



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

**THE EVOLUTION OF THE UNIVERSAL SECURITY
AUDIT PROGRAMME (USAP)**

(Presented by the Secretariat)

SUMMARY

The ICAO Council has approved, in principle, the concept of a transition of the Universal Security Audit Programme (USAP) to a continuous monitoring approach (CMA). This paper provides the High-level Conference on Aviation Security with an overview of the proposed approach, together with a general timeline for its implementation.

Action: The High-level Conference on Aviation Security is invited to endorse the conclusions and recommendations in paragraph 8.

1. BACKGROUND

1.1 The first cycle of Universal Security Audit Programme (USAP) audits was successfully completed at the end of 2007. The current second cycle of the USAP was launched in January 2008 and is on course to be completed by the end of 2013. The second cycle of USAP audits focuses on States' aviation security oversight capabilities, wherever possible, and covers the Standards contained in Annex 17 — *Security*, as well as relevant security-related provisions of Annex 9 — *Facilitation*.

1.2 Recognizing the need to determine the future nature and direction of the USAP, the Council, during its 187th Session, directed the Secretary General to study the feasibility of applying a continuous monitoring approach (CMA) to the USAP beyond 2013 (C-DEC 187/8). A Secretariat Study Group (SSG) was established in 2011 in order to assist the Secretariat in developing options for the evolution and future direction of the USAP beyond the end of its current second cycle.

1.3 After considering a number of options for the evolution of the USAP, the SSG concluded that the Programme should move towards a CMA specific to aviation security, incorporating risk-management elements. The Twenty-third Meeting of the Aviation Security Panel expressed unanimous support for this concept. The Council, during its 196th Session approved, in principle, the concept of a USAP-CMA combining continuous monitoring with a risk-based approach to aviation security auditing and directed the Secretary General to develop the associated methodology and framework, and to determine the financial implications for both ICAO and its Member States.

2. USAP-CMA OBJECTIVE

2.1 The primary objective of the USAP-CMA will be to promote the enhancement of global aviation security through the auditing and monitoring of Member States on an on-going basis in order to determine the status of States' implementation of the critical elements of an aviation security oversight system (CEs) and of the security-related ICAO Standards and Recommended Practices (SARPs),

associated procedures, guidance material and security-related practices. In addition, the USAP-CMA will form an integral part of ICAO's overall aviation security framework, which encompasses policy, audits and assistance. USAP-CMA activities will generate invaluable information to facilitate the provision of targeted and tailored assistance to States while also providing valuable feedback for the development of SARPs and guidance material. Consequently, in addition to allowing States to develop corrective actions to address identified deficiencies and enhance existing aviation security oversight systems, the USAP-CMA will be a key driver for both policy development and for the provision of effective assistance.

3. USAP-CMA METHODOLOGY

3.1 Under the USAP-CMA, ICAO will use a variety of audit and monitoring activities tailored to the aviation security situation of individual Member States to gather information, identify deficiencies and provide recommendations. A risk-management approach will enable ICAO to select the most appropriate monitoring activity to be employed for each State and will determine the scheduling and frequency of such activities. The USAP-CMA will be flexible, optimizing the use of scarce resources to respond to the changing needs of aviation security. It will also take into consideration any oversight activities and information already provided by regional regulatory bodies.

3.2 To determine the appropriate USAP-CMA activity for each State, an evaluation will be made based on information gathered by the first and second cycles of USAP audits, together with results of any follow-up missions. These results will be weighted in terms of the most pertinent and recent audit conducted. An annual activity plan will indicate the type of audit/monitoring activity identified for each State. Proposed activities will include documentation-based audits, oversight-focused audits, compliance-focused audits, aviation security needs assessment surveys and other monitoring activities, as described in paragraph 4 below. As USAP-CMA activities are conducted, the new results will be evaluated by ICAO and may lead to States receiving a different type of activity in the future.

3.3 While this evaluation will enable ICAO to determine the most appropriate type of activity for each State, a secondary analysis will also be performed to determine the scheduling and frequency of such activities. In developing annual activity plans, ICAO will identify which States to audit or visit based on a risk analysis using a separate set of indicators. These indicators may include, but not be limited to: time elapsed since the last audit activity; time elapsed since the last on-site audit activity; existence, or possible existence of a Significant Security Concern (SSeC) based on information gathered through a previous audit activity; geographical balance; recent audits/inspections conducted by regional bodies; any significant change or restructure in the State; any recent occurrence of an act of unlawful interference or significant breach of security; information from the Implementation Support and Development Section – Security (ISD-SEC) or other assistance and monitoring activities; and the quantity and quality of data provided by each State in response to ICAO mandatory information requests (MIRs). In addition to assisting with activity scheduling, this analysis will allow ICAO to determine when a State normally subject to a documentation-based audit should receive a full or partial on-site audit. The precise mechanism for analysing this information will be determined in the transition phase.

4. USAP-CMA ACTIVITIES

4.1 Documentation-based audits will be used for States with the most developed aviation security systems. They will include increased requirements to submit documentation and will primarily measure States' capability to provide effective oversight of their aviation security systems while also giving a strong indication of their level of compliance with relevant SARPs. Any specific areas of concern will be identified and addressed by USAP auditors either remotely through MIRs or by means of a physical visit to the State concerned. It is important to note that States identified for documentation-based audits will still receive on-site audits from time to time, as appropriate.

