



ICAO

International Civil Aviation Organization
North American, Central American and Caribbean Office

WORKING PAPER

NACC/DCA/5 — WP/11
08/04/14

**Fifth North American, Central American and Caribbean Directors of Civil Aviation Meeting
(NACC/DCA/5)**

Port-of-Spain, Trinidad and Tobago, 28 to 30 April 2014

**Agenda Item 7: Aviation Security (AVSEC) and Facilitation (FAL) Matters
7.1 Universal Security Audit Programme (USAP)**

**RESULTS OF THE SECOND CYCLE OF THE UNIVERSAL SECURITY AUDIT
PROGRAMME (USAP) AND TRANSITION TO A
CONTINUOUS MONITORING APPROACH (CMA)**

(Presented by the Secretariat)

EXECUTIVE SUMMARY

This working paper provides an overview of the second cycle of the ICAO Universal Security Audit Programme (USAP) audits that ended as of June 2013. It also presents a summary on the USAP-CMA methodology and transition plan, which contemplates full implementation of the new approach starting early 2015. North American, Central American and Caribbean States are invited to support the USAP-CMA audit programme, and use the Lack of Effective Implementation (LEI) improvements of their respective State as metrics for improvement.

Action:	See Section 6
<i>Strategic Objectives:</i>	<ul style="list-style-type: none">• Security and Facilitation
<i>References:</i>	<ul style="list-style-type: none">• Electronic Bulletin 2013/1 - Latest Developments Related to the Universal Security Audit Programme• Report on Item 15 of the 38th Assembly• <i>Universal Security Audit Programme - Analysis of audit results: November 2002 to June 2013</i>, Fifth Edition, 2013

1. Introduction

1.1 The second USAP audit cycle started in January 2008 and concluded in June 2013. In order to prepare for continued USAP application after 2013, the 37th Session of the Assembly (see Resolution A37-17, Appendix E) requested the Council to study the feasibility of applying CMA to the USAP following the second audit cycle similar to its application to the Universal Safety Oversight Audit Programme (USOAP). Accordingly, at its 187th Session, the Council entrusted the Secretary General with studying the possibility of applying CMA to the USAP.

1.2 In 2012, the Secretariat analyzed future USAP options, including the feasibility of adopting CMA, and recommended that the programme evolve towards a security-specific CMA that incorporates risk management elements. The Twenty-third Meeting of the Aviation Security Panel (AVSECP/23) endorsed this recommendation, and the 2012 High-Level Conference on Aviation Security (HLCAS) firmly supported the concept and the implementation of a transition period.

1.3 At its 197th Session, the Council received information on the methodology proposed for the USAP-CMA. A draft transition plan, with timetables aimed at full implementation of the USAP-CMA by early 2015 was also presented. The Council formally approved the USAP-CMA and transition plan. At its 38th Session, the ICAO Assembly decidedly supported the concept and the implementation of a transition period as reflected in Resolution A38-15.

2. USAP-CMA Methodology General Aspects

2.1 The scope of the USAP-CMA will remain the same as the USAP second audit cycle, covering Annex 17 – *Security* and Annex 9 – *Facilitation* security provisions, and associated guidelines. Although the scope will not change, the methodology of the programme will be new and will incorporate a series of monitoring activities specifically adapted to aviation security conditions in each member State. The USAP-CMA will not constitute a third cycle of audits. Rather, it is expected that the USAP-CMA will be a permanent and thus an on-going process, applying a methodology that may be adapted to the changing needs of the States and global security situation

2.2 The activities foreseen within the context of the USAP-CMA include some of the following activities as considered necessary for the State:

- Document-based audits
- Audits focusing on oversight
- Audits focusing on compliance
- Validation missions
- Assessments based on compulsory reports

2.3 Activities conducted within the context of the USAP-CMA will be aimed at collecting information, identifying deficiencies, and formulating recommendations, as appropriate.

2.4 It is initially foreseen that several States will not be able to take maximum advantage of an audit conducted within the context of the USAP-CMA. These States will be considered for another type of monitoring activity and will be referred to the ICAO Implementation Support and Development – Security (ISD-Security Section), through which the Organization will offer the appropriate assistance.

2.5 The Secretariat will adopt a **risk management approach** to select the most appropriate activity and monitoring methodology for each State and determine the schedule and frequency of such monitoring activities. This system will be flexible enough to optimize the use of ICAO resources and respond to changing security needs of ICAO member States. The results of USAP audits and follow-up missions will be initially used to determine the most appropriate type of monitoring activity for each State. The programming and scope of each activity related to the USAP-CMA will be defined **based on indicators** such as:

- Time elapsed since the last audit activity
- Existence or possible existence of a Significant Security Concern (SSeC) based on information collected during a previous audit activity
- Geographic equilibrium
- Recent audits/inspections conducted by regional oversight organisations
- Development or significant change within the State
- Recent occurrence of an act of unlawful interference
- Significant security incident
- Information collected during ICAO assistance activities
- Amount and quality of the data provided by each State as part of the continuous monitoring process, or in response to information requests by ICAO

2.6 The exact mechanism for making these determinations is currently under development and will be tested as part of the transition plan.

