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ASSEMBLY — 40TH SESSION

PLENARY

REPORT OF THE EXECUTIVE COMMITTEE ON AGENDA ITEM 13

(Presented by the Chairperson of the Executive Committee)

The attached report on Agenda Item 13 has been approved by the Executive Committee. Resolution 13/1 is recommended for adoption by the Plenary.

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

(9 pages)

Agenda Item 13: Audit Programmes – Continuous Monitoring Approach

13.1 At its fourth 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 Evolution of the Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA)* (A40-WP/11), the report on the *Implementation of the ICAO Continuous Monitoring Approach (CMA) Audit Programmes* (A40-WP/23), and on the *Report on the Review of the Scope and Methodology of the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)* (A40-WP/32).

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

13.2 The Committee noted with satisfaction the implementation of the USOAP CMA and the USAP-CMA during the 2016-2018 triennium, and urged States to continue with their full engagement with and support for the audit programmes. The Committee acknowledged the coordination between the programmes and called for enhanced synergies, and sharing of best practices and lessons learned.

Evolution of the USOAP CMA

13.3 The Committee acknowledged the relevance of the USOAP CMA, the safety improvements it generates and the evolution with accompanying timeline proposed in A40-WP/11 aimed at maintaining the status of the USOAP CMA as a global aviation monitoring system of the safety oversight and aircraft accident and incident investigation capabilities of ICAO Member States, as well as of their maturity in implementing State safety programmes. The Committee noted the work undertaken by the Group of Experts for a USOAP CMA Structured Review (GEUSR) and the status of the implementation of its recommendations. The establishment by the Council of an ad hoc USOAP CMA Advisory Group (USOAP-AG) was acknowledged as a means to accomplish another stream of work in the evolution of the USOAP CMA. The steps taken by ICAO to improve its internal organization to support the evolution of the programme, as well as its effective, efficient and sustainable operation, were also noted. The Committee expressed interest in the three streams of work of the USOAP CMA evolution. The Committee was advised that progress on the work would be reported in the Annual Report of the Council and possibly at the High-Level Safety Conference to be held in 2021.

13.4 The Committee supported A40-WP/114 presented by Finland, on behalf of the European Union and its Member States¹, the other Member States of the European Civil Aviation Conference², EUROCONTROL and New Zealand, calling for the evolution of the USOAP CMA into an agile, responsive, risk-based and robust monitoring system, and proposed for consideration certain high-level aspects for its future evolution. These include aspects such as databases, cross-fertilization and interfaces with other programmes, the applied auditing techniques and methods. The Committee was advised by the

¹ Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

² Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, North Macedonia, Norway, San Marino, Serbia, Switzerland, Turkey and Ukraine.

Secretariat that some of the areas of interest for the evolution are now being addressed with the implementation of GEUSR recommendations and organizational activities, including the planning of activities, indicators, training, as well as the USOAP online framework, databases and tools.

13.5 The Committee supported A40-WP/133, presented by Australia and New Zealand and co-sponsored by Singapore, the United Kingdom, and Finland on behalf of the European Union and its Member States, which endorsed the evolution of the USOAP CMA and proposed accelerating the implementation of GEUSR recommendations, with priority given to recommendations contained in Group A (Structured revision of Protocol Questions (PQs)) and Group B (Priority PQs). The Committee noted that the Secretariat has developed a detailed action plan that is consistent with the timeline presented in A40-WP/11 covering each group of GEUSR recommendations and that the implementation of this plan is reflected in the budget that has been presented for approval by the Assembly.

13.6 Venezuela, in A40-WP/259, presented information on follow-up and control of occurrences that can support the identification of safety improvements. The Committee took note of the information and called the Secretariat to pass this information to the relevant expert groups for their consideration.

