



A41-WP/665  
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## **ASSEMBLY — 41ST SESSION**

### **REPORT OF THE EXECUTIVE COMMITTEE ON AGENDA ITEM 15**

(Presented by the Chairperson of the Executive Committee)

The attached report on Agenda Item 15 has been approved by the Executive Committee

*Note.— After removal of this covering sheet, this paper should be inserted in the appropriate place in the report folder.*

(4 pages)

**Agenda Item 15: Audit Programmes – Continuous Monitoring Approach**

15.1 At its eighth meeting, the Executive Committee considered the subject of the implementation, latest developments and evolution of the Universal Audit Programmes – Continuous Monitoring Approach, on the basis of the Council's report on the Implementation of the ICAO Continuous Monitoring Approach (CMA) Audit Programmes (A41-WP/7), and on the Report on the Evolution of the Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA) and Post Implementation Review (A41-WP/27). In addition, there were 10 other papers submitted by States and international organizations: WPs/379, 202, 59, 309, 457, 386, 558, 598, 488 and 212.

**Discussion***Implementation of the ICAO Continuous Monitoring Approach (CMA) Audit Programmes*

15.2 During discussions on WP/7, States expressed strong support for the work of both audit programmes, as well as for the commitment towards ongoing improvement through the various mechanisms established, including the Secretariat Study Group (SSG) on the Universal Security Audit Programme (USAP) CMA. The Committee thanked all States for providing support to the audit programmes through the secondment of experts and other voluntary contributions.

15.3 The Committee expressed its appreciation to ICAO and Member States for their efforts and for the successful implementation of both the USOAP CMA and the USAP-CMA, especially given the challenges generated during the COVID-19 pandemic. The Committee noted the progress report and welcomed the coordination efforts on the implementation and activities of the ICAO audit programmes. The Committee further noted the need to continue efforts to improve the USAP-CMA, in particular concerning future amendments of protocol questions. The Committee urged ICAO to prioritize resources for the audit programmes as appropriate and called upon Member States to continue their full engagement with these programmes of the Organization while encouraging them to continue supporting these initiatives with voluntary contributions.

*Evolution of the USOAP CMA*

15.4 The Committee acknowledged the efficacy, relevance and resilience of the USOAP CMA, the safety improvements it generates globally and the evolution plan managed under four streams of work as contained in WP/27. The Committee welcomed the work planned under the organizational improvements stream, including the review and update of policy documents, such as Doc 9735, *Universal Safety Oversight Audit Programme Continuous Monitoring Manual* as well as the implementation of the Group of Experts for a USOAP CMA Structured Review (GEUSR) recommendations, which would undergo an effectiveness review. Further, the Committee agreed on the roll-out of two streams of work to implement the approved recommendations of the Ad hoc USOAP Advisory Group (USOAP-AG) and the relevant recommendations of the High-level Conference on COVID-19. Lastly, the Committee acknowledged the work undertaken with the World Food Programme under the auspices of a dedicated Memorandum of Understanding.

15.5 WP/379 presented by Cameroon and WP/202 presented by Indonesia raised the need for ICAO to assess corrective action plans (CAPs) submitted through the online framework within a specific defined period. The Committee noted that States are uncertain to implement the CAPs submitted to ICAO due to a delay in the ICAO review process and confirmation of acceptance of the CAP. The Committee

agreed that ICAO amend its evolution plan to include the improvement of the monitoring and evaluation of CAPs to identify the root causes of such delays and to assure a response within a defined timeline. It was noted that this timeline for acceptability will be reflected in relevant policy documents, such as Doc 9735 — *Universal Safety Oversight Audit Programme Continuous Monitoring Manual*.

15.6 Paraguay presented WP/59, co-sponsored by Chile, Colombia, Guyana, Panama, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of), which shared its experience of the impact on effective implementation (EI) percentages resulting from the use of revised and/or updated protocol questions (PQs) in States that had already been audited by the USOAP CMA prior to the PQ revision. The Committee noted that PQ amendments may have an impact on all States' EIs, such as the amendment resulting from the implementation of GEUSR recommendations. It was recommended that the USOAP CMA apply relevant auditing principles while ensuring traceability of existing findings of amended PQs. The Committee agreed that ICAO amends its evolution plan to include the analysis for future amendments of PQs, its application to USOAP activities and State EI scores within the upcoming GEUSR effectiveness review. Additional information for States clarifying the changes introduced to PQs was recommended.

