International Civil Aviation Organization
South American Regional Office
**Thirteenth Meeting of Civil Aviation Authorities of
the South American Region (RAAC/13)**
(Bogota, Colombia, 4 to 6 December 2013)

Agenda Item 3:   **Review of results obtained in the SAM Region on security matters**

RESULTS OF THE UNIVERSAL SECURITY AUDIT PROGRAMME (USAP) AND REGIONAL DEVELOPMENTS

(Presented by the Secretariat)

Summary
This working paper presents a summary of the continuous monitoring approach (CMA) methodology of the Universal security audit programme (USAP), to be applied after completing the second USAP audit cycle that ends in 2013. It also presents an overview of the second USAP audit cycle and the transition plan to the USAP CMA, which contemplates full implementation of the new approach starting early 2015. Likewise, it presents the developments in the South American (SAM) Region, and invites the States of the Region to support the USAP-CMA audit programme, and to use LEI improvements in their State as metrics for the Region.

References:

  − Annex 17 Amendment 13
  − EB 2013/1 – Latest developments related to the Universal Security Audit Programme
  − Universal Security Audit Programme – Analysis of Audit Results: November 2002 to June 2013, Fifth edition, 2013
  − Report of the AVSEC/FAL/RG3 meeting

ICAO Strategic Objectives:	*B – Security*

1.   **BACKGROUND**

1.1   The second audit cycle of the Universal security audit programme (USAP) started in January 2008 and concluded in June this year. In order to prepare for the continued application of the USAP after 2013, the Assembly 37th Session (see Resolution A37-17, Appendix E) requested the Council to study the feasibility of applying, following the second audit cycle, the continuous monitoring approach (CMA) to the USAP as it was being applied to the Universal safety oversight audit programme (USOAP). Accordingly, the Council, at its 187th Session, entrusted the Secretary General with studying the possibility of applying the CMA to the USAP.

1.2   In 2012, the Secretariat analysed the future options of the USAP, including the feasibility of adopting a CMA, and recommended that the programme evolve towards a security-specific CMA that incorporates risk management elements. The 23rd meeting of the Aviation security panel (AVSECP/23) endorsed this recommendation and the High-level conference on aviation security (HLCAS) held in 2012 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. It was also presented with a draft transition plan, with timetables, aimed at full implementation of the USAP CMA by early 2015. The Council formally approved the USAP CMA and the transition plan. The ICAO Assembly, at its 38th session, decidedly supported the concept and the implementation of a transition period, as reflected in Resolution A38-15.

2.   **GENERAL ASPECTS OF THE USAP CMA METHODOLOGY**

2.1   The scope of the USAP CMA will remain the same as for the second USAP cycle, covering Annex 17 – *Security*, the security provisions contained in Annex 9 – *Facilitation* and the 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 the 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; and
> ➢ 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 foreseen that, initially, several States will not be able to take maximum advantage of an audit conducted within the context of the USAP CMA as compared to a different action by the Organization. These States will be considered for another type of monitoring activity and will referred to the Implementation support and development programme – Security, of the Organization, through which the Organization would normally 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 to determine the schedule and frequency of such monitoring activities. This system will be flexible enough to optimise the use of ICAO resources and respond to the 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;
> ➢ the 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;
> ➢ a development or significant change within the State;
> ➢ a recent occurrence of an act of unlawful interference;
> ➢ a significant security incident;
> ➢ information collected during ICAO assistance activities; and
> ➢ the 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   The possibility has been foreseen for the States to occasionally request, for proactive purposes, 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 the 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 the 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 prioritise short-, medium-, and long-term corrective measures. As subsequent USAP CMA activities are completed, the results corresponding to each State will be updated in 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, it could include, inter alia:

> ➢ information on the level of lack of effective implementation of the critical elements of a security oversight system,
> ➢ the level of compliance with ICAO standards, and
> ➢ the existence of any SSeC that has been identified or that has not been resolved.

3.   **TRANSITION TO A USAP CMA**

3.1   Work is underway as necessary 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 prioritising of USAP audit protocols, developing the necessary software tools, including means to prevent unauthorised access to security-sensitive information, preparing the new audit reports with their templates, and determining the most appropriate initial activity for each State, based on a risk analysis;
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> 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, the identification of States for initial USAP CMA testing, the updating of manuals and internal procedures, as well as the circulation to member States of questionnaires prior to the audits and memoranda of understanding (MoUs); and
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> c) **Testing phase:** The final transition phase will consist of on-site testing of USAP CMA software and USAP CMA activities, the holding of regional informative seminars, courses for recertifying existing auditors, and courses for the 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.   **STATUS OF IMPLEMENTATION OF THE USAP CMA**

4.1   The development phase of the 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 early 2014. In the meantime, the audit team leaders have reviewed again and fully reorganised the audit protocols. This comprehensive review is largely based on the second USAP 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.   **IMPACT OF THE USAP CMA ON MEMBER STATES**

5.1   During the initial development phase of the transition to a USAP CMA, the impact on member States will be small. However, during the preparatory and testing phases, States are urged to fully participate in the transition process, attending regional seminars on USAP CMA implementation, timely signing a new MoU, submitting updated information on the status of implementation of corrective measures, the 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 an 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 the experts already in the list of USAP auditors.

