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Universal Security Audit Programme Continuous Monitoring Manual

Second Edition, 2016



Approved by and published under the authority of the Secretary General

INTERNATIONAL CIVIL AVIATION ORGANIZATION



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AMENDMENTS

Amendments are announced in the supplements to the *Products and Services Catalogue*; the Catalogue and its supplements are available on the ICAO website at www.icao.int. The space below is provided to keep a record of such amendments.

RECORD OF AMENDMENTS AND CORRIGENDA

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FOREWORD

This manual is the main reference document prepared in connection with the ICAO Universal Security Audit Programme (USAP). It provides procedures, information and guidance on the management and conduct of programme activities under the Continuous Monitoring Approach (CMA). USAP-CMA procedures have been developed for the implementation of the CMA concept and methodology as part of the USAP. Within the USAP-CMA, standardized processes and procedures have been established to ensure that activities are prepared, conducted and reported in a systematic, consistent, objective and established manner.

The first edition of this manual, entitled *Security Audit Reference Manual* (Doc 9807), was developed as a result of Assembly Resolution A33-1 of the 33rd Session of the ICAO Assembly (25 September to 5 October 2001) and the decision of the ICAO Council to implement the mandatory USAP for the conduct of aviation security audits in all ICAO Member States starting in November 2002. This second edition was developed for the transition of the USAP to a continuous monitoring approach as directed under Assembly Resolution A38-15 — *Consolidated statement of continuing ICAO policies related to aviation security*.

The primary objective of this manual is to assist both ICAO Member States and ICAO USAP-CMA audit teams by explaining the concept, methodology, processes and procedures for preparing, conducting and reporting various audit and monitoring activities under the USAP-CMA. This second edition is published under the authority of the Secretary General and supersedes the first edition of this manual.

Comments on this manual would be appreciated from all ICAO Member States and interested parties. These comments should be addressed to:

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GLOSSARY

ABBREVIATIONS

When the following abbreviations are used in this manual, they have the meanings indicated below:

ASA	Aviation Security Audit Section
ASITF	Advanced Security in the Field
AUI	Response to acts of unlawful interference
BSITF	Basic Security in the Field
C/ASA	Chief, Aviation Security Audit Section
CAP	Corrective action plan
CC	Compliance checklist
CE	Critical element
CGO	Cargo, catering and mail security
CMA	Continuous Monitoring Approach
DSA	Daily subsistence allowance
EB	Electronic Bulletin
EI	Effective implementation
EID	Estimated implementation date
FAL	Security aspects of facilitation
ICAO	International Civil Aviation Organization
IFS	Aircraft and in-flight security
ISD-SEC	Implementation Support and Development – Security Section
LEG	Regulatory framework and the national civil aviation security system
LEI	Lack of effective implementation
MoU	Memorandum of Understanding
NC	National Coordinator
NCASP	National Civil Aviation Security Programme
NCSTP	National Civil Aviation Security Training Programme
NQCP	National Civil Aviation Security Quality Control Programme
OJT	On-the-job training
OPS	Airport operations
PAX	Passenger and baggage security
PQ	Protocol question
QCF	Quality control functions
RO	Regional Office
ROASF	Regional Officer, Aviation Security and Facilitation
SARPs	Standards and Recommended Practices
SASAQ	State aviation security activity questionnaire
SSeC	Significant security concern
SSG	Secretariat Study Group
TCB	Technical Cooperation Bureau
TL	Team leader
TLO	Technical Liaison Officer
TM	Team member
TRG	Training of aviation security personnel

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UIC	Committee on Unlawful Interference
USAP	Universal Security Audit Programme
USOAP	Universal Safety Oversight Audit Programme

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DEFINITIONS

When the following terms are used in this manual, they have the meanings indicated below:

Adequate. The state of fulfilling minimal requirements: satisfactory; acceptable; sufficient.

Assessment. An appraisal of procedures or operations based largely on experience and professional judgement.

Audit area. One of nine audit areas pertaining to the USAP-CMA, i.e. regulatory framework and the national civil aviation security system (LEG); training of aviation security personnel (TRG); quality control functions (QCF); airport operations (OPS); aircraft and in-flight security (IFS); passenger and baggage security (PAX); cargo, catering and mail security (CGO); response to acts of unlawful interference (AUI); and security aspects of facilitation (FAL).

Audited State. An ICAO Member State that is the subject of a USAP-CMA audit.

Certification. The process of determining that a person possesses the key competencies and personal attributes required of an ICAO USAP-CMA auditor.

Compliance. The state of meeting the requirements of an ICAO Standard.

Compliance checklist (CC). A tool designed to assist the State in ascertaining the status of implementation of Annex 17 SARPs and Annex 9 security-related provisions and in identifying any difference that may exist between the national regulations and practices and the relevant provisions in Annex 17 and Annex 9 to the Chicago Convention.

Corrective action plan (CAP). An action plan submitted to ICAO by an audited State, detailing the specific action that the State proposes to take to correct deficiencies identified during the USAP-CMA audit.

Cost-recovery audit. A USAP-CMA audit for which the cost of transportation to and from the State, local transportation and the daily subsistence allowance (DSA) of the ICAO audit team members (TMs) is covered by the State requesting such an audit.

Critical elements (CEs). The building blocks, encompassing the whole spectrum of civil aviation security activities, upon which an effective aviation security oversight system is based. The level of effective implementation (EI) of the CEs is an indication of a State's capability for aviation security oversight.

Deficiency. A condition where the State's aviation security oversight system does not satisfactorily address a protocol question (PQ) used to measure the EI of the CEs and the degree of compliance with Standards of Annex 17 or security-related provisions of Annex 9. As a result, the status of the associated PQ is marked *not satisfactory*. One or more related deficiencies may be grouped together to identify a finding.

Effective implementation (EI). A measure of a State's aviation security oversight and compliance capabilities, calculated for each CE, each audit area, each Annex 17 Standard and Annex 9 security-related provision or as an overall value for all USAP-CMA PQs. The EI is expressed as a percentage. A higher EI indicates that a State's aviation security and oversight systems have a greater degree of compliance with ICAO security-related provisions.

Finding. A deficiency or a group of deficiencies generated in a USAP-CMA activity as a result of a lack of compliance with Annex 17 Standards and/or security-related provisions of Annex 9, or a lack of application of ICAO guidance material or good aviation security practices.

Mitigating measure. The implementation of defences or preventive controls to lower the severity and/or likelihood of a threat's projected consequence.

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National briefing. A meeting of the ICAO USAP-CMA audit team and representatives of the audited State at the beginning of the USAP-CMA on-site audit, the purpose of which is to provide State authorities with information on the USAP-CMA audit scope, processes and procedures.

