INTERNATIONAL CIVIL AVIATION ORGANIZATION
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Agenda Item 3:   Aviation Security

PROGRESS REPORT ON THE
ICAO UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)

(Presented by the ICAO Secretariat)

EXECUTIVE SUMMARY

This paper reports on developments in the 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 the initial cycle and 172 follow-up visits were also 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 30 September 2010, 83 second-cycle audits had been conducted.

This paper also provides an update on the implementation of the limited level of transparency principle with respect to aviation security audit results, as well as on the introduction of the following new elements in the USAP methodology, as approved by the ICAO Council: the security risk indicators associated with the procedure for transparency and disclosure under Article 54 j) of the *Convention on International Civil Aviation*; and the definition of significant security concern, including a mechanism to address such concerns in a timely manner.

Finally, the paper summarizes the results of the 37th Session of the Assembly as they pertain to the USAP.

1.   **INTRODUCTION**

1.1   This paper presents a report on progress made in the implementation of the ICAO Universal Security Audit Programme (USAP), with special emphasis on activities in the Eastern and Southern African (ESAF) and the Western and Central African (WACAF) regions. It provides information on the status of implementation of the Programme, including the first cycle of audits and subsequent follow-up visits; the second-cycle audits completed thus far; and training and certification activities.

2.   **STATUS OF IMPLEMENTATION – AUDIT ACTIVITIES**

2.1   **First-Cycle Audits and Results**

2.1.1   A total of 181 audits of Member States and one Special Administrative Region were conducted during the initial audit cycle of the USAP, from November 2002 to December 2007,

including all States in the ESAF and WACAF regions with the exception of those States under elevated United Nations Security Phases[1].

2.1.2   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. Thirty-eight States of the 42 States audited under the first cycle within the ESAF and WACAF regions received follow-up visits[2]. A small number of States did not receive 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.

2.1.3   The analysis of audit results from the first cycle of audits has identified areas of concern at both the national and airport levels. At the national level, primary areas of concern include oversight and enforcement capabilities; the certification of screening personnel; and the effectiveness of aviation security training programmes. Common shortcomings at the airport level frequently relate to the need to update airport security programmes and, operationally, to control access to security restricted areas of airports; to apply security controls to cargo intended for carriage on passenger flights; and to ensure the quality and consistency of passenger, cabin and hold baggage screening. Comprehensive details on the audit findings and analysis are consolidated in a separate document entitled *"Universal Security Audit Programme – Analysis of Audit Results - Reporting Period: November 2002 to December 2009"*, which is available on the USAP secure website (http://portal.icao.int/).

2.1.4   The follow-up visits conducted revealed that, in the majority of States, there has been a significant improvement in the level of aviation security since the time of the initial audit. Particularly, within the ESAF and WACAF regions, the degree of compliance with Annex 17 — *Security* Standards improved from 24 per cent to 40 per cent in the ESAF region, and from 14 per cent to 21 per cent in the WACAF region as shown in Attachment A.

2.2   Second-Cycle Audits and Results

2.2.1   In recognizing that the USAP has proven to be instrumental in identifying aviation security concerns and in providing recommendations for their resolution, the 36th Session of the Assembly (18 to 28 September 2007) requested the continuation of the USAP following completion of the initial cycle of audits at the end of 2007. The Assembly further directed that audits in the second cycle focus, wherever possible, on a State's capability to provide appropriate national oversight of its aviation security activities, and that the audits be expanded to include relevant security-related provisions of ICAO Annex 9 — *Facilitation*.

2.2.2   As at 30 September 2010, eighty-three audits have been conducted since January 2008 under the new cycle, including the following ten States in the ESAF region: Botswana, Burundi, Comoros, Kenya, Namibia, Rwanda, Swaziland, Uganda, United Republic of Tanzania and Zimbabwe; as well as the following ten States in the WACAF region: Cameroon, Cape Verde, Gabon, Gambia, Ghana, Guinea, Mali, Nigeria, Senegal and Togo. The States to be audited in 2010 and 2011 were listed in Electronic Bulletin EB 2010/27 dated 20 July 2010, which is available on the ICAO-NET and USAP secure websites (http://portal.icao.int/).

