Doc 9735
AN/960

Universal Safety Oversight Audit Programme Continuous Monitoring Manual

Approved by the Secretary General
and published under his authority

Fourth Edition — 2014

International Civil Aviation Organization

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AMENDMENTS

Amendments are announced in the supplements to the *Publications 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

AMENDMENTS			CORRIGENDA		
No.	Date	Entered by	No.	Date	Entered by

FOREWORD

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

The first edition of *Safety Oversight Audit Manual* (Doc 9735) was developed as a result of Assembly Resolution A32-11 of the 32nd session of the ICAO Assembly (22 September to 2 October 1998), and the decision of the ICAO Council to implement the mandatory USOAP for application in ICAO safety oversight audits starting in January 1999. The second edition became necessary as a result of a decision taken during the 35th session of the ICAO Assembly (28 September to 8 October 2004). Assembly Resolution A35-6 called for the transition of the Programme to a comprehensive systems approach for the conduct of safety oversight audits and expanded the scope to include safety-related provisions of all safety-related Annexes to the Convention. The third edition was developed for the transition of USOAP to a continuous monitoring approach as directed under Assembly Resolution A36-4 — Application of a continuous monitoring approach for the ICAO Universal Safety Oversight Audit Programme (USOAP) beyond 2010, and A37-5 — The Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach.

The fourth edition of this manual describes the additional tools, processes and guidance that have been implemented to support USOAP CMA and ensure its success. It also reflects the essential role of USOAP CMA in providing metrics for ICAO to monitor States' achievement of the objectives set out in the Global Aviation Safety Plan (GASP). The contents of this manual were developed with input from the Monitoring and Oversight (MO) Office, USOAP CMA management and ICAO Regional Offices (ROs), followed by peer reviews and incorporation of collected feedback.

This edition is published under the authority of the Secretary General and supersedes all previous editions of this manual.

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

The Secretary General
International Civil Aviation Organization
999 University Street
Montréal, Quebec H3C 5H7
Canada

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Chapter 1

INTRODUCTION

1.1 PURPOSE

1.1.1　　　The primary purpose of this manual is to describe the Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP CMA) and to provide guidance to ICAO Member States (hereafter referred to as Member States or States), recognized organizations, team leaders (TLs), team members (TMs), subject matter experts (SMEs) and support staff involved in the planning, preparation, conduct and reporting of USOAP CMA activities.

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

1.2 REFERENCES

1.2.1　　　In support of the USOAP CMA, ICAO has published and will continue to publish additional documentation providing procedural guidance and training material.

1.2.2　　　The USOAP CMA references the *Convention on International Civil Aviation* (Doc 7300, hereafter referred to as the Convention), ICAO Standards and Recommended Practices (SARPs) contained in all safety-related Annexes to the Convention and related guidance material, including but not limited to:

a) Doc 9734 — *Safety Oversight Manual*:

Part A — *The Establishment and Management of a State's Safety Oversight System*;

Part B — *The Establishment and Management of a Regional Safety Oversight Organization*; and

b) Doc 9859 — *Safety Management Manual*.

1.2.3　　　Additional references include ISO 19011 — *Guidelines for auditing management systems*.

1.2.4　　　Together these documents describe the requirements and guidelines for the implementation of an effective safety oversight system by States. This implementation shall be continuously monitored under the USOAP CMA framework and verified during USOAP CMA activities.

　　　　Note.— The ICAO Publications Catalogue *provides a complete list of ICAO guidance material available to support the requirements of Annexes to the Convention.*

1.3   DEFINITIONS AND TERMINOLOGY

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. A USOAP CMA on-site activity during which ICAO assesses the effective implementation of the critical elements (CEs) of a safety oversight system and conducts a systematic and objective review of a State's safety oversight system to verify the status of a State's compliance with the provisions of the Convention or national regulations and its implementation of ICAO Standards and Recommended Practices (SARPs), procedures and aviation safety best practices. Also see definition of *critical elements (CEs).*

Audit area. One of eight audit areas pertaining to USOAP, i.e. primary aviation legislation and civil aviation regulations (LEG), civil aviation organization (ORG); personnel licensing and training (PEL); aircraft operations (OPS); airworthiness of aircraft (AIR); aircraft accident and incident investigation (AIG); air navigation services (ANS); and aerodromes and ground aids (AGA).