15.7 AFCAC presented WP/309 on behalf of 54 African States proposing the development of an alternative methodology that will support States to address all the requirements of the ICAO aircraft accident and incident investigation (AIG) PQs without having an actual accident. Improvements were also highlighted in addressing the shortage of AIG auditors by the development of this innovative methodology. The Committee agreed to amend its evolution plan to consider the development of an alternative methodology to audit aircraft accident and incident investigation systems of States to better reflect these capabilities of States in the absence of accidents. It was agreed that latest technologies and innovations, such as the use of simulators, would be considered in this initiative.

15.8 The Committee acknowledged the African community's interest in evolving the USOAP CMA to better meet the needs of Member States as expressed in WP/457 and noted that the actions a), b) and c) contained therein had been addressed by the ICAO Council during its 225th Session. It was recalled that the actions proposed were in alignment with the approved USOAP-AG recommendations, as amended by the State consultation. With respect to item d) of WP/457, it was noted that as a current practice, a Mandatory Information Request (MIR) is never utilized solely as a result of an audit postponement. The Committee further recommended that ICAO do not issue an MIR and subsequently a Significant Safety Concern (SSC) based only on the postponement or cancellation of a USOAP activity.

15.9 Information papers WP/386 on the revamping of the regulatory oversight system in Pakistan, WP/558 presented by Seychelles on the status of progress to address deficiencies identified by ICAO during its safety oversight activities, and WP/598 presented by IFALDA addressing flight dispatch provisions in USOAP PQs were noted.

#### *Developments related to the USAP-CMA*

15.10 Venezuela (Bolivarian Republic of) presented WP/488, supported by Bolivia (Plurinational State of), Colombia, Costa Rica, Panama, Peru and Uruguay, addressing the importance of strengthening USAP-CMA auditors' knowledge and understanding of cybersecurity aspects, with the view to enable them to conduct objective and technical assessments of applicable Standards. An appendix to WP/488 also highlighted the suggested areas of knowledge and experience that could be considered as necessary for the assessment of cybersecurity by USAP-CMA audit teams, and suggested content that could be captured in

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prospective guidance or training material on this subject matter. It was clarified during discussions that the training proposed in this paper exceeded that which is required to fully assess compliance with the Annex 17 Standard 4.9.1. Moreover, the Secretariat explained that the auditing of this Standard was focused on regulatory and organizational issues, rather than the implementation of the cybersecurity systems themselves.

15.11 In WP/212, AFCAC noted the improvements made to the USAP-CMA in collaboration with the SSG on the USAP-CMA, which include the secure transmission of information, and highlighted the importance of real-time monitoring of CAPs and the work done by the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan). WP/212 further suggested the decentralization of the USAP-CMA audit team leadership to the ICAO Regional Offices. States supported the needs for up-to-date audit information, but some members of the Committee, supported by the Secretariat, indicated that the conduct of audits by ICAO Regional Officers would create issues of conflict of interest, given that these Officers are also responsible for assistance. It was suggested that the decentralization and prioritization process of audit activities should be reviewed by the SSG. The ability to update CAPs online would also provide a clearer picture of the status of implementation of Standards by States.

15.12 The Secretariat indicated that additional team leaders have been hired at ICAO Headquarters to increase the number of audits conducted, catch up on the backlog in audits caused by the pandemic, and ensure strong succession planning.

15.13 The Committee noted WP/212 and WP/488 and urged Member States to cooperate with ICAO in reporting progress made for the implementation of CAPs, including identified priority actions. The Committee directed the Council to continue monitoring the work done by the SSG for the continuous improvement of the USAP-CMA, encompassing aspects related to CAP updates and USAP-CMA auditor training.

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