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[1] In the ESAF region, Burundi and Somalia were not audited under the first cycle due to the prevailing security phase. Burundi was subsequently audited under the second cycle in August 2008. With regard to the WACAF region, Côte d'Ivoire, Liberia, Sierra Leone were not audited due to the prevailing security phase.

[2] 38 of the 47 ESAF and WACAF States received a follow-up visit under the first cycle of audits. The States that did not receive a follow-up visit are Burundi, Chad, Côte d'Ivoire, Djibouti, Equatorial Guinea, Liberia, Mozambique, Sierra Leone and Somalia.

2.2.3   Attachment B presents a chart depicting the degree of implementation of the critical elements of an aviation security oversight system, based on the results of second-cycle audits conducted in ten States in the ESAF region and ten States in the WACAF region. These results indicate, overall, a lack of effective implementation of the critical elements of an aviation security oversight system of 55.6 per cent in the ESAF region and 47.9 per cent in the WACAF region where zero per cent would be the optimum result and one hundred per cent the worst. The critical elements of a security oversight system related to the implementation of quality control obligations and the resolution of security concerns have shown the lowest level of implementation. However, this often corresponds to the low level of implementation of the critical elements related to personnel qualifications and training, and the provision of technical guidance, tools and security critical information.

3.   OTHER ACTIVITIES AND DEVELOPMENTS

3.1   Training Courses and Seminars

3.1.1   An auditor recertification process was initiated in December 2007 in order to provide training to all USAP auditors on the audit methodology for the second cycle. The recertification 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, including those in the ESAF and WACAF regions, 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 in the Hong Kong Special Administrative Region of China, resulting in the certification of close to 40 auditors. Another training and certification course is scheduled to be held in Peru in mid-November 2010.

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, also considered and approved a procedure for the application of Article 54 j) of the *Convention on International Civil Aviation* to aviation security 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. The Council further decided, during its 189th Session, that the determination to apply Article 54 j) to aviation security should be based on the following security risk indicators:

a) failure or refusal to participate in significant aspects of the USAP audit process, including, but not limited to, pre-audit, on-site and corrective action requirements;
b) failure to resolve the critical security-related deficiencies identified in the USAP audit;
c) level or nature of activity inconsistent with security oversight capability; and
d) security incidents linked to deficiencies in a State's security oversight responsibilities and obligations.

3.4   Significant Security Concerns

3.4.1   Under the current USAP report production process, a final security audit report is forwarded to the audited State within sixty calendar days after the closing meeting of the audit. The State then has sixty calendar days to submit a corrective action plan (CAP). However, USAP auditors sometimes encounter situations that reveal significant security concerns (SSeCs) which may pose an immediate security risk to international civil aviation. In the absence of a mechanism to address these SSeCs in a timely manner, corrective action might not be taken by the audited State before the CAP is submitted to ICAO approximately four months after the audit.

3.4.2   The Council, during its 189th Session, approved a definition of an SSeC, which occurs when *the appropriate authority responsible for aviation security in the State permits aviation activities to continue, despite lack of effective implementation of the minimum security requirements established by the State and by the provisions set forth in Annex 17 — Security related to critical aviation security controls including, but not limited to, the screening and the protection from unauthorized interference of passengers, cabin and hold baggage; the security of cargo and catering; access control to restricted and security-restricted areas of airports; and the security of departing aircraft resulting in an immediate security risk to international civil aviation.*

3.4.3   The Council also approved 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. The details of the mechanism dealing with SSeCs are described in Electronic Bulletin EB 2010/31 dated 23 August 2010. A consequential amendment to the model MoU between ICAO and audited States was subsequently approved by the Council to reflect the new mechanism, which is effective from the fourth quarter of 2010.

3.5   Results of the 37th Session of the Assembly

3.5.1   The 37th Session of the Assembly commended ICAO for the integration of the Organization's aviation security policy, audit and assistance activities under the Aviation Security (AVSEC) Branch and expressed unanimous support for the continuation of the USAP as an essential part of the newly adopted ICAO Comprehensive Aviation Security Strategy. The Assembly also endorsed the policy of transparency of security audit results for the second cycle of the USAP, particularly relating to the prompt notification of the existence of significant security concerns. Moreover, the Assembly unanimously adopted a Declaration on Aviation Security, which reflects the commitment and political will of States to work with all aviation stakeholders in strengthening the security net worldwide.