Compliance checklist (CC). Assists the State in ascertaining the status of implementation of ICAO Standards and Recommended Practices (SARPs) and in identifying any difference that may exist between the national regulations and practices and the relevant provisions in the Annexes to the Convention.

Corrective action plan (CAP). A plan of action to eliminate the cause of a deficiency or finding.

Cost recovery activity. A USOAP CMA activity that is paid for by the requesting State.

Critical elements (CEs). The critical elements of a safety oversight system encompass the whole spectrum of civil aviation activities. They are the building blocks upon which an effective safety oversight system is based. The level of effective implementation of the CEs is an indication of a State's capability for safety oversight.

Effective implementation (EI). A measure of the State's safety oversight capability, calculated for each critical element, each audit area or as an overall measure. The EI is expressed as a percentage. Also see definition of *lack of effective implementation (LEI), critical element (CE)* and *audit area.*

Finding. Generated in a USOAP CMA activity as a result of a lack of compliance with Articles of the Convention, ICAO Assembly Resolutions, safety-related provisions in the Annexes to the Convention, Procedures for Air Navigation Services (PANS) or a lack of application of ICAO guidance material or good aviation safety practices. Also see definition of *Protocol Question (PQ) finding.*

Finding and recommendation (F&R). Under the USOAP CSA, each finding was generated and expressed in terms of one or more (usually several) Protocol Questions. Each finding also included ICAO's recommendations to the State for the resolution of the finding. Also see definitions of *finding* and *Protocol Question (PQ) finding.*

ICAO Coordinated Validation Mission (ICVM). A USOAP CMA on-site activity during which an ICAO team of subject matter experts collects and assesses evidence provided by the State demonstrating that the State has implemented corrective actions (or mitigating measures for significant safety concerns) to address previously identified findings; ICAO validates the collected evidence and information. Also see definitions of *finding* and *Protocol Question (PQ) finding.*

Inspection. An examination of an aviation licence, certificate, approval or authorization holder (or applicant) performed by aviation safety inspectors to confirm compliance with requirements for the licence, certificate, approval or authorization already issued (or being issued) by the State.

Lack of effective implementation (LEI). A measure of the State's lack of safety oversight capability, calculated for each critical element, each audit area or as an overall measure. The LEI is expressed as a percentage. Also see definitions of *effective implementation (EI), critical element (CE)* and *audit area.*

Mission. An activity requiring one or more persons to travel to a State and conduct an on-site activity.

Mitigating measure. An immediate action taken to resolve a significant safety concern (SSC).

Objective evidence. Information that can be verified, supporting the existence of a documented system and indicating that the system generates the desired results.

Off-site validation activity. A USOAP CMA activity during which an ICAO team of subject matter experts assesses corrective actions implemented by a State and validates submitted supporting evidence at the ICAO HQ without an on-site visit to the State.

Oversight. The active control of the aviation industry and service providers by the competent regulatory authorities to ensure that the State's international obligations and national requirements are met through the establishment of a system based on the critical elements.

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 USOAP for assessing the level of effective implementation of a State's safety oversight system based on the critical elements, the *Convention on International Aviation*, ICAO Standards and Recommended Practices (SARPs), Procedures for Air Navigation Services (PANS) and related guidance material.

Protocol Question (PQ) finding. Under the USOAP CMA, each finding is generated and expressed in terms of one Protocol Question (PQ); issuance of a PQ finding changes the status of the related PQ to not satisfactory. Also see definitions of *finding* and *Protocol Questions (PQs).*

Quality management system (QMS). A management system to direct and control an organization with regard to quality.

Recognized organizations. Entities including national, regional, supranational and international organizations, committees or bodies with which ICAO has signed a Memorandum of Understanding (MOU) for the sharing of information under the USOAP CMA.

Safety. The state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable.

Safety audit. A USOAP CMA audit that a State requests and pays for (on a cost recovery basis). The State determines the scope and date of a safety audit. Also see definition of *audit.*

Safety risk. The predicted probability and severity of the consequences or outcomes of a hazard.

Scope. Audit areas and Protocol Questions addressed and covered in a USOAP CMA activity.

Significant safety concern (SSC). Occurs when the State allows the holder of an authorization or approval to exercise the privileges attached to it, although the minimum requirements established by the State and by the Standards set forth in the Annexes to the Convention are not met, resulting in an immediate safety risk to international civil aviation.

Validation. Confirming submitted information in order to determine either the existence of a Protocol Question (PQ) finding or the progress made in resolving the PQ finding. Also see definition of *Protocol Question (PQ) finding*.