Off-site activity. A USAP-CMA documentation-based audit of a State conducted by an ICAO USAP-CMA team leader (TL) at ICAO Headquarters without an on-site visit to the State.

On-site activity. A USAP-CMA activity requiring a USAP-CMA audit team to travel to a State and conduct a USAP-CMA on-site audit.

Oversight. The active control of the aviation industry and service providers by the appropriate authority for aviation security or other relevant national-level entities, as designated by the State, to ensure that the State's international obligations and national requirements are met.

Post-audit debriefing. A meeting of the ICAO USAP-CMA audit team and representatives of the audited State at the end of the USAP-CMA audit, the purpose of which is to provide State authorities with a briefing on the audit findings and proposed recommendations to enable the State to begin development of its corrective action plan (CAP).

Procedure. A series of steps followed in a methodical manner to complete an activity or a process, describing what should be done, when and by whom; where and how each step should be carried out; what information, documentation and resources should be used; and how it should all be controlled.

Process. A set of interrelated or interacting activities that transforms inputs into outputs. Processes within an organization or programme are generally planned and carried out under controlled conditions to add value.

Protocol question (PQ). The primary tool used in the USAP-CMA for assessing the level of implementation of CEs of a State's aviation security oversight system and the degree of a State's compliance with Annex 17 Standards and security-related provisions of Annex 9.

Recertification. The process whereby certified USAP-CMA auditors periodically undergo recurrent training and demonstrate that they continue to possess the key competencies and personal attributes required of an ICAO USAP-CMA auditor.

Scope. A set of PQs addressed and covered in a USAP-CMA activity.

Sensitive security information. Non-public information relating to capabilities and/or deficiencies of a State's aviation security and oversight systems.

Significant security concern (SSeC). Occurs when the appropriate authority responsible for aviation security in the State permits aviation activities to continue, despite a lack of effective implementation (LEI) of the minimum security requirements established by the State and by the provisions set forth in Annex 17 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.

SSeC Validation Committee. A high-level Secretariat Committee responsible for the review, confirmation and validation of the SSeC and its resolution.

State aviation security activity questionnaire (SASAQ). A document that provides the USAP-CMA audit team with information on the security organization of a Member State, identifying the departments, agencies and other organizations of the State, both private and public, responsible for the implementation of various aspects of the National Civil Aviation Security Programme (NCASP).

State's aviation security performance. A State's aviation security capability defined as the State's level of implementation of the CEs of an aviation security oversight system and the State's degree of compliance with Annex 17 Standards and security-related provisions of Annex 9.

State's aviation security performance indicators. A set of parameters used for measuring a State's aviation security performance.

USAP-CMA audit. A USAP-CMA on-site or off-site activity during which ICAO conducts a systematic and objective evaluation of a Member State's aviation security and oversight systems to assess the level of implementation of the CEs of a State's aviation security oversight system and to determine the degree of compliance with Annex 17 Standards and security-related provisions of Annex 9, as well as associated procedures, guidance material and security-related practices.

USAP-CMA audit activities. Those activities and procedures by which information is obtained to verify the audited State's level of implementation of the CEs of an aviation security oversight system and the degree of compliance with Standards of Annex 17 and security-related provisions of Annex 9. Such activities may include, but are not limited to, interviews, observations and the review of documents.

USAP-CMA audit report. A confidential formal report of a USAP-CMA activity containing full details of the findings and recommendations.

USAP-CMA audit team briefing. An on-site pre-audit briefing provided to TMs by the TL, the purpose of which is to provide information and instructions directly related to the conduct of an audit in a specific State.

USAP-CMA audit team leader. The individual designated by the Chief, Aviation Security Audit Section (C/ASA) to be responsible for the preparation and conduct of a USAP-CMA activity, including the consolidation and completion of the USAP-CMA audit report.

Verification. The independent review, examination, measurement, checking, observation and monitoring to establish and document that products, processes, practices, services and documents conform to specified standards. This includes evaluating the effectiveness of management systems.

Note.— Definitions of security-related terms applicable to the USAP-CMA activity process may be found in Annex 17 — Security — Safeguarding International Civil Aviation Against Acts of Unlawful Interference, Annex 9 — Facilitation, the Aviation Security Manual (Doc 8973 — Restricted) and the Aviation Security Oversight Manual — The Establishment and Management of a State's Aviation Security Oversight System (Doc 10047).

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Chapter 1

INTRODUCTION

1.1 PURPOSE

1.1.1 The primary purpose of this manual is to describe the Universal Security Audit Programme Continuous Monitoring Approach (USAP-CMA) and to provide guidance to ICAO Member States (hereinafter referred to as Member States or States), recognized organizations, USAP-CMA audit team leaders (TLs) and audit team members (TMs) and support staff involved in the planning, preparation, conduct and reporting of USAP-CMA activities.

1.1.2 It also provides information on the background and evolution of the USAP, along with an explanation of its management and various components and standardized processes and procedures which ensure that USAP-CMA activities are conducted in a systematic and consistent manner.

1.2 REFERENCES

1.2.1 The USAP-CMA references the *Convention on International Civil Aviation* (Doc 7300) (hereinafter referred to as the Chicago Convention), ICAO Standards and Recommended Practices (SARPs) of Annex 17 — *Security — Safeguarding International Civil Aviation Against Acts of Unlawful Interference* and security-related provisions of Annex 9 — *Facilitation* to the Chicago Convention and related guidance material, including but not limited to:

- a) *Aviation Security Manual* (Doc 8973 — Restricted); and
- b) *Aviation Security Oversight Manual — The Establishment and Management of a State's Aviation Security Oversight System* (Doc 10047).

1.2.2 Together, these documents provide guidance material on how States can comply with the various SARPs of Annex 17, as well as describe the requirements and guidelines for the establishment and management of an effective aviation security and oversight systems by States. This implementation will be continuously monitored under the USAP-CMA framework and verified during USAP-CMA activities.

1.2.3 In support of the Programme, ICAO has also developed training materials for regional USAP-CMA seminars and USAP auditor training and certification courses.

Note.— The Products and Services Catalogue provides a complete list of ICAO guidance material available to States to support the requirements of security-related provisions contained in the Annexes to the Chicago Convention.

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Chapter 2

THE ICAO UNIVERSAL SECURITY AUDIT PROGRAMME (USAP)

2.1 BACKGROUND

2.1.1 The 33rd Session of the ICAO Assembly, held in Montreal from 25 September to 5 October 2001, adopted Resolution A33-1, *Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation*, which directed the Council and Secretary General to consider the establishment of an ICAO Universal Security Audit Programme (USAP) relating to, *inter alia*, airport security arrangements and civil aviation security programmes.