13.7 The Committee reviewed A40-WP/324, presented by the United Arab Emirates, which supported the evolution of the USOAP CMA and introduced further enhancements to the programme. The Committee noted that the proposals to make traditional PQs objective instead of prescriptive and to enhance synergies among National Continuous Monitoring Coordinators (NCMCs) may bring benefits to Member States but acknowledged that the proposals are being addressed with the implementation of GEUSR recommendations, in particular Groups A, B, E and F. The Committee also noted that PQs undergo a thorough development process that includes broad coordination within the Secretariat which reflects the objectives of provisions adopted on which States had already been consulted. Further, the Committee recommended that States continue to provide comments on PQs to support their continuous improvement.

13.8 Brazil presented A40-WP/326, highlighting the benefits of the USOAP self-assessment and peer assessments as well as sharing its experience in this regard. The Committee acknowledged the benefits from these types of assessments, and encouraged States to engage in and champion peer assessments, especially at the regional level, with a view to enhancing States' safety oversight systems. It was also noted that with the implementation of the GEUSR recommendations, States would have more guidance and training on self-assessments that can support these types of initiatives by States, addressing action b). The benefits of these initiatives and enhanced guidance and training will be reflected in USOAP outcomes as a result of States' efforts in keeping their self-assessments current.

13.9 The Committee discussed A40-WP/337, presented by the Dominican Republic, which called for certification of a "percentage of aerodromes" to be considered sufficient for the related PQs to be marked as satisfactory, rather than the current practice of requiring all aerodromes to be certified. The Committee noted that Annex 14 — *Aerodromes* requires all international aerodromes to be certified. Further, the Committee noted that identifying a suitable percentage of certified aerodromes needed to meet the Standard requirement would challenge principles of universality and uniformity given that certain States have only one aerodrome whereas others have hundreds of aerodromes.

13.10 The Committee reviewed A40-WP/433, presented by Qatar, which proposed that the USOAP conduct separate activities to assess a State's capabilities for aircraft accident or incident

investigation and that its statistical results be presented separately from other areas. The Committee noted that the assessment of States' capabilities on this area are determined using a set of PQs designed for this purpose and that results can be obtained through iSTARS or the USOAP online framework (OLF). The Committee was advised that the information in the working paper will be considered for the enhancement of visibility of results by technical area in USOAP reporting tools and recommended that the information be provided to the relevant expert groups for their consideration.

13.11 Peru presented A40-WP/438, sponsored by Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Uruguay and Venezuela, and sharing its experience, which called for the support of States in developing a regional framework to cooperate and collaborate in addressing safety operational and risk issues, and asked the Assembly to evaluate alternative means of measuring effective implementation so that results will be updated in a timelier manner once States have implemented their action plans. The Committee noted that GEUSR recommendations already create additional means and opportunities for States to measure the status of their safety oversight systems and to validate corrective actions taken to address deficiencies.

13.12 The Committee reviewed A40-WP/439, presented by Peru and sponsored by Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Uruguay and Venezuela, that proposed to enhance standardization of the criteria used by USOAP airworthiness auditors tasked with reviewing the qualifications and experience of airworthiness inspectors to whom authority is delegated on the basis of an agreement signed by a State with other States in its region. The Committee noted that the information provided in the working paper would be used when conducting regular updates of the USOAP tools, would serve to improve training to the auditors, and would serve to enhance the assessments of tasks performed by regional safety oversight organizations on behalf of States; these measures were expected to enhance standardization.

13.13 Venezuela presented A40-WP/440, sponsored by Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Peru and Uruguay, that shared the challenges and strategies for the sustainable integration of State safety oversight systems into State Safety Programmes (SSP) that should be considered in developing and applying the Global Aviation Safety Plan (GASP) and activities for its effective implementation. The Committee called for this information to be passed on to the relevant expert groups for their consideration.

13.14 Peru presented A40-WP/448, sponsored by Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Uruguay and Venezuela, that shared its experience undergoing USOAP activities. Two mechanisms were proposed: one to assess the effectiveness of the USOAP activities and the second to validate safety improvements made by States for which no USOAP activity was planned. With respect to the first mechanism, the Committee noted that the USOAP is ISO 9001 certified enabling the assessment of the feedback of States on the audit experience. This feedback and other sources of information feed continuous improvements of the USOAP CMA. The Committee further noted that action c) is addressed within the implementation of the GEUSR recommendations referenced in A40-WP/11.