1.4   ACRONYMS AND ABBREVIATIONS

AGA	Aerodromes and ground aids
AIG	Aircraft accident and incident investigation
AIR	Airworthiness of aircraft
ANB	Air Navigation Bureau
ANS	Air navigation services
AOC	Air operator certificate
C/OAS	Chief of Safety and Air Navigation Oversight Audit Section
CAA	Civil Aviation Authority
CAP	Corrective action plan
CBT	Computer-based training
CC	Compliance checklist
CE	Critical element
CMA	Continuous Monitoring Approach
CSA	Comprehensive Systems Approach
DD/MO	Deputy Director of Monitoring and Oversight
DSA	Daily subsistence allowance
EFOD	Electronic Filing of Differences
EI	Effective implementation
F&R	Finding and recommendation
GASP	Global Aviation Safety Plan
HLSC	High-level Safety Conference
HQ	Headquarters
iSTARS	Integrated Safety Trend Analysis and Reporting System
ICVM	ICAO Coordinated Validation Mission
ISO	International Organization for Standardization
LEG	Primary aviation legislation and civil aviation regulations
LEI	Lack of effective implementation
MIR	Mandatory information request
MOU	Memorandum of Understanding
NCMC	National Continuous Monitoring Coordinator
OAS	Safety and Air Navigation Oversight Audit Section
OJT	On-the-job training
OLF	Online Framework
OPS	Aircraft operations
ORG	Civil aviation organization
OSU	Oversight Support Unit
PANS	Procedures for Air Navigation Services
PEL	Personnel licensing and training
PH	Portfolio holder
PQ	Protocol Question
QMS	Quality management system
RCMC	Regional Continuous Monitoring Coordinator

RO   Regional office
RSOO   Regional safety oversight organization
SAAQ   State aviation activity questionnaire
SARPs   Standards and Recommended Practices
SME   Subject matter expert
SMS   Safety management system
SPO   Standards and Procedures Officer
SSC   Significant safety concern
SSP   State safety programme
TCB   Technical Cooperation Bureau
TL   Team leader
TM   Team member
TO   Technical Officer
USOAP Universal Safety Oversight Audit Programme

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Chapter 2

THE ICAO USOAP

2.1 BACKGROUND

2.1.1 On 7 June 1995, the ICAO Council approved the then-voluntary Safety Oversight Assessment Programme, as well as the related mechanisms for financial and technical contributions. The programme was subsequently endorsed by the 31st session of the Assembly and became operational in March 1996. It was a voluntary assessment of a State's implementation of the ICAO SARPs, and assessment reports were provided only to the assessed States. Other Member States were provided with a summary report on the differences identified by the assessment team.

2.1.2 During its first two years, the ICAO Safety Oversight Assessment Programme detected numerous deficiencies in the establishment of effective safety oversight programmes in Member States. Consequently, the ICAO Council recognized the critical need for increased attention to global aviation safety, which was the main subject discussed during the Directors General of Civil Aviation Conference on a Global Strategy for Safety Oversight (DGCA/97), held in Montreal from 10 to 12 November 1997.

2.1.3 Following the DGCA/97 Conference, the ICAO Council completed a preliminary review of the conference conclusions and recommendations and instructed the Secretary General to develop an action plan to address them.

2.1.4 On 6 May 1998, the Council reviewed the action plan submitted by the Secretary General and decided to recommend to the 32nd session of the Assembly that an ICAO USOAP be established.

2.1.5 The 32nd session of the Assembly (22 September – 2 October 1998) reviewed the recommendations of the Council and adopted Assembly Resolution A32-11 — Establishment of an ICAO Universal Safety Oversight Audit Programme (USOAP) with the objective of monitoring the safety oversight obligations of all State entities in ensuring the implementation of all ICAO safety-related SARPs.

2.1.6 The 33rd session of the Assembly (22 September – 5 October 2001) recognized the successful implementation of the USOAP mandatory audits and adopted Assembly Resolution A33-8 which expanded the USOAP to include audits of Annex 11 — *Air Traffic Services*, Annex 14 — *Aerodromes*, and other safety-related areas such as Annex 13 — *Aircraft Accident and Incident Investigation*.

2.1.7 On the recommendation of the Secretariat and the Air Navigation Commission, the Council decided to delay the expansion of USOAP and proposed to the 35th session of the Assembly the transition of the Programme to a comprehensive systems approach (CSA).