2.1.2 Pursuant to Assembly Resolution A33-1, a High-level, Ministerial Conference on Aviation Security was convened in Montreal on 19 and 20 February 2002, with the objectives of preventing, combating and eradicating acts of terrorism involving civil aviation and strengthening ICAO's role in the adoption of security-related SARPs and the audit of their implementation.

2.1.3 The Conference endorsed a global strategy for strengthening aviation security worldwide, adopted a number of conclusions and recommendations, and issued a public declaration. A central element of the strategy was the ICAO Aviation Security Plan of Action, which included, *inter alia*, the establishment of a comprehensive programme of regular, mandatory, systematic and harmonized audits to be carried out by ICAO for the evaluation of aviation security in all ICAO Member States.

2.1.4 Consistent with the outcomes of the 33rd Session of the Assembly and the High-level, Ministerial Conference on Aviation Security, the Council, at its 166th Session, adopted the Aviation Security Plan of Action in June 2002. Project 3 of the Plan of Action provided for the promotion of global aviation security through auditing of Member States. Thus, the ICAO USAP was launched in November 2002. Subsequent sessions of the Council and the Committee on Unlawful Interference (UIC) endorsed the audit methodology which was developed for the USAP in close consultation with the Aviation Security Panel, including a model Memorandum of Understanding (MoU) between ICAO and audited States, airport selection criteria, and certification criteria for auditors, and established a practice of regularly monitoring the progress of the USAP through the review of progress reports prepared by the Secretariat.

2.1.5 Assembly Resolution A35-9, *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference*, directed the Secretary General to continue the USAP, comprising regular, mandatory, systematic and harmonized aviation security audits of all Member States, with such audits conducted at both national and airport levels in order to evaluate the aviation security oversight capabilities of States as well as the actual security measures in place at selected key airports.

2.1.6 From 2002 to 2007, 181 Member States benefited from ICAO audits under the first cycle of the USAP. The objective of the Programme was to promote global aviation security through the auditing of Member States on a regular basis to determine the status of implementation of ICAO security Standards. The USAP first-cycle audits were designed to determine the degree of compliance of a State in implementing Annex 17 Standards and the extent to which a State's implementation of its aviation security system is sustainable through the establishment of appropriate legislation and an aviation security authority with inspection and enforcement capabilities. The USAP methodology provided for a significant portion of the ICAO audit to be dedicated to making actual observations of security measures and procedures at airports in situ, in order to have direct evidence of the degree of implementation of each Annex 17 Standard. This

approach provided a comprehensive picture of the overall aviation security posture of States and resulted in recommendations for improvement that could be directed at all facets of the aviation security systems of States.

2.1.7 In accordance with the programme of audit follow-up visits initiated in 2005, follow-up visits were conducted to validate the implementation of the corrective action plans (CAPs) of States and to provide support to States in remedying deficiencies identified during the USAP first-cycle audits. These visits were normally conducted in the second year following the initial audit. The programme of audit follow-up visits, under which 172 Member States received follow-up visits, was completed in 2009.

2.1.8 Recognizing that the USAP proved to be instrumental in identifying aviation security concerns and providing recommendations for their resolution, the 36th Session of the Assembly, in Resolution A36-20, requested the Council to ensure the continuation of the USAP following the initial cycle of audits at the end of 2007 focusing, wherever possible, on a State's capability to provide appropriate national oversight of its aviation security activities through the effective implementation (EI) of the critical elements (CEs) of an aviation security oversight system and expanding future audits to include relevant security-related provisions of Annex 9 — *Facilitation* to the Chicago Convention.

2.1.9 Aviation security audits under the second cycle of the USAP commenced in January 2008 and were completed in June 2013. The objective of the USAP second-cycle audits was to promote global aviation security through the auditing of Member States, on a regular basis, to determine their capability for aviation security oversight by assessing the EI of the CEs of an aviation security oversight system and the status of States' implementation of security-related ICAO SARPs, associated procedures, guidance material and security-related practices. In total, audits of 177 ICAO Member States and one Special Administrative Region were conducted under the USAP second cycle, as well as an assessment of the European Commission aviation security inspection system.

2.1.10 Detailed information on the results of the audits of the USAP first and second cycle is contained in the supplementary document entitled *Universal Security Audit Programme — Analysis of Audit Results*, Fifth Edition — 2013. This document is available through the USAP secure website: <http://portallogin.icao.int>.

2.2 TRANSITION TO A CONTINUOUS MONITORING APPROACH (CMA)

2.2.1 In order to prepare for the continuation of the USAP beyond 2013, the 37th Session of the Assembly (Resolution A37-17, Appendix E refers) requested the Council to assess the feasibility of extending the Continuous Monitoring Approach (CMA) being applied by the Universal Safety Oversight Audit Programme (USOAP) to the USAP after the conclusion of the USAP second cycle of audits. Accordingly, the Council at its 187th Session, directed the Secretary General to study the feasibility of applying a CMA to the USAP.

2.2.2 A study on the application of a CMA to the USAP was initiated by the Secretariat with a view to:

- adopting a more comprehensive and proactive approach which may allow for future audit activities to be prioritized and better focused on identification of deficiencies in the aviation security systems of Member States while maintaining the principle of universality;
- ensuring ongoing compliance of Member States with ICAO security-related provisions while assessing the aviation security oversight capabilities of States; and
- making more effective and efficient use of the resources available to the Programme.

2.2.3 A Secretariat Study Group (SSG) was established in 2011 in order to assist the Secretariat in evaluating this study and in considering options for the evolution and future direction of the USAP beyond the end of its second cycle, in line with the Council's decision. After considering a number of options for the evolution of the USAP, the SSG

concluded that, in order to ensure efficiency, long-term sustainability and cost effectiveness of the USAP, the Programme should move towards a CMA specific to aviation security, while incorporating risk-management elements. The study also suggested that a transition period be established prior to launching the USAP-CMA and described the necessary activities to be undertaken during this period to ensure a smooth transition. These recommendations were presented to the Twenty-third Meeting of the Aviation Security Panel, which expressed support for the concept of a USAP-CMA that combines continuous monitoring with a risk-based approach to aviation security auditing.

2.2.4 The High-Level Conference on Aviation Security convened in Montreal in September 2012 expressed strong support for the transition of the USAP to a CMA that combines both continuous monitoring and risk-based elements while maintaining the rigour of the audit process and methodology. It was widely recognized that the USAP is an essential tool in enabling States to identify their own deficiencies and then implement corrective actions to address those deficiencies either directly or through assistance provided by other States or organizations. The Conference also supported the notion that the USAP-CMA should provide ICAO with the necessary flexibility in determining the type of audit and monitoring activity appropriate for each State based on the status of its aviation security and oversight systems and other risk indicators.