13.15 The Committee supported A40-WP/463, presented by Peru and sponsored by Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Uruguay and Venezuela, which included observations derived from completing the gap analysis questionnaire available on iSTARS and the development of SSP PQs. The

Committee was informed that the USOAP CMA developed and is implementing a plan for assessing and measuring the effective implementation of SSPs. The plan includes the development of SSP PQs. The initial set of these PQs is posted on the OLF and will be complemented with a maturity model and associated guidance to be applied to each PQ. The complete set of SSP PQs including maturity model and guidance will be fully developed and integrated into the OLF for self-assessments and for monitoring activities in January 2021. Relevant applications on iSTARS will be amended based on the evolution of the USOAP CMA. The Committee recommended that the information be provided to the relevant expert groups for their consideration, and that the development of the related guidance material be supported where appropriate.

13.16 In summary, the Committee endorsed ICAO actions to evolve and ensure the effective and efficient management and sustainable operation of the USOAP CMA. It noted the status of implementation of the GEUSR recommendations, which already address some initiatives raised by the Assembly. The Committee also acknowledged the upcoming work to be undertaken by the USOAP-AG as mandated by the Thirteenth Air Navigation Conference (AN-Conf/13, 2018), the organizational improvements, and the timeline to realize the USOAP CMA evolution, as outlined in sections 2.2, 2.3, 2.4 and Appendix B of A40-WP/11. The Committee agreed to recommend that all proposals related to the USOAP under this agenda item that are not already addressed by the GEUSR recommendations or ICAO's organizational improvements should be shared with the appropriate expert groups for consideration.

13.17 The Commission agreed to submit, for adoption by the Plenary, the following resolution to supersede Assembly Resolution A37-5.

Resolution 13/1: The Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA)

Whereas the primary objective of the Organization continues to be that of ensuring the safety of international civil aviation worldwide;

Whereas Article 37 of the Convention requires each Contracting State to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures and organization in relation to all matters in which such uniformity will facilitate and improve air navigation;

Whereas safety oversight, and the safety of international civil aviation in general, is the responsibility of Member States, both collectively and individually, it also depends on the active collaboration of ICAO, Member States, industry and all other stakeholders in the implementation of the Global Aviation Safety Plan (GASP);

Whereas the DGCA/06 Conference made recommendations to allow public access to appropriate information on safety oversight audits and to develop an additional mechanism to rapidly resolve significant safety concerns (SSCs) identified under the ICAO Universal Safety Oversight Audit Programme (USOAP);

Whereas the High-level Safety Conference 2010 (HLSC 2010) made recommendations for ICAO to develop criteria for the sharing of SSCs with interested stakeholders and to assess how the information on SSCs could be shared with the public in a form which would allow them to make an informed decision about the safety of air transportation;

Whereas the HLSC 2010 made recommendations for ICAO to enter into new agreements and amend existing agreements for the sharing of confidential safety information with international entities and organizations in order to reduce the burden on States caused by repetitive audits or inspections and to decrease the duplication of monitoring activities;

Whereas the Thirteenth Air Navigation Conference (AN-Conf/13) made recommendations that were agreed by the Council to continue evolving the USOAP methodology, processes and tools, as well as to ensure that the continuous monitoring of the States remains robust, relevant and up to date;

Recalling that the 32nd Session of the Assembly resolved that a universal safety oversight audit programme be established, comprising regular, mandatory, systematic and harmonized safety oversight audits to be carried out by ICAO;

Whereas the 39th Session of the Assembly agreed that ICAO establish an independent group to perform a structured review to identify adjustments to USOAP CMA with a view of further evolution and strengthening of the programme, taking into consideration the evolving safety strategy of ICAO and States' progress in implementing Annex 19 — *Safety Management*, in particular SSP requirements, and that the Council agreed to the recommendations resulting from that review with certain caveats to continue evolving the USOAP CMA;