2.7 For proactive purposes, it has been foreseen that States may occasionally request monitoring activities within the context of the USAP-CMA. These requests can be made based on ICAO resources and time available, and will be conducted on a cost-recovery basis. The results of monitoring activities conducted on a cost-recovery basis will be treated the same as those derived from the regular USAP monitoring activities.

2.8 The universality principle will be maintained within the context of the USAP-CMA since all States will continue to be monitored, although the type, scope, and frequency of activities will vary according to the specific circumstances of each State. The Monitoring and Assistance Review Board (MARB) will continue to oversee USAP activities, and regular reports will be submitted to the Council.

2.9 The USAP-CMA will provide States with audit **reports** in a new format, containing information on **oversight** and **compliance**. Findings and recommendations will be presented in a way that will allow States to prioritize short, medium, and long-term corrective measures. As subsequent USAP-CMA activities are completed, the results corresponding to each State will be updated on the secure USAP website.

2.10 This information will be available to all ICAO member States and, based on the decisions of ICAO governing bodies, could include, *inter alia*:

- Information on the level of Lack of Effective Implementation (LEI) of the critical elements of a security oversight system
- Level of compliance with ICAO standards
- Existence of any SSeC that has been identified or that has not been resolved

3. USAP-CMA Transition

3.1 Work is underway for the transition to a USAP-CMA, which will be implemented in three phases as follows:

- a) **Development Phase:** The initial phase consists of completing the preparatory work to support the USAP-CMA. This comprises a diversity of activities, *inter alia*, the redrafting and prioritization of USAP audit protocols, developing the necessary software tools, including means to prevent unauthorized access to security-sensitive information, preparing a new audit reports with templates, and determining the most appropriate initial activity for each State based on risk analysis;
- b) **Preparatory Phase:** The second phase will consist of the development and implementation of new procedures in order to be prepared for on-site USAP-CMA testing. This phase will specifically include entering into cooperation agreements with regional oversight organisations, identification of States for initial USAP- CMA testing, updating manuals and internal procedures, as well as circulation of questionnaires to member States prior to the audits and Memoranda of Understanding (MoU); and
- c) **Testing Phase:** The final transition phase will consist of on-site testing of USAP-CMA software and activities, holding regional informative seminars, courses for recertifying existing auditors, and courses for initial certification of new auditors.

3.2 It is expected that the transition to a USAP-CMA will be completed in late 2014 with full implementation of the new methodology starting in early 2015.

4. **Implementation Status of the USAP-CMA**

4.1 The development phase of transition to the USAP-CMA is quite advanced. The audit management and analysis software tool is under development, and significant progress has been made. It is foreseen that the initial version of the new software will be ready for testing in 2014. In the meantime, the audit team leaders have reviewed and fully reorganized the audit protocols. This comprehensive review is largely based on the USAP second audit cycle, and the purpose is to have more comprehensive protocols that are easier to use by both States and ICAO auditors.

4.2 The transition to the USAP CMA is still in its early stages, but so far it is within the foreseen timetable and budget. The Secretariat will submit regular reports to the Council on the implementation of the USAP-CMA transition plan.

5. **USAP-CMA Impact on Member States**

5.1 During the initial development phase of the transition to a USAP-CMA, the impact on member States will be minor. However, during the preparatory and testing phases, States are urged to fully participate in the transition process by attending regional seminars on USAP-CMA implementation; timely signing of the new MoU; submitting updated information on the implementation status of corrective action plans and associated documentation and any other information as needed; and, in some cases, participating actively in on-site testing of USAP-CMA-related activities.

5.2 Once the USAP-CMA has formally started, the Secretariat does not foresee that member States will need to devote more resources to the USAP compared to the second audit cycle. As with the first and second USAP audit cycles, member States will still need to support the USAP-CMA by seconding security experts to participate in USAP-CMA activities in order to achieve effective implementation of the programme. Since the transition to a USAP-CMA entails the development of new methodologies, it will be necessary to retrain and recertify all experts already on the list of USAP auditors.

5.3 One regional seminar on the USAP-CMA was already conducted in English at the Aviation Security Training Centre (ASTC) in Port-of-Spain, Trinidad and Tobago, from 25 to 27 November 2013. The second regional seminar will be conducted in Spanish at the NACC Regional Office, in Mexico City, Mexico, from 23 to 25 April 2014.

6. **Suggested Actions:**

6.1 The Meeting is invited to:

- a) take note of the information provided in this paper;
- b) urge States to continue improving their aviation security oversight systems, taking into consideration, *inter alia*, the findings and recommendations emerging from their USAP second cycle audits so as to strengthen compliance with Annex 17 Standards and the aviation security-related provisions of Annex 9; and
- c) urge NAM/CAR States to continue supporting the ICAO audit programme (USAP-CMA) by:
 - i. attending future regional seminars on USAP-CMA;
 - ii. signing the new USAP-CMA Memorandum of Understanding (MoU), when so requested;
 - iii. submitting updates on the implementation status of their Corrective Action Plans; and
 - iv. seconding security experts to participate in USAP-CMA activities.