2.2.5 The Council, during its 197th Session, formally approved the USAP-CMA and the transition plan. This decision was further endorsed by the 38th Session of the Assembly (Resolution A38-15, Appendix E refers).

2.2.6 The 1½-year transition to the USAP-CMA took place from July 2013 to December 2014, and the USAP-CMA was fully launched on 1 January 2015, as scheduled and approved by the Council during its 197th Session. The USAP-CMA transition plan included numerous tasks, such as:

- a) development of a new USAP-CMA activity management and analysis software for aviation security data collection, analysis and measurement while ensuring confidentiality of sensitive security information;
- b) development of the USAP-CMA methodology, protocol questions (PQs), tools, procedures and supporting documentation;
- c) training and certification/recertification of aviation security experts and existing USAP auditors for participation in USAP-CMA on-site activities as TMs;
- d) conduct of USAP-CMA regional seminars in all ICAO regions to familiarize Member States with the USAP-CMA methodology, tools, procedures and processes;
- e) conduct of USAP-CMA on-site test audits in selected States; and
- f) development and expansion of agreements with relevant partners to foster coordination and cooperation.

2.3 USAP-CMA PRINCIPLES

2.3.1 The principles of the USAP were first established at the inception of the Programme in 2002. Since that time, these underlying principles have remained unchanged and valid, with the exception of the principle of confidentiality of audit results. The principle of confidentiality has been modified for the second cycle of USAP audits and further modified for the USAP-CMA, with the approval of the Council of ICAO. The USAP-CMA principles are listed below.

2.3.2 **Sovereignty.** Every State has complete and exclusive sovereignty over the airspace above its territory. Accordingly, ICAO fully respects a sovereign State's responsibility and authority for oversight of aviation security, including its decision-making powers with respect to implementing corrective actions related to identified deficiencies.

2.3.3 **Universality.** All Member States will be subject to continuous audit and monitoring activities by ICAO, in accordance with the principles, methodology, processes and procedures established for conducting such activities, and on the basis of the MoU signed between ICAO and each Member State, though the types and frequency of USAP-CMA audit and monitoring activities undertaken for each Member State may differ.

2.3.4 **Transparency of methodology.** The USAP-CMA activity procedures and processes will be made available to all Member States.

2.3.5 **Timeliness.** Results of USAP-CMA activities will be produced and submitted on a timely basis in accordance with a predetermined schedule for their preparation and submission.

2.3.6 **All-inclusiveness.** The scope of the USAP-CMA includes Annex 17 Standards and security-related provisions of Annex 9. It is expected to expand the scope of the USAP-CMA at appropriate times to include all security-related provisions contained in other Annexes to the Chicago Convention, in order to ensure their effective implementation in the civil aviation systems of Member States.

2.3.7 **Consistency and objectivity.** USAP-CMA activities will be conducted in a consistent and objective manner. Standardization and uniformity in the scope, depth and quality of USAP-CMA activities will be assured through training and certification of all auditors, the use of standardized PQs and the provision of relevant guidance material.

2.3.8 **Fairness.** USAP-CMA activities will be conducted in a manner such that Member States are given the opportunity to monitor, comment on and respond to the USAP-CMA processes, but must do so within an established time frame.

2.3.9 **Quality.** The quality of USAP-CMA activities will be ensured by assigning trained and certified auditors to conduct USAP-CMA activities in accordance with widely recognized auditing concepts, as well as by implementing an internal quality control system within the Aviation Security Audit Section (ASA) that continually monitors and evaluates feedback received from USAP-CMA stakeholders to ensure their ongoing satisfaction.

2.3.10 **Confidentiality.** Sensitive security information collected as part of the USAP-CMA will be protected from unauthorized disclosure. Accordingly, USAP-CMA audit reports will be confidential and will only be made available to the audited State and ICAO staff on a need-to-know basis. However, in the interests of promoting global aviation security, a limited level of disclosure will apply whereby charts depicting the level of implementation of the CEs of an aviation security oversight system by a Member State and an indication of the degree of compliance by a Member State with Annex 17 Standards, as well as information pertaining to the existence of unresolved significant security concerns (SSeCs) in a Member State will be made available to all Member States on the USAP secure website.

Note.— The principle of confidentiality is described in detail in 4.9.

2.4 AUDITING PRINCIPLES

2.4.1 The following auditing principles apply to USAP-CMA activities, in accordance with *ISO 19011:2011 — Guidelines for Auditing Management Systems*.

- a) **Integrity:** the foundation of professionalism. Auditors should: perform their work with honesty, diligence, and responsibility; observe and comply with any applicable legal requirements; demonstrate their competence while performing their work; perform their work in an impartial manner, i.e. remain fair and unbiased in all their dealings; be sensitive to any influences that may be exerted on their judgement while carrying out an audit.
- b) **Fair presentation:** the obligation to report truthfully and accurately. Audit findings, audit conclusions and audit reports should reflect truthfully and accurately the audit activities. Significant obstacles encountered during the audit and unresolved diverging opinions between the audit team and the auditee should be reported. The communication should be truthful, accurate, objective, timely, clear and complete.
- c) **Due professional care:** the application of diligence and judgement in auditing. Auditors should exercise due care in accordance with the importance of the task they perform and the confidence placed in them by Member States and other interested parties. An important factor in carrying out their work with due professional care is having the ability to make reasoned judgements in all audit situations.
- d) **Confidentiality:** security of information. Auditors should exercise discretion in the use and protection of information acquired in the course of their duties. Audit information should not be used inappropriately for personal gain by the auditor, or in a manner detrimental to the legitimate interests of the auditee. This concept includes the proper handling of sensitive or confidential information.
- e) **Independence:** the basis for the impartiality of the audit and objectivity of the audit conclusions. Auditors should be independent of the activity being audited and should in all cases act in a manner that is free from bias and conflict of interest. Auditors should maintain objectivity throughout the audit process to ensure that the audit findings and conclusions are based only on the audit evidence.
- f) **Evidence-based approach:** the rational method for reaching reliable and reproducible audit conclusions in a systematic audit process. Audit evidence should be verifiable. It will in general be based on samples of the information available, since an audit is conducted during a finite period of time and with finite resources. An appropriate use of sampling should be applied, since this is closely related to the confidence that can be placed in the audit conclusions.

2.5 CRITICAL ELEMENTS (CEs)

2.5.1 CEs are the main building blocks of a State's aviation security oversight system required for the effective implementation of security-related standards and associated procedures. Each Member State should address all CEs in its efforts to establish and implement an effective aviation security oversight system that reflects the shared responsibility of the State and the aviation community. CEs of an aviation security oversight system cover the whole spectrum of civil aviation security activities. The level of implementation of the CEs is an indication of a State's capability for aviation security oversight and compliance with security-related SARPs.