4.2 States identified for documentation-based audits will be audited periodically, but primarily through an exchange of information rather than through an on-site audit. States scheduled for a documentation-based audit will receive a package from ICAO containing a pre-audit questionnaire (PAQ) and compliance checklist for the relevant ICAO SARPs. The PAQ will differ from that used for second-cycle audits as it will be revised and will require the State to provide documentation, such as schedules and results from its quality control activities. The PAQ will also include limited audit protocol questions (PQs) for any audit areas where recommendations provided during a second-cycle audit remain outstanding. All documentation will be reviewed by ICAO and findings and recommendations will be transmitted to the State, as required. Once these new forms have been completed the first time, subsequent documentation-based audits will involve updating existing information and/or notifying ICAO of any significant changes to the aviation security structure in the State.

4.3 Oversight-focused audits will be used for those States with oversight and quality control systems already in place, but where those systems are not sufficiently developed to effectively and sustainably address aviation security risks in compliance with relevant Annex provisions. The scope of such audits might be full, covering all audit areas; or partial, covering one or more audit areas, based on information provided to ICAO and on previous audit results. PAQs and compliance checklists will still be used and will help ICAO determine the scope and duration of the on-site audit.

4.4 Compliance-based audits will focus on States with very limited or no quality control programmes and activities. These audits will use a subset of PQs relating to compliance with ICAO SARPs and will include more observations of the implementation of security measures to assess this compliance. States selected for compliance-focused audits will still receive PAQs and compliance checklists to help ICAO determine the appropriate scope and duration of the on-site audit.

4.5 The experience of the two cycles of USAP audits has demonstrated that a number of States are not in a position to benefit from an audit. Consequently, second-cycle audits will not be conducted in these States based on an analysis of first-cycle audit and follow-up mission results, and/or a review of corrective action plans (CAPs) and information supplied in PAQs. Such States will instead be referred for assistance. Under the USAP-CMA, the needs of some States will continue to be managed in this way through monitoring and assistance activities. The ISD-SEC Section will determine the appropriate type of assistance and monitoring activities to carry out in such States. These may include initial aviation security needs assessment surveys and subsequent assistance activities. The Aviation Security Audit Section and ISD-SEC will liaise closely to monitor the development of aviation security systems in States where assistance is required in order to create the foundations of an effective system. When appropriate, these States will then receive USAP-CMA audit activities as described above.

4.6 In addition to the audit/monitoring activities already described, ICAO will also carry out cost-recovery audits upon request by a State, where time and resources permit. The results of cost-recovery audits will be treated identically to results derived from scheduled USAP audits.

4.7 It is important to highlight that the principle of universality will be maintained under the USAP-CMA, as all States will continue to be monitored. Only the type and frequency of activities will differ from State to State. The SSeC mechanism may also be invoked for any State subject to a USAP-CMA activity, as required.

5. REPORTING AND INFORMATION SHARING

5.1 Under a USAP-CMA, reports will be presented to audited States in a new format, which will include both oversight and compliance information. Findings associated with specific PQs, SARPs and CEs will be subjected to a risk assessment with a view to evaluating their impact on the aviation

security and oversight systems of the State. Such analysis will assist the State and ICAO to prioritize short-, medium- and long-term corrective actions and assistance requirements, where applicable.

5.2 As USAP-CMA activities are conducted, information on results will be updated on the USAP secure website. This information will be available to all ICAO Member States and will include all information that is currently shared, such as graphs showing the level of lack of effective implementation of the CEs and any SSeCs. Any additional information, such as compliance-related information and information by audit area might also be provided, as directed by ICAO's governing bodies, following the recommendations of this Conference on the subject of disclosure of audit results (HLCAS-WP/3 refers). States prioritized for assistance activities will be identified on the USAP secure website.

6. ADVANTAGES OF THE USAP-CMA

6.1 The transition to a USAP-CMA will offer many advantages over the current method of conducting audits. Foremost amongst these is a move from cyclical audits, which provide only a "snapshot" of an aviation security system, to a more continuous approach. A flexible, risk-management-based framework, will result in a system that does not apply a one-size-fits-all approach to auditing. Rather, different types of activities with different scopes will allow for a much more customized approach and there will be a focus on assistance for those States that are most in need. A USAP-CMA will generate up-to-date and useful State-specific and regional data for assistance programmes, while providing useful feedback to ICAO for developing new and refining existing SARPs and guidance material. Moreover, the principle of universality will remain, as all States will be subject to the same overall approach involving audit and monitoring activities. The long-term goal of the USAP-CMA will be for all States' aviation security and oversight systems to be sufficiently developed for them to be subject to documentation-based monitoring, with validations as required.

7. TRANSITION TO THE USAP-CMA

7.1 A detailed transition plan, outlining the planned sequence of events leading to the implementation of the USAP-CMA will be presented to the Council during its 197th Session. However, the development of the methodology, including the relevant analysis tools, software, guidance material, revised protocols, legal instruments and other elements is already underway. It is envisaged that most of these elements will be prepared by the end of 2013, while 2014 will be used to test the various USAP-CMA activities and make changes to the methodology based on lessons learned and feedback received, both from Member States and ICAO's USAP audit teams. The transition period will also be used to conduct regional seminars to advise States of the new methodology and auditor re-certification courses. The full-scale implementation of the USAP-CMA is expected to begin from January 2015.

8. CONCLUSIONS AND RECOMMENDATIONS

8.1 The High-Level Conference on Aviation Security is invited to conclude that a USAP-CMA that combines a risk-based approach to auditing and continuous monitoring represents a practicable and desirable methodology for the future of the USAP.

8.2 The HLCAS is invited to endorse the decision of the Council that a USAP-CMA, incorporating elements of both a risk-based and continuous monitoring approach, should continue to be developed and should be launched for all ICAO Member States within the timeframe established in the transition plan in order to effectively and efficiently support the enhancement of international civil aviation security.