ASSEMBLY — 36TH SESSION

**REPORT OF THE EXECUTIVE COMMITTEE
ON
AGENDA ITEM 16**

(Presented by the Chairman of the Executive Committee)

The attached report on Agenda Item 16 has been approved by the Executive Committee. Resolution 15/3 is recommended for adoption by the Plenary.

Note.— After removal of this covering sheet, this paper should be inserted in the appropriate place in the report folder.

(4 pages)

Agenda Item   16:   Universal Security Audit Programme (USAP)

16.1   At its third meeting, the Executive Committee considered the Universal Security Audit Programme (USAP), on the basis of a progress report by the Council (WP/38 and Addendum No. 1), together with working papers presented by the United States (WP/82) and by Portugal, on behalf of the European Community and its Member States and by the other States Members of the European Civil Aviation Conference (WP/66).

16.2   The Executive Committee expressed its appreciation and congratulated the Secretary General for the results achieved by the USAP during the present triennium, as detailed in WP/38. The Committee also expressed its agreement with the way forward proposed in this working paper for the evolution of the USAP, regarding the incorporation of security-related provisions of Annex 9 — *Facilitation* and oversight elements in future aviation security audits.

16.3   The Committee recognized the value of the proposals contained in WP/38, WP/66 and WP/82 for the introduction of a limited level of transparency with respect to aviation security audit results. In doing so, the Committee emphasized that it was essential that any methodology to provide for increased transparency ensure the appropriate safeguarding of a State's security information without divulging specific information that could be used to exploit existing vulnerabilities. The value of continuing bilateral exchanges of information between States was also recognized.

16.4   In relation to WP/66, which was introduced during the consideration of Agenda Item 15, the Committee supported the idea, as also proposed in WP/38, that the primary focus of the second phase of the USAP be on a State's ability to provide appropriate oversight of its aviation security activities and on how States have rectified deficiencies from their initial audit. In this regard, the Committee recognized the importance of supporting and assisting States in the implementation of their corrective action plans.

16.5   In view of the deliberations and the unanimous support of Contracting States for the continuation of the USAP, and in order to address the future direction of the Programme following the completion of the current audit cycle at the end of 2007, the Executive Committee agreed to submit to the Plenary the following draft Assembly Resolution regarding amendments to Appendix E of the *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference:*

Resolution 15/3,   **Consolidated statement of continuing ICAO policies related to**
Appendix E: **the safeguarding of international civil aviation against acts of**
                         unlawful interference

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APPENDIX E

The ICAO Universal Security Audit Programme

Whereas the ICAO Universal Security Audit Programme (USAP) has been successful in meeting the mandate of Resolution A35-9, 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 promoting the implementation of international aviation security Standards contributes to this objective;

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

Recalling that the 35th Session of the Assembly directed the Secretary General to continue the USAP, comprising regular, mandatory, systematic and harmonized aviation security audits to be carried out by ICAO in all Contracting States;

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;

Considering the direction given by the Council of ICAO during its 176th Session on principles to guide the conduct of future aviation security audits following the initial cycle of USAP audits at the end of 2007;

Recognizing that the effective implementation of State corrective action plans to address the deficiencies identified through the audit is an integral and critical part of the audit process and to achieving the overall objective to enhance global aviation security;

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

Recognizing the importance of a coordinated strategy for working with States that are found to have significant compliance shortcomings with respect to ICAO Standards and Recommended

Practices (SARPs), and *noting* the establishment of a high-level Secretariat Audit Results Review Board to assist the Council in its responsibilities;

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 Contracting 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;

3.   *Requests* the Council to ensure the continuation of the USAP following the initial cycle of audits at the end of 2007 guided by the principle of universality, while recognizing that not all States need to be audited at the same frequency; 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;*

4.   *Requests* the Council to ensure that the implementation of State corrective action plans continues to be validated through the conduct of follow-up missions or other means;

5.   *Urges* all Contracting States to give full support to ICAO by accepting the audit missions as scheduled by the Organization, in coordination with relevant States, facilitating the work of the audit teams, and preparing and submitting to ICAO an appropriate corrective action plan to address deficiencies identified during the audit;

6.   *Urges* all Contracting 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;

7.   *Directs* the Council to consider 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; and

8.   *Requests* that the Council report to the next ordinary session of the Assembly on the overall implementation of the USAP.

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