2.5.2 ICAO has defined the following CEs of a State's aviation security oversight system (see the *Aviation Security Oversight Manual — The Establishment and Management of a State's Aviation Security Oversight System* (Doc 10047)):

CE-1. Primary aviation security legislation. The provision of a comprehensive and effective legislative framework, consistent with the environment and complexity of the State's civil aviation operations, to effect the establishment and implementation of the State's aviation security policies and requirements in conformance with Annex 17 SARPs and security-related provisions contained in other Annexes to the Chicago Convention.

CE-2. Aviation security programmes and regulations. The provision of necessary national-level programmes and adequate regulations to address, at a minimum, national requirements emanating from the primary aviation security legislation and providing for standardized implementation procedures, equipment and infrastructures (including security management and training systems) in conformance with Annex 17 SARPs and security-related provisions contained in other Annexes to the Chicago Convention.

Note.— The term “regulations” is used in a generic sense to include policies, requirements, rules, instructions, edicts, directives, orders, etc., that are enforceable in the State. The specific status given to a regulation when it is applied within the State and the penalty assigned in the event of non-compliance are internal matters subject to the discretion of individual States, taking into account their responsibilities under the Chicago Convention.

CE-3. State appropriate authority for aviation security and its responsibilities. The designation of an appropriate national authority for aviation security supported by appropriate technical and non-technical staff and provided with adequate financial resources. The State appropriate authority must have aviation security regulatory functions, objectives and policies. This element also includes the definition and allocation of tasks and coordination of activities between government agencies and airport-level entities concerned with or responsible for the implementation of various aspects of the NCASP, as well as arranging for the supporting resources and facilities required for aviation security to be available at airports serving civil aviation.

CE-4. Personnel qualifications and training. The establishment of minimum knowledge and experience requirements for the technical personnel performing aviation security oversight functions and the provision of appropriate training to these personnel to maintain and enhance their competence at the desired level. The training should include initial, on-the-job and recurrent training. This element also includes the provision of training to entities involved in the implementation of applicable aviation security requirements, measures and procedures.

Note.— The technical personnel may be from an organization engaged by the appropriate authority to provide State oversight functions on its behalf.

CE-5. Provision of technical guidance, tools and security-critical information. The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and security-critical information, as applicable, to the technical personnel to enable them to perform their aviation security oversight functions in accordance with established requirements and in a standardized manner. This element also includes the provision of technical guidance by the appropriate authority to entities responsible for the implementation of applicable aviation security requirements, measures and procedures.

- CE-6. Certification and approval obligations.** The implementation of processes and procedures to ensure that personnel and entities performing an aviation security activity meet the established requirements (such as certification systems for security screeners and aviation security instructors, and a system to ensure that entities responsible for the implementation of security measures and procedures have established security programmes consistent with all relevant national requirements) before they are allowed to conduct the relevant activity.
- CE-7. Quality control obligations.** The implementation of processes, such as audits, inspections, surveys and tests, to proactively ensure that entities authorized and/or approved to perform an aviation security activity continue to meet the established requirements and operate at the level of competency and security required by the State. This includes the monitoring of designated personnel who perform security oversight functions on behalf of the appropriate authority.
- CE-8. Resolution of security concerns.** The implementation of processes and procedures to resolve identified deficiencies impacting aviation security, which may have been residing in the aviation security system and have been detected by the appropriate authority or other appropriate bodies. This includes the ability to analyse security deficiencies, provide recommendations, support the resolution of identified deficiencies by implementing follow-up procedures to validate the effective implementation of corrective actions, as well as take enforcement action when appropriate.

2.5.3 CEs 1 through 5 (collectively known as “establishment CEs”) are mainly related to “establishment”, i.e. they indicate that the addressed provision must be fully and effectively established within the State’s aviation security oversight system. CEs 6 through 8 (collectively known as “implementation CEs”) are related to “implementation”, i.e. they indicate that the addressed provision must be fully and effectively implemented within the State’s aviation security oversight system.

2.6 AUDIT AREAS

The following nine audit areas have been identified as functional areas for the conduct of audits under the USAP-CMA:

1. **Regulatory framework and the national civil aviation security system (LEG):** the primary aviation security legislative framework; national aviation security requirements and amendment procedures; the National Civil Aviation Security Programme (NCASP); empowerment of national aviation security inspectors, threat evaluation and risk assessment; international cooperation; the appropriate authority for aviation security; allocation of tasks and coordination of activities;
2. **Training of aviation security personnel (TRG):** the National Civil Aviation Security Training Programme (NCASP); training of national aviation security inspectors and airport-level aviation security personnel; certification of security screeners and aviation security instructors;
3. **Quality control functions (QCF):** the establishment and implementation of a National Civil Aviation Security Quality Control Programme (NQCP) to determine compliance with and validate the effectiveness of the NCASP and to ensure that sustainable and appropriate corrective actions are implemented;
4. **Airport operations (OPS):** the airport aviation security organization and administration; the airport security programme; the supporting resources and facilities for aviation security services; access control and security control measures to the airside and security restricted areas of the airport;

5. **Aircraft and in-flight security (IFS):** aircraft operator security programmes; aircraft protection and in-flight security measures;
6. **Passenger and baggage security (PAX):** the measures and procedures for screening of originating and transfer/transit passengers and their cabin/hold baggage;
7. **Cargo, catering and mail security (CGO):** the supply chain security process; the measures and procedures for security controls of cargo, catering and mail;
8. **Response to acts of unlawful interference (AUI):** airport-level contingency plans; national- and airport-level measures and procedures for the management of responses to acts of unlawful interference; and
9. **Security aspects of facilitation (FAL):** the national air transport facilitation programme; coordination between security and facilitation activities; security and inspection of travel documents; border control measures and procedures.

2.7 USAP-CMA PROTOCOL QUESTIONS (PQs)

2.7.1 The USAP-CMA PQs serve as the primary tool for the conduct of USAP-CMA activities aimed at assessing the level of implementation of the CEs of a State's aviation security oversight system, as well as a State's degree of compliance with Annex 17 Standards and security-related provisions of Annex 9. The use of standardized PQs ensures transparency, consistency, reliability and fairness of the audit process, as well as enhances confidence in audit results.

2.7.2 The USAP-CMA PQs are based on Annex 17 Standards, security-related provisions of Annex 9 and associated ICAO guidance material. Each PQ refers to one Annex 17 Standard or Annex 9 security-related provision and to one CE. The PQs are divided into the nine audit areas specific to each subject covered, as described in 2.6, which assists in planning a USAP-CMA audit and facilitates effective allocation of tasks to USAP-CMA audit team participants.