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. In addition to identifying deficiencies and providing recommendations, the results also assist in the determination of global, regional and State specific 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. 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 ICAO Implementation Support and Development (ISD) Section and ICAO's Technical Cooperation Programme.

4.2   The introduction of a limited level of transparency of audit results, and of a mechanism to address SSeCs in a timely manner balances the need to keep sensitive security information out of the public realm while informing States of unresolved deficiencies in audited States aviation security systems. 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.

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ATTACHMENT A

ANNEX 17 STANDARDS – PROGRESS MADE

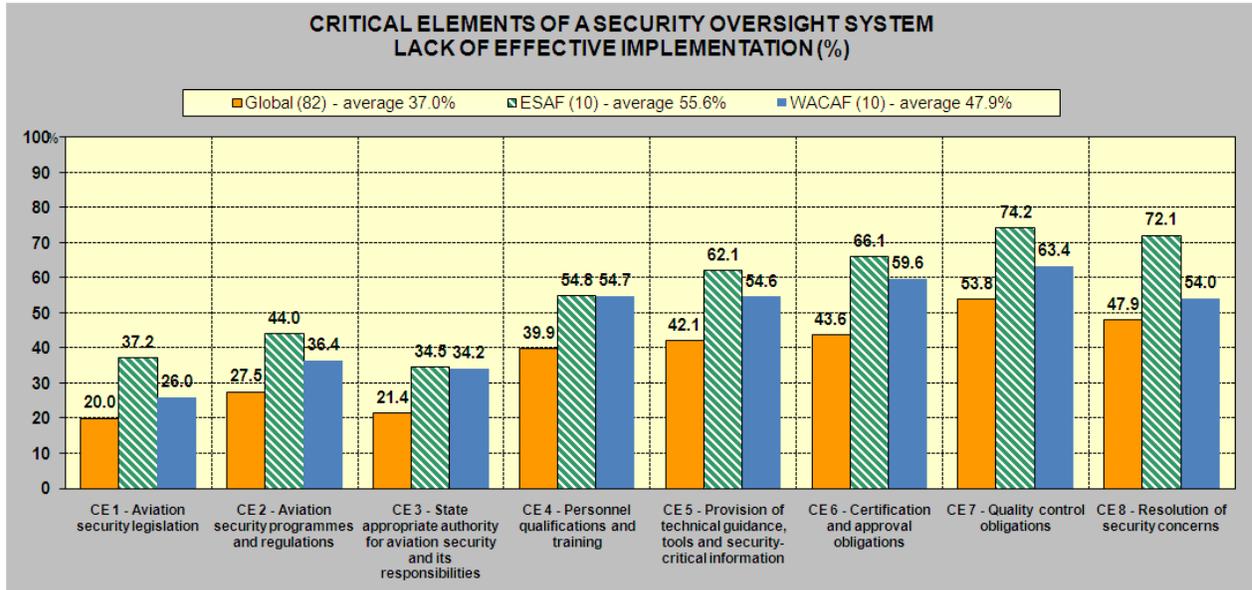## Eastern and Southern African (ESAF) and Western and Central African (WACAF)

