



WORKING PAPER

HIGH-LEVEL CONFERENCE ON AVIATION SECURITY (HLCAS)

Montréal, 12 to 14 September 2012

Agenda Item 4: The evolution of the aviation security audit process – transparency

EVOLUTION OF THE UNIVERSAL SECURITY AUDIT PROGRAMME

(Presented by the Russian Federation)

SUMMARY

This paper presents an analysis of the options for the evolution of the Universal Security Audit Programme beyond 2013 and considers the issue of transparency with respect to the confidential information in audit results.

Action: The High-level Conference on Aviation Security is invited to endorse the conclusions and recommendations proposed in paragraph 4.

1. INTRODUCTION

1.1 The Universal Security Audit Programme (USAP) was launched in 2002 in order to promote an enhanced level of security globally by determining the level of implementation by States of the Standards in Annex 17 — *Security*. The first USAP cycle was completed at the end of 2007.

1.2 During the second cycle, which started in January 2008, special attention focused on the States' capability to exercise security oversight extending to the provisions of Annex 17 — *Security*, and the security-related provisions of Annex 9 — *Facilitation*. This cycle concludes at the end of 2013.

1.3 However, the imperatives of the times are such that the security auditing system should continually improve and evolve for a more forward-looking and effective approach to security at the global, regional and State levels.

1.4 The need for 'on-line' receipt of information on the status of the security performance in States, particularly with the emergence of new security threats and risks, necessitates the establishment of continuous security monitoring globally, given the changing situation.

1.5 Effective quality monitoring (control) is a fundamental part of the security system. The effectiveness of security quality control depends on States' having relevant legislation in place, on the State quality control programme, as well as on personnel qualifications, skill, and responsibility. In view of the direct correlation between security and the quality control system, States should more extensively implement certification of the quality control system in their territory by adopting relevant legislation and organizing highly professional training for personnel.

2. EVOLUTION OF THE UNIVERSAL SECURITY AUDIT PROGRAMME AND TRANSPARENCY OF AUDIT RESULTS

2.1 The Twenty-third Meeting of the Aviation Security Panel considered the evolution of the USAP beyond 2013, looking at the five options for its continuation presented by the ICAO Secretariat, to wit:

1. Implement a cycle of follow-up visits to evaluate the progress made by States in implementing their Corrective Action Plans developed in response to the first and second cycle USAP audits.
2. Implement a further six-year cycle of audits of the level of security oversight based on the methodology of the USAP first cycle, complemented by a programme of follow-up visits to States.
3. Implement a further six-year cycle of audits of the level of security oversight based on the methodology of the USAP second (current) cycle, complemented by a programme of follow-up visits to States.
4. Transition to a continuous security monitoring method.
5. Implement a risk-based approach to the USAP that recognizes significant differences in the levels of security performance.

2.2 The primary objective of the USAP continues to be to promote global aviation security through identifying deficiencies in the security oversight system in individual States and implementing the corrective actions (recommendations) to rectify the deficiencies. At the same time, the USAP principles should be revised so that they reflect the present and future requirements for the Programme's implementation methodology beyond 2013.

2.3 The Twenty-third Meeting of the Aviation Security Panel unanimously endorsed the USAP concept that included a combined method of security performance monitoring and a security risk-based approach. In so doing, it was noted that Options 1, 2, and 3 have significant drawbacks, to wit:

- a) the ability promptly to identify either recurring or significant deficiencies in the security system of States is precluded (Option 1);
- b) it is impossible to substantiate States' capability continually (continuously) and effectively to perform security oversight even if, in the second cycle, it was demonstrated that many of them have a developed, comprehensive quality oversight (control) system (Option 2); and
- c) there is no possibility to make explicit reference to the level of States' compliance with the Standards of Annex 17 — *Security*, and the security-related provisions of Annex 9 — *Facilitation* (Option 3).

2.4 Option 5 presents a new conceptual approach to the next cycle of USAP auditing which is a noteworthy initiative. However, this approach is based solely on a security risk assessment and is characterized by considerable ambiguity and subjectivity, as well as by a number of external factors whose probability of affecting aviation security is indeterminate.

2.5 In view of the foregoing and considering the need for a comprehensive approach to global aviation security, including a one-stop security inspection and the use of uniform technologies and standard equipment for screening, it is advisable to use the continuous monitoring method (Option 4) as the basis, supplemented with defined elements of the risk-based approach (Option 5). Such a combined methodology for the USAP audit cycle can satisfy the need for security status auditing in States that do

not have a sufficiently developed State security oversight system and take into account the best international practices implemented in States with an advanced security oversight system.

3. **TRANSPARENCY**

3.1 With respect to expanding the transparency of audit results, further scrutiny is required. On the one hand, broader dissemination of information on audit results does foster a more active correction of deficiencies and States' implementation of security enhancements. On the other hand, the principle of confidentiality, which plays an important role from the standpoint of national security and countering terrorist threats, cannot be subverted through the disclosure of the results of audits conducted within the framework of the USAP. Thus, when discussing the principle of USAP transparency, a distinction must be made between the transparency of the audit methodology and the confidentiality of findings of specific security deficiencies.

3.2 In this case, the principle of 'limited transparency' should be observed, i.e., upon request by other States, each State shall, as appropriate and having due regard to its sovereignty, decide *pro se* to provide information on the ICAO audit and corresponding corrective actions. In this regard, Annex 17 — *Security*, paragraph 2.4.5 should remain a Recommended Practice and should not be raised to a Standard.

4. **CONCLUSIONS AND RECOMMENDATIONS**

4.1 The High-level Conference on Aviation Security is invited to conclude that:

- a) the primary objective of the USAP continues to be to promote global aviation security through identifying deficiencies in the security oversight system and implementing corrective actions (recommendations) to rectify the deficiencies;
- b) the security auditing system should continually improve and evolve for a more forward-looking and effective approach to security at the global, regional and State levels; and
- c) confidential security findings must be protected, given the potential danger of inappropriate use being made of sensitive information.

4.2 The High-level Conference on Aviation Security is invited to recommend:

- a) agreement with the ICAO Secretariat-proposed method of continuous security performance level monitoring (Option 4), supplemented with defined elements of the risk-based approach (Option 5);
- b) agreement with the principle of 'limited transparency', given the potential danger of inappropriate use being made of audit result information;
- c) leaving Annex 17 — *Security*, paragraph 2.4.5 as a Recommended Practice and not raise it to a Standard; and
- d) calling upon States to more extensively implement certification of the quality control (monitoring) system in their territory by adopting relevant legislation and organizing highly professional training for security personnel.

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