2.7.3 The USAP-CMA PQs cover all elements of a State's aviation security and oversight systems which are subject to audit and monitoring. Although the PQs serve as a checklist of items to be verified, the evidence required to validate the answer to each PQ only serves as a guide to ensure that a minimum amount of information is consistently verified in all States. While following the best international practices derived from the ICAO relevant guidance material in terms of evidence for review/observation as an acceptable means of compliance, the USAP-CMA PQs are, at the same time, sufficiently flexible to allow for the appropriate evaluation of other means of compliance based on the scope, complexity and specifics of the aviation security activity in each State.

2.7.4 ASA amends and updates the USAP-CMA PQs on a periodic basis to reflect the latest changes in Annex 17 Standards, security-related provisions of Annex 9 and related guidance material to include emerging issues in civil aviation and to harmonize and improve PQ references and content. PQ amendments incorporate input from the ICAO Aviation Security Panel, USAP mission TMs and external stakeholders.

2.7.5 States are encouraged to use the USAP-CMA PQs to perform self-assessments. As a priority, States may conduct a self-assessment:

- a) on PQs that were found not satisfactory in a previous USAP activity;
- b) on new PQs introduced through the PQ amendment process — these PQs will have an undetermined status until they are assessed through an appropriate type of USAP-CMA activity; or

- c) in case of any changes in their aviation security system, programmes, regulations and/or procedures to determine whether these changes impact the status of any PQs.

2.7.6 The self-assessment is important for States in order to prepare for a USAP-CMA activity. Each PQ includes information on ICAO references that helps identify a specific Annex 17 Standard or Annex 9 security-related provision related to the PQ. Each PQ also includes guidance for review and examples of what the State needs to establish and implement to comply with the ICAO provision outlined in the PQ; this is also an indication of the type of evidence that the USAP-CMA audit team will be looking for during a USAP-CMA activity. The CE linked to each PQ is also an indication for States — CEs 1 to 5 indicate that the State must establish the ICAO provision outlined in the PQ and CEs 6 to 8 indicate that the State must implement the established provision.

2.7.7 As indicated above, USAP-CMA PQs also serve as a tool for States to conduct regular self-assessments in order to actively monitor and report the health of their aviation security and oversight systems on a continuous basis. States can use PQs to conduct scheduled internal audits of their aviation security and oversight systems. Thus, States can actively monitor their own systems in a proactive manner to identify and resolve deficiencies.

Note.— The USAP-CMA PQs are available on the USAP secure website.

2.8 STATE'S AVIATION SECURITY PERFORMANCE

2.8.1 The State's aviation security performance is defined as the State's level of implementation of the CEs of an aviation security oversight system and the State's status of implementation of Annex 17 Standards and security-related provisions of Annex 9, associated procedures, guidance material and security-related practices.

2.8.2 The EI is a measure of the State's aviation security oversight and compliance capabilities. A higher EI indicates that a State's aviation security and oversight systems have a greater degree of compliance with ICAO security-related provisions. The EI is calculated for any group of PQs, based on the following formula:

$$\text{EI (\%)} = \frac{\text{number of satisfactory PQs within the group}}{\text{number of satisfactory PQs} + \text{number of not satisfactory PQs within the group}} \times 100$$

2.8.3 Thus, the EI can be calculated for each CE, each audit area, each Annex 17 Standard or Annex 9 security-related provision and as an overall value for all USAP-CMA PQs. The USAP-CMA uses the following indicators to measure the State's aviation security performance:

- a) **Oversight Indicator** — average EI of the eight CEs of a State's aviation security oversight system;
- b) **Compliance Indicator** — average EI of Annex 17 Standards and average EI of security-related provisions of Annex 9; and
- c) **USAP-CMA PQ Indicator** — EI of USAP-CMA PQs, i.e. the percentage of satisfactory USAP-CMA PQs.

2.8.4 In addition to the EI, a lack of effective implementation (LEI) is also calculated for certain analyses. The LEI is simply the inverse of the EI and is calculated as:

$$\text{LEI (\%)} = 100 - \text{EI (\%)}$$

Note 1.— For the Compliance Indicator, the term “compliance” is used instead of EI. Thus, the State's Compliance Indicator is, in other words, the average compliance with Annex 17 Standards and the average compliance with security-related provisions of Annex 9.

Note 2.— The Compliance Indicator provides only a picture of indicative compliance of the State with Standards of Annex 17 and security-related provisions of Annex 9 derived from observations made at the time of the USAP-CMA audit by the USAP-CMA audit team at the airport(s) selected for observation. It does not provide a definitive measure of the State's overall compliance with Standards of Annex 17 and security-related provisions of Annex 9.

2.8.5 Aviation security performance indicators provide a system of measurement to ICAO to assess the oversight and compliance capabilities of States and serve as data trending charts to track and monitor any changes in those capabilities.

2.9 SIGNIFICANT SECURITY CONCERN (SSeC)

2.9.1 Under the USAP second-cycle audit report production process, a final aviation security audit report was forwarded to the audited State within 60 calendar days after the closing meeting of the audit. The State then had 60 calendar days to submit a CAP. However, USAP auditors sometimes encountered situations that revealed SSeCs that might 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 have been taken by the audited State before the CAP was submitted to ICAO approximately four months after the audit.

2.9.2 In June 2008, the ICAO Council considered a procedure, within the scope of Article 54 j) of the Chicago Convention, that would enable disclosure of information regarding a State having significant compliance shortcomings with respect to security-related SARPs, including failure to act in accordance with its security oversight obligations and failure to carry out recommendations of the Council. The Council requested that issues related to the security risk indicators and the concept of SSeC be referred to the Aviation Security Panel for discussion.

2.9.3 The Council, during its 187th Session, endorsed the Aviation Security Panel's recommendation to establish an SSG to review and develop the security risk indicators associated with the application of Article 54 j) to aviation security and the definition of SSeC, including a mechanism to enable the rapid resolution of such concerns identified under the USAP.

2.9.4 The Council, during its 189th Session, considered and approved the proposals of the SSG related to:

a) the security risk indicators:

- 1) 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;
- 2) failure to resolve critical security-related deficiencies identified in the USAP process;
- 3) level or nature of activity inconsistent with security oversight capability; and
- 4) security incidents linked to deficiencies in a State's security oversight responsibilities and obligations.

b) the definition of SSeC:

“A significant security concern 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.”

c) the associated mechanism to address SSeCs identified during a USAP audit in a timely manner. The SSeC mechanism was further revised by the Council during its 208th Session based on the Aviation Security Panel's recommendation.