The following chart depicts the level of implementation of Annex 17 Standards for 19 States analysed in the Eastern and Southern African region, and as well for 19 States in the Western and Central African region, for which initial audits and follow-up visits were completed.
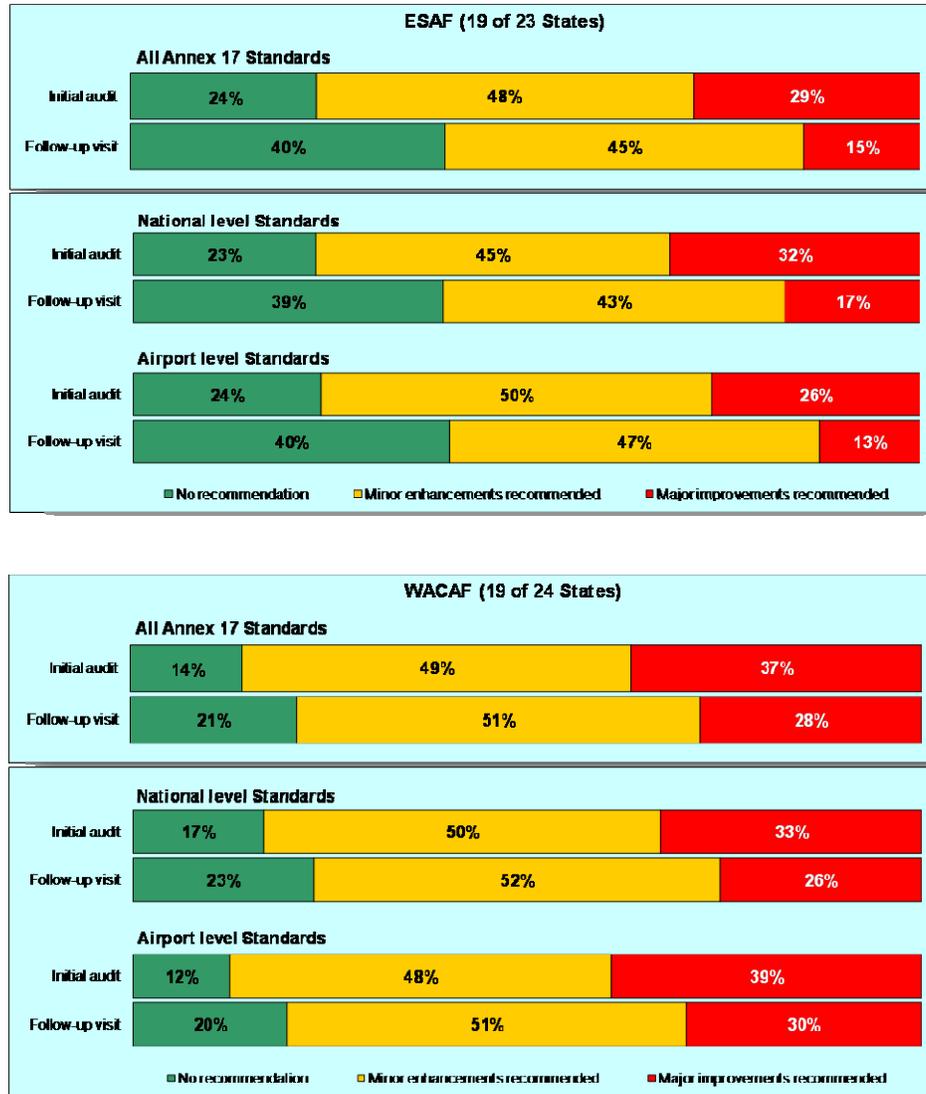
After the follow-up visits, full compliance with Annex 17 Standards averaged 40 per cent in the ESAF region and 21 per cent in the WACAF region, which is above the global average of 59 per cent. Oversight and enforcement capabilities of States in the two regions, followed by training of aviation security personnel, are the primary areas of concern at the national level; while, access control, followed by cargo and catering security, are the primary areas of concern at the airport level.

ATTACHMENT B

Critical Elements of an Aviation Security Oversight System
Lack of Effective Implementation

**CRITICAL ELEMENTS OF A SECURITY OVERSIGHT SYSTEM
LACK OF EFFECTIVE IMPLEMENTATION (%)**

☐ Global (82) - average 37.0%   ☐ ESAF (10) - average 55.6%   ■ WACAF (10) - average 47.9%

	Global (82)	ESAF (10)	WACAF (10)
CE 1 - Aviation security legislation	20.0	37.2	26.0
CE 2 - Aviation security programmes and regulations	27.5	44.0	36.4
CE 3 - State appropriate authority for aviation security and its responsibilities	21.4	34.5	34.2
CE 4 - Personnel qualifications and training	39.9	54.8	54.7
CE 5 - Provision of technical guidance, tools and security-critical information	42.1	62.1	54.6
CE 6 - Certification and approval obligations	43.6	66.1	59.6
CE 7 - Quality control obligations	53.8	74.2	63.4
CE 8 - Resolution of security concerns	47.9	72.1	54.0

CE-1: Aviation security legislation
CE-2: Aviation security programmes and regulations
CE-3: State 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
CE-8: Resolution of security concerns

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