2.1.8 Accordingly, the 35th session of the Assembly adopted Resolution A35-6, which requested that the USOAP be expanded to include the safety-related provisions contained in all safety-related Annexes to the Convention as of 2005. This Resolution, which superseded Assembly Resolution A33-8, further requested the Secretary General to restructure the USOAP to implement the CSA and to restructure the safety oversight audit reports to reflect the critical elements (CEs) of a safety oversight system, as presented in the *Safety Oversight Manua*l (Doc 9734), Part A — *The Establishment and Management of a State's Safety Oversight System*. Under the CSA, all Member States would be audited at least once during a six-year period.

2.2   TRANSITION TO CMA

2.2.1   In September 2007, the 36th session of the Assembly adopted Resolution A36-4 directing the Council to examine different options for the continuation of the USOAP beyond 2010, including the feasibility of applying a new approach based on the concept of continuous monitoring. Pursuant to this resolution, the Council directed the Secretariat to look at the future of the programme beyond 2010, with a view to incorporating the analysis of safety risk factors, adopting a more proactive approach, making a more effective and efficient use of ICAO resources, and increasing the role of other ICAO bureaux and the regional offices (ROs). To this effect, in July 2008 the Secretariat established a study group to examine the feasibility of adopting a CMA.

2.2.2   The study group identified six options to be considered for the continuation of USOAP beyond 2010, including details on the particular objectives, requirements, benefits, constraints and associated costs of each. Based on a comparative analysis of the benefits, constraints and implementation costs of each option, the study group resolved that, in order to ensure efficiency, long-term sustainability and cost-effectiveness, preference should be given to the application of a CMA for the continuation of USOAP beyond 2010.

2.2.3   The Council examined the Secretariat's recommendations during its 187th session and directed the Secretary General to develop the methodology and tools required to implement a CMA, including the necessary detailed guidance to Member States. The Council also directed the Secretary General to conduct targeted ICAO Coordinated Validation Missions (ICVMs) during the transition phase. Activities to be carried out under the USOAP CMA were to be phased in gradually, with pilot projects conducted in selected Member States.

2.2.4   The High-level Safety Conference 2010 (HLSC/2010) (29 March – 1 April 2010) in Montréal, attended by 551 participants from 117 Member States and observers representing 32 international organizations, agreed that the USOAP presented a major achievement for aviation safety and fully supported the evolution of the Programme to the USOAP CMA. The HLSC/2010 also agreed that States should commit to supporting USOAP CMA by providing ICAO with relevant safety information and that the Council should monitor the progress made during the transition period and, if required, adjust its duration. The participants also indicated that ICAO should enter into new agreements and amend existing agreements for the sharing of confidential safety information with international entities and organizations, with the objective of reducing the burden on States caused by repetitive audits and the systematic duplication of monitoring activities.

2.2.5   The 37th session of the Assembly (September – October 2010) adopted Resolution A37-5, affirming that the evolution of USOAP to the CMA should continue to be a top priority for ICAO to ensure that information on the safety performance of Member States is provided to other Member States and to the travelling public on an ongoing basis. This vital improvement of international aviation safety oversight required the participation and support of all Member States, particularly during the transition period in which the tools and guidance required for USOAP CMA were being developed and refined.

2.2.6   The two-year transition to USOAP CMA was conducted from 2011 to 2012 and the programme was fully launched on 1 January 2013, as scheduled and approved by the Council during its 197th session in November 2012. The CMA transition plan included numerous activities related to: communications with States and stakeholders, development and launch of the online framework and its multiple tools and modules, development of supporting documentation and guidance material, upgrading of the USOAP CMA quality management system (QMS), documentation of processes and procedures, training of auditors and experts, conduct of CMA on-site activities in States and development and expansion of agreements with relevant partners to foster coordination and cooperation.

2.2.7   During the transition, ICAO changed its approach from generating findings and recommendations (F&Rs) to PQ findings. ICAO also modified the formulae for calculating the effective implementation (EI) in order to make the EI percentage more accurate. See 2.9 and 2.13.

2.2.8   The USOAP CMA online framework (https://soa.icao.int/usoap/) was also launched on 1 January 2013 with the redesigned and integrated tools required for the conduct of CMA activities available for use. In order to provide States with a seamless transition to the online framework, ICAO developed a phased plan for migrating State PQ finding and corrective action plan (CAP) data from the previous platform, Integrated Safety Trend Analysis and Reporting System (iSTARS), to the online platform. The data migration was completed throughout 2013.