2.9.5 SSeC mechanism. An SSeC identified during the course of a USAP-CMA on-site activity will be described to the audited State as a preliminary SSeC during the post-audit debriefing, at the conclusion of the audit. If the preliminary SSeC is validated and confirmed by the SSeC Validation Committee at ICAO Headquarters, ICAO notifies the audited State, within 15 calendar days following the post-audit debriefing, by providing the State with the SSeC finding and recommendation. The State is then requested to implement, within 15 days following notification, immediate corrective action to resolve or mitigate the SSeC and advise ICAO. If no corrective action to resolve or mitigate the SSeC is implemented and provided to ICAO within the prescribed time frame, ICAO informs all Member States that an SSeC has been identified and remains unresolved, by publishing an Electronic Bulletin (EB), which includes the name of the State with an SSeC. In addition, the name of the State and the number of unresolved SSeCs are also posted on the USAP secure website. Furthermore, if the SSeCs are not resolved within three months of being posted, ICAO identifies on the USAP secure website the audit area(s) related to unresolved SSeCs.

2.9.6 The Council, during its 208th Session, endorsed the Aviation Security Panel's recommendation, whereby the ICAO Secretariat should include the name of States with SSeCs in the EB sent to all Member States, and should identify through the USAP secure website the audit area(s) related to the SSeC(s) if these are not resolved within three months of being posted.

2.9.7 ASA has developed internal procedures describing in detail the different phases of the SSeC mechanism, including the identification, confirmation and resolution of SSeCs.

2.10 STATE AVIATION SECURITY ACTIVITY QUESTIONNAIRE (SASAQ)

2.10.1 The State aviation security activity questionnaire (SASAQ) is designed to collect comprehensive and specific information on each State's aviation security activities, including legislative, regulatory, organizational, operational, technical and administrative details. Each State shall submit to ICAO, no later than 60 calendar days prior to the start of a USAP-CMA activity, a completed SASAQ designed to provide ICAO with preliminary information concerning the State's aviation security and oversight systems.

2.10.2 States are required to update their SASAQ regularly in order to assist ASA in monitoring the level of aviation security activities in States related to each audit area and in prioritizing and planning USAP-CMA activities.

2.10.3 ICAO will revise the SASAQ template periodically.

2.10.4 The State Quality Control Activity Summary Form is an attachment to the SASAQ and has been created to facilitate States in the provision of information regarding their oversight activities which will be used within the framework of the USAP-CMA.

Note.— The SASAQ and the State Quality Control Activity Summary Form are available on the USAP secure website.

2.11 COMPLIANCE CHECKLISTS (CCs)

2.11.1 States are required to complete and maintain up to date compliance checklists (CCs), which contain information on the State's compliance with Annex 17 SARPs and security-related provisions of Annex 9. The completion of the CCs by Member States will:

- a) provide authorized users with an overview of the level of implementation of relevant ICAO provisions; and
- b) enable Member States to identify any difference which may exist between their own practices and those established by relevant ICAO Standards.

2.11.2 ICAO will revise the CCs template periodically subsequent to amendments to Annex 17 SARPs or to security-related provisions of Annex 9.

Note.— The CCs are available on the USAP secure website.

Chapter 3

THE CONTINUOUS MONITORING APPROACH (CMA)

3.1 USAP-CMA CONCEPT

3.1.1 The USAP-CMA is designed to promote global aviation security through auditing and monitoring aviation security performance of Member States on an ongoing basis.

3.1.2 The USAP-CMA is a shift from the traditional cyclical audit approach, which provides only a “snapshot” of a State’s aviation security system at a given point in time, to a more continuous monitoring of a State’s oversight and compliance capabilities. This enables ICAO to develop and maintain an ongoing, updated picture of the aviation security situation in Member States.

3.1.3 The USAP-CMA incorporates a risk-based approach to auditing, by establishing the priorities and frequency of audit and monitoring activities based on various key parameters reflecting the changes in the aviation security situation in Member States, while taking into consideration any oversight activities and information provided by regional regulatory/oversight bodies. This leads to a more efficient use of resources of both ICAO and the Member States, thus ensuring long-term and cost-effective programme management for the Organization.

3.1.4 The USAP-CMA provides for a system that does not apply a one-size-fits-all approach to auditing. Rather, the USAP-CMA incorporates a performance-based approach to auditing which enables increased flexibility in determining the real needs of Member States and allows for a customized approach for each Member State. This is achieved by proposing activities of different types and scope based on aviation security performance indicators of States, which provide an indication of the level of security of the civil aviation system and the effectiveness of the aviation security oversight system in place in Member States.

3.1.5 Under the USAP-CMA, the principle of universality is maintained as all Member States are subject to continuous audit and monitoring activities by ICAO, in accordance with the principles, methodology, processes and procedures established for conducting such activities, and on the basis of the MoU signed by ICAO and each Member State. The priorities, frequency, type and scope of such activities will vary based on each Member State’s specific circumstances.

3.1.6 The USAP-CMA forms an integral part of ICAO’s overall aviation security framework, which encompasses policy, audits and assistance. The USAP-CMA generates up-to-date State-specific and regional data which provides useful and critical information to facilitate the provision of targeted and tailored assistance to States, while also providing valuable feedback to ICAO for the development of SARPs and guidance material. The USAP-CMA, therefore, is a key driver for both the provision of effective assistance with a view to enabling States to improve their aviation security and oversight systems in compliance with ICAO security-related SARPs, and for policy development.

3.2 USAP-CMA OBJECTIVE

The objective of the USAP-CMA is to promote global aviation security through continuous auditing and monitoring the aviation security performance of Member States. This objective is achieved by:

- regularly and continuously obtaining and analysing data on the aviation security performance of Member States;
- identifying deficiencies in the overall aviation security performance of Member States and assessing the risks associated with such deficiencies;
- providing prioritized recommendations to assist Member States in addressing identified deficiencies;
- evaluating and validating corrective actions taken by Member States; and
- re-assessing the aviation security performance of Member States in order to continuously enhance their aviation security oversight and compliance capabilities.

3.3 USAP-CMA PROCESS

3.3.1 The USAP-CMA process consists of the following components:

- a) determination of State-specific USAP-CMA activity;
- b) conduct of State-specific USAP-CMA activity;
- c) identification and analysis of deficiencies;
- d) measurement of the State's aviation security performance;
- e) provision of prioritized recommendations; and
- f) evaluation of State corrective actions to address deficiencies.

3.3.2 These components enable ICAO to continuously audit and monitor the aviation security performance of Member States. Figure 3-1 shows the USAP-CMA process components.

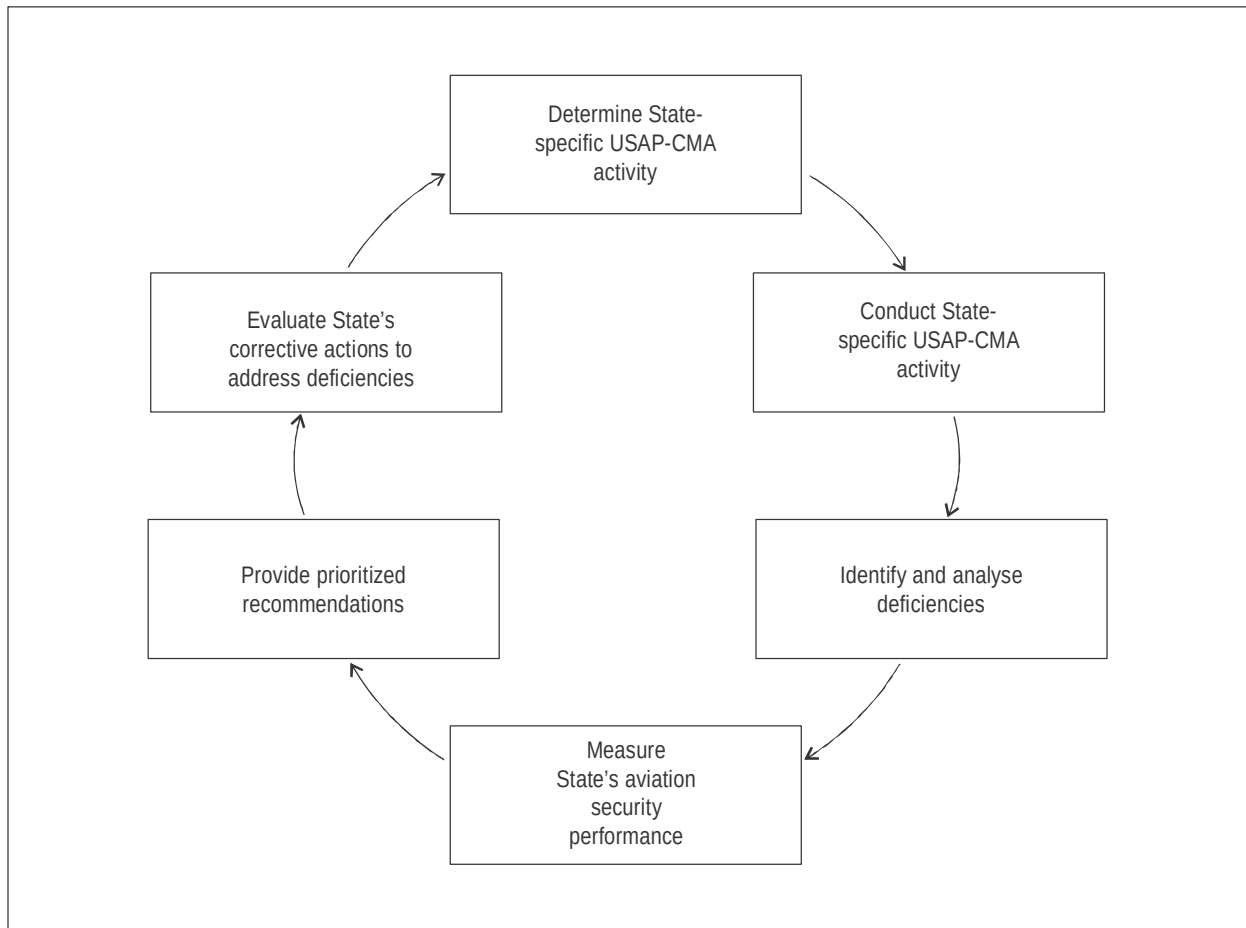


Figure 3-1. USAP-CMA process components

3.4 DETERMINATION OF A STATE-SPECIFIC USAP-CMA ACTIVITY

3.4.1 The USAP-CMA takes into consideration the varying levels of development and maturity of aviation security and oversight systems of Member States, and incorporates a variety of audit and monitoring activities tailored to each Member State's aviation security situation as part of the strategy for promoting the enhancement of global aviation security on a continuous basis. The determination of a specific type of USAP-CMA activity for a given State will be made by ASA using defined criteria based on:

- the results of the previous USAP activity;
- the State's aviation security performance indicators, in particular the average EIs of establishment CEs and implementation CEs;
- updates on CAP implementation; and
- updated information submitted by the State through the SASAQ.

3.4.2 The USAP-CMA activities include:

- a) documentation-based audits;
- b) oversight-focused audits;
- c) compliance-focused audits; and
- d) other audit and monitoring activities.

Documentation-based audits

3.4.3 Documentation-based audits are conducted primarily by correspondence between ICAO Headquarters and the States concerned and include increased requirements for submission of documentation by States. States identified for documentation-based audits could still receive on-site audits, as appropriate. Any specific areas of concern are identified and addressed either remotely from ICAO Headquarters or by means of a physical visit to the State concerned. Documentation-based audits may identify potential SSeCs, requiring a USAP-CMA on-site audit.

3.4.4 The scope of documentation-based audits will include a tailored set of core PQs related to the implementation of continuous processes within the State's aviation security oversight system, such as amendment of national aviation security requirements, coordination of aviation security activities at the national and airport levels, training of aviation security personnel, certification and approval obligations, quality control activities and resolution of security concerns. This set of PQs will be augmented by additional PQs based on previous USAP audit results of the State, the updated CAP, new Annex provisions, the State quality control activity results derived from the State Quality Control Activity Summary Form, any significant change in the State's aviation security and oversight systems and acts of unlawful interference in the State. Failure by the State to provide required documentation and information will make the State ineligible for a documentation-based audit, and the State will be scheduled for a USAP-CMA on-site audit.

3.4.5 Documentation-based audits will primarily measure the State's aviation security oversight system, while also giving a strong indication of the State's degree of regulatory compliance with Annex 17 Standards and security-related provisions of Annex 9 to the Chicago Convention. Certain PQs related to the operational implementation of security measures under Annex 17 and security-related provisions of Annex 9 will be marked as undetermined until their status is assessed through a USAP-CMA on-site activity.

Oversight-focused audits

3.4.6 Oversight-focused audits are conducted by means of on-site audits similar to USAP second-cycle audits, and include the review of national-level regulations and programmes, such as the NCASP, the NCASTP and the NQCP, followed by spot checks conducted at the airport(s) selected for observation to verify the effectiveness of aviation security requirements and measures on the ground. The scope of oversight-focused audits might be full, covering all USAP-CMA audit areas, or partial, covering one or more audit areas, based on previous USAP audit results, as well as on other information available to ICAO.