Whereas the implementation of USOAP has been a major achievement for aviation safety, successfully meeting the mandate given by Resolutions A32-11 and A35-6 and providing the ability to evaluate Member States' oversight capabilities and identify areas of improvement;

Recalling that Assembly Resolution A33-8 requested the Council to ensure the long-term financial sustainability of USOAP, phasing in all of its activities into the Regular Programme budget;

Recalling the objectives of USOAP, which seeks to ensure that Member States are adequately discharging their responsibilities for safety oversight;

Recognizing that it is essential that USOAP continues to cover all safety-related Annex provisions in order to promote the adequate implementation of safety-related Standards and Recommended Practices;

Recognizing that the Secretary General has taken appropriate steps to ensure the establishment of an independent quality assurance mechanism to monitor and assess programme quality;

Recognizing that the effective implementation of State action plans is essential to enhance the overall safety of global air navigation;

Recognizing the safety enhancement contributions resulting from audits, inspections, reviews, evaluations and/or assessments conducted by international and regional organizations, including those organizations that have agreements with ICAO such as the Airports Council International (ACI), the European Union Aviation Safety Agency (EASA), the European Commission (EC), the Flight Safety Foundation (FSF), the International Air Transport Association (IATA) and the European Organisation for the Safety of Air Navigation (EUROCONTROL);

Recognizing that transparency and the sharing of safety information are among the fundamental tenets of a safe air transportation system; and

Recognizing that regional safety oversight organizations (RSOOs) have an important role in the USOAP CMA and that, wherever applicable, the word “States” below should be read to include RSOOs where an appropriately enabling legal framework is in place;

The Assembly:

1. *Expresses its appreciation* to the Secretary General on the successful implementation of the USOAP Continuous Monitoring Approach (CMA);
2. *Directs* the Secretary General to continue evolving the USOAP CMA into a more evidence-based, risk-informed and result-oriented programme to be applied on a universal basis in order to assess the effectiveness and sustainability of States’ safety oversight systems, as well as the progress of States in implementing safety management requirements, in particular State safety programmes (SSPs);
3. *Directs* the Secretary General to implement organizational improvements necessary to successfully manage the changes brought about by the long-term evolution of the programme, in line with the recommendations of the GEUSR as agreed by the Council and of the AN-Conf/13;
4. *Directs* the Secretary General to ensure that the USOAP CMA continues to maintain as core elements the key safety provisions contained in Annex 1 — *Personnel Licensing*, Annex 6 — *Operation of Aircraft*, Annex 8 — *Airworthiness of Aircraft*, Annex 11 — *Air Traffic Services*, Annex 13 — *Aircraft Accident and Incident Investigation*, Annex 14 — *Aerodromes*, and Annex 19 — *Safety Management*;
5. *Directs* the Secretary General to ensure that the USOAP CMA abides by the principles of, inter alia, independence, universality, standardization and transparency to further strengthen global acceptance of the programme and its results;
6. *Directs* the Secretary General to continue to ensure the maintenance of the quality assurance mechanism established to monitor and assess programme quality, and the transparency of all aspects of the continuous monitoring process;
7. *Directs* the Secretary General to continue the sharing of SSCs, in accordance with established procedures on the sharing of safety information, with interested stakeholders and the public to allow them to make an informed decision about the safety of air transportation;
8. *Directs* the Secretary General to make all safety oversight-related information generated by the USOAP CMA available to all Member States through the ICAO restricted website;
9. *Directs* the Secretary General to continue to foster coordination and cooperation between USOAP CMA and the audit programmes of other organizations related to aviation safety for the purpose of sharing confidential safety information in order to reduce the burden on States caused by repetitive audits or inspections, to decrease the duplication of efforts and find synergies to enhance the efficiency of the USOAP CMA;
10. *Directs* the Secretary General to continue facilitating the sharing of safety-critical information with Member States, industry and other stakeholders, through appropriate secure websites;
11. *Urges* all Member States to support ICAO in the evolution of the USOAP CMA and, for those able to do so, to second qualified and experienced technical staff to ICAO on a long- or short-term basis, with a view to enabling the Organization to continue to successfully operate the programme;

