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ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 14: Audit Programmes — Continuous Monitoring Approach

REVIEW OF THE SCOPE OF ANNEX 9 — *FACILITATION* UNDER THE ICAO USOAP CMA FRAMEWORK

(Presented by Bangladesh)

EXECUTIVE SUMMARY

This paper highlights the need for ICAO to reconsider the inclusion of Annex 9 — *Facilitation* under the scope of the Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP CMA). Given the distinct nature of facilitation-related provisions and their closer alignment with aviation security and border control functions, it is proposed that Annex 9 be transitioned from the USOAP CMA framework and incorporated under the ICAO Universal Security Audit Programme – Continuous Monitoring Approach (USAP CMA).

Action: The Assembly is invited to:

- note the increasing workload and operational complexity of USOAP CMA activities;
- consider the distinct nature and objectives of Annex 9 — *Facilitation*; and
- recommend that ICAO initiate a review to transfer Annex 9 from the USOAP CMA Online Framework to the USAP CMA framework for more appropriate oversight.

<i>Strategic Goals:</i>	This working paper relates to ICAO Strategic Goal: <i>Every Flight is Safe and Secure</i> .
<i>Financial implications:</i>	No significant financial implications are anticipated for States or ICAO.
<i>References:</i>	Annex 9 — <i>Facilitation</i> Doc 7300, <i>Convention on International Civil Aviation</i> Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP CMA) Online framework (OLF) Facilitation Panel (expert group on facilitation SARPs) Doc 9735, <i>Universal Safety Oversight Audit Programme Continuous Monitoring Manual</i>

1. INTRODUCTION

1.1 The Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP CMA) currently encompasses oversight of all ICAO Annexes to the *Chicago Convention on International Civil Aviation* (Doc 7300), with the exception of Annex 17 — *Aviation Security*, which is

governed under a separate audit mechanism – the Universal Security Audit Programme – Continuous Monitoring Approach (USAP CMA).

1.2 Notably, Annex 9 — (Facilitation) is currently included in the USOAP CMA framework, particularly within the Compliance Checklist (CC) and electronic filing of differences (EFOD) sections of the Online framework (OLF).

2. DISCUSSION

2.1 Annex 9 — *Facilitation* is one of the 19 Annexes to the Chicago Convention. It sets international Standards and Recommended Practices (SARPs) aimed at simplifying and harmonizing border control procedures to support the efficient movement of passengers, cargo, and crew, while ensuring compliance with customs, immigration, public health, and security requirements. Its primary objective is to reduce unnecessary delays and support seamless air transport operations.

2.2 The provisions of Annex 9 primarily relate to administrative and procedural matters—such as customs clearance, immigration control, health declarations, and passenger data exchange systems (e.g., advance passenger information and passenger name record). These functions are predominantly carried out by national agencies beyond the safety oversight responsibilities of Civil Aviation Authorities—such as border control, law enforcement, and public health authorities.

2.3 Unlike the technical domains of Annexes addressed by the USOAP CMA—which include licensing, airworthiness, operations, and air navigation services—Annex 9 does not deal with direct safety oversight responsibilities typically undertaken by Civil Aviation Authorities. Its administrative nature and cross-agency implementation introduce challenges in aligning it within the scope of USOAP CMA, which focuses on the State’s capability to provide safety oversight.

2.4 The inclusion of Annex 9 in the USOAP CMA framework, particularly within the CC and EFOD of the OLF, has added a considerable reporting and compliance burden to States. Many States face difficulties coordinating the necessary inter-agency inputs, resulting in incomplete or inconsistent reporting unrelated to core aviation safety oversight functions.

2.5 While the importance of Annex 9 in enhancing passenger experience, ensuring public health (especially during pandemics), and supporting trade and tourism is well acknowledged, its oversight is more logically aligned with aviation security functions. Notably, the ICAO USAP CMA already addresses various facilitation-related elements, particularly those involving border control and cargo security. Therefore, integrating Annex 9 under USAP CMA would provide a more relevant and effective mechanism for oversight, ensuring alignment with the responsible authorities and improving audit efficiency.

3. PROPOSAL

3.1 In view of the above discussion, it is recommended that ICAO consider initiating a review of the current placement of Annex 9 within the USOAP CMA framework.

3.2 ICAO may wish to explore the feasibility of streamlining Annex 9 oversight by removing it from the scope of USOAP CMA, including its associated reporting elements in the CC and EFOD sections of the OLF.

3.3 Furthermore, it is proposed that ICAO examine the potential for aligning Annex 9 under the USAP CMA framework, where its facilitation and security-related provisions may be more effectively addressed.

4. **CONCLUSION**

4.1 A reassignment of Annex 9 from USOAP CMA to USAP CMA would ensure a more focused, relevant, and effective audit approach, administrative burden on States, and better align oversight functions with relevant areas of expertise.

4.2 Bangladesh respectfully invites ICAO to engage Member States, as well as relevant Panels and Committees, in considering this important structural review.

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