6.   **REGIONAL DEVELOPMENTS**

6.1   The ICAO NAM/CAR/SAM Regional Aviation Security and Facilitation Group (AVSEC/FAL/RG) and the LACAC FAL/AVSEC Group were merged in May 2011 through the creation of a single ICAO/LACAC NAM/CAR/SAM Regional Aviation Security and Facilitation Group (AVSEC/FAL/RG) to avoid duplicating State efforts and improve efficiency.

6.2   The key objectives of this Group include: to foster harmonised implementation of AVSEC/FAL requirements in the region; encourage and facilitate cooperation between States; and support the identification, provision, and coordination of assistance and training.

6.3   The third meeting of the AVSEC/FAL/RG was held in June 2013, in Lima, Peru. The work completed includes:

- **Item 9.5** on *"Coordination between States to standardise screening procedures of passengers and cabin luggage, to include a listing of prohibited articles"*. WP/22, presented by Chile, proposes the establishment of a mechanism to mitigate the impact on passengers, trying to achieve a balance between security and facilitation. To that end, a proposal was made to create a working group led by Chile and supported by eight NACC and SAM States. This group is conducting a study of all screening procedures for passengers and their cabin luggage, and of the listings of prohibited articles of the various NACC and SAM States in order to identify differences with respect to screening procedures under normal operating conditions (low risk), particularly regarding the listing of prohibited articles. Upon completion of this study, a series of recommendations could be issued for the harmonisation or standardisation by member States of this Regional Group of

passenger and cabin luggage screening procedures based on the level of risk, and of the listing of prohibited articles.

- **Item 9.7** on the development of an *"ICAO/LACAC NAM/CAR/SAM Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG) strategic plan"*. WP/25, presented by the Secretariat, proposed to start working for the development of a strategic plan of the Regional Group. To this end, it proposed the creation of a working group led by Argentina and supported by 6 NACC and SAM countries. The idea is to develop a strategic plan with medium- and long-term objectives, establishing strategies and quantifiable goals based on a timetable with specific dates, taking into account: the ICAO Strategic Plan and ICAO Assembly Resolution A/38-15 on Security and Facilitation, the results of the high-level conference (HLCAS), the terms of reference of the AVSEC/FAL/RG, the work programmes and projects developed by the AVSEC/FAL/RG to date, the LACAC strategic plan, and LACAC Resolution A20-11. Argentina is planning to hold a meeting of this working group, with the participation of the members of the group, representatives of the NACC and SAM countries that wish to cooperate, and a strategy expert, to share ideas and develop a work plan for this task.

6.4   In June 2013, the USAP completed the second audit cycle, having audited 177 States and one Special Administrative Region, including all SAM States. The global average lack of effective implementation of the critical elements of the security oversight system in a State is 30.7, compared to 33.8 per cent in the SAM Region, which indicates that there is plenty of room for improvement. The States of the Region are encouraged to continue working in the solution of the deficiencies identified in the USAP, and to use LEI improvements in their State as metrics.

7.   **SUGGESTED ACTION**

7.1   The States are invited to:

a) take note of the different security-related activities conducted in the Region;
b) continue supporting the ICAO audit programme (USAP-CMA), and to:
   - attend the regional seminars conducted on the USAP-CMA,
   - sign the new memorandum of understanding on the USAP-CMA when so requested,
   - present updated information on the status of implementation of their corrective action plan,
   - contribute by seconding security experts to participate in USAP CMA activities;
c) urge States to continue improving their aviation security oversight systems, taking into account, *inter alia,* the findings and recommendations emerging from the second USAP audit cycle, so as to strengthen compliance with Annex 17 provisions and those related to aviation security contained in Annex 9;
d) support the project for the standardisation of passenger and cabin luggage screening procedures and the listing of prohibited articles, and the implementation of its recommendations in its States, so that results may be submitted to the fourth meeting of the AVSEC/FAL/RG to be held in June 2014 in Mexico;
e) support the AVSEC/FAL/RG project concerning the "Aviation Security and Facilitation Regional Group strategic plan"; and
f) use LEI improvements in its States as metrics for the Region.

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