12. *Urges* all Member States to submit to ICAO, in a timely manner, and keep up to date all the information and documentation requested by ICAO for the purpose of ensuring the effective operation of the USOAP CMA;
13. *Urges* all Member States to cooperate with ICAO and as much as practicable to accept USOAP CMA activities, including audits, validation missions, off-site validation activities and SSP implementation assessments, in order to facilitate the smooth functioning of the USOAP CMA;
14. *Urges* all Member States to implement corrective action plans to address the findings identified during USOAP CMA activities;
15. *Urges* all Member States to share with other Member States critical safety information which may have an impact on the safety of international air navigation and to facilitate access to all relevant safety information;
16. *Encourages* Member States to make full use of available safety information when performing their safety oversight functions, including during inspections as provided for in Article 16 of the Convention;
17. *Reminds* Member States of the need for surveillance of all aircraft operations, including foreign aircraft within their territory, and to take appropriate action when necessary to preserve safety;
18. *Directs* the Council to prioritize the work on the evolution of the USOAP CMA and strive for adequate human and financial resources to be made available to the programme as well as to report to the next ordinary session of the Assembly on the evolution and performance of the USOAP CMA; and
19. *Declares* that this resolution supersedes Resolution A37-5.

13.18 Information papers, provided by Bolivia (A40-WP/435) and the Republic of Korea (A40-WP/447), were noted.

Review of the Scope and Methodology of the USAP-CMA

13.19 The Committee recognized the excellent work carried out by the Secretariat Study Group on the USAP-CMA (SSG), as presented in WP/32, including the 26 recommendations developed for the improvement of the programme. It was highlighted that these recommendations should focus on the operational implementation of Annex 17 Standards and should be implemented as quickly as feasible, thereby improving confidence in the international aviation security system and improving local, regional and global compliance with Annex 17 Standards. In this regard, the Council was directed to prioritize the proposed recommendations and ensure sufficient resources are allocated to the USAP. The USAP-CMA should also take on board relevant best practices from States and industry.

13.20 The African Civil Aviation Commission (AFCAC), on behalf of its 54 Member States, in A40-WP/187, expressed concerns regarding the implementation of the USAP-CMA, more specifically with regard to the methodology employed to select States for audit activities; the shortage of audit team leaders which limits the effective implementation of the programme; the desirability of facilitating re-assessments of States' Aviation security performance on a continuous basis through the use of a technological monitoring mechanism; and the need to plan additional training programmes or workshops for national

coordinators. While many of these proposals are already addressed in the recommendations included in WP/32, the Committee agreed that they should be presented to the SSG for further consideration. It was also noted that, in the past, the creation of an OLF for the USAP similar to that used by the USOAP was not supported due to data security considerations and the workload it would impose on States and the ICAO Secretariat.

13.21 In A40-WP/390, Cuba expressed concerns regarding the implementation of the USAP-CMA, requesting clearer expectations for States through the delivery of enhanced training on the programme methodology, more detailed audit plans to optimize audit preparation and coordination at the national level, standardized interpretation of Standards and further revision of the USAP-CMA Protocol Questions to ensure clarity and a common understanding between auditor and auditee. The Committee agreed that the proposals made by Cuba should be considered by the SSG in order to further improve the programme, and that participation in the SSG's work should be encouraged for any State that is willing to contribute its expertise.

13.22 The Committee also expressed support for the reform and continuous improvement of the programme through ongoing consultation with the SSG and called upon States to support the USAP-CMA by signing the Memorandum of Understanding, accepting audits as scheduled and allocating sufficient financial and human resources to enable the implementation and ongoing evolution of the programme so that it supplies well qualified auditors; assesses the operational implementation of security measures; addresses serious deficiencies in a timely manner; and has a risk-based approach to audit prioritization.

— END —