screening.

Aircraft Operator Security Programme (AOSP)
(Standard 3.3.1, Annex 17)

8. Not all the aviation security authorities within States receive the AOSP for their review and approval. In some cases, even though the criteria of presenting the AOSP at the time aircraft operators request a permit or certificate has been incorporated, there is no coordination within the civil aviation authority to make sure those AOSP are reviewed by the appropriate AVSEC authority. Additionally, the majority of the AOSP reflect general information, like in the case of foreign aircraft operators; it reflects information from their headquarters and they have not been adapted to the conditions, means and resources of the airports of States where they operate, and does not contain the procedures to ensure the compliance of the regulations established for the proper screening of passengers, baggage, cargo, mail, catering and supplies.