> *Note.— Version 2.0 of iSTARS, called SPACE, was released in 2013.*

2.2.9   In the context of USOAP CMA, the 37th session of the Assembly also directed the Council to assess how information on significant safety concerns (SSCs) could be shared with the public in a form which would allow them to make an informed decision about the safety of air transport. During its 195th and 197th sessions, the Council considered the sharing of unresolved SSCs with the public and approved that SSCs be made available on the ICAO public website starting in January 2014. The 38th session of the Assembly (September – October 2013) endorsed this process. Information on the existence and nature of an unresolved SSC are now posted alongside the State-specific information already available on the ICAO public website (www.icao.int).

2.2.10   Annex 19 — *Safety Management* was adopted by the Council in February 2013 and it became applicable on 14 November 2013. The SARPs in Annex 19 are intended to assist States in managing aviation safety risks and to support the continued evolution of a proactive strategy to improve safety performance. A roll-out plan was published in April 2013 outlining amendments required for USOAP CMA tools to address the new SARPs in Annex 19 in a comprehensive manner.

2.3   USOAP CMA PRINCIPLES

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

2.3.2   *Universality.* All Member States shall be subject to continuous monitoring activities by ICAO, in accordance with the principles, methodologies, processes and procedures established for conducting such activities, and on the basis of the Memorandum of Understanding (MOU) signed by ICAO and each Member State.

2.3.3   *Transparency and disclosure.* USOAP CMA activities shall be conducted under a process that is fully transparent and open for examination by all parties concerned. There shall be full disclosure of the finalized results of USOAP CMA activities which shall provide sufficient information for Member States to make informed decisions regarding the safety oversight capability of other Member States.

2.3.4   *Timeliness.* Results of USOAP CMA activities shall be produced and posted by ICAO in a timely manner, in accordance with a predetermined schedule for the preparation and submission of these results. Member States shall submit updates, comments, action plans and all required documentation in accordance with the timelines set out in Appendix A and in the MOU. Relevant information will be published by ICAO on an ongoing basis.

2.3.5   *All-inclusiveness.* The scope of USOAP CMA includes the ICAO SARPs contained in all safety-related Annexes to the Convention, Procedures for Air Navigation Services (PANS), guidance material and related procedures and practices.

2.3.6   *Systematic, consistent and objective.* USOAP CMA shall be conducted in a systematic, consistent and objective manner. Standardization and uniformity in the scope, depth and quality of USOAP CMA activities shall be achieved through the use of trained and qualified auditors and SMEs, through the use of standardized PQs and the provision of relevant guidance material.

2.3.7   *Fairness.* USOAP CMA activities shall be conducted in a manner such that Member States have every opportunity to monitor, comment on, and respond to the CMA processes.

2.3.8   *Quality.* The quality of USOAP CMA activities shall be ensured by assigning trained and qualified auditors and SMEs to conduct USOAP CMA activities, as well as by implementing and maintaining a documented QMS that continually monitors and evaluates feedback received from USOAP CMA stakeholders to ensure their ongoing satisfaction.

2.4   AUDITING PRINCIPLES

2.4.1   The following auditing principles apply to USOAP CMA activities, in accordance with ISO 19011:2011 — *Guidelines for auditing management systems.* USOAP CMA has adopted *ISO 19011* including the principles of auditing, managing an audit programme, conducting management system audits, guidance on the evaluation of competence of individuals involved in the audit process.

> *Note.— The terms "audit" and "auditing" used below apply to USOAP CMA activities in general.*

   a) Ethical conduct: the foundation of professionalism. Trust, integrity, confidentiality and discretion are essential to conducting USOAP CMA activities.

   b) Fair presentation: the obligation to report truthfully and accurately. Audit findings, conclusions, activity reports and SSCs shall reflect truthfully and accurately the State's safety activities. Significant obstacles encountered during the activity and unresolved diverging opinions between a USOAP CMA mission team and the visited State are reported.

   c) Due professional care: the application of diligence and judgement in the conduct of USOAP CMA activities. Team members (TMs) shall exercise care in relation to the importance of the tasks they perform and the confidence placed in them by Member States and other interested parties. Having the necessary competence is an important factor.

   d) Independence: the basis for the impartiality of USOAP CMA activities and the objectivity of the conclusions. TMs shall be independent of the activity being audited and be free from bias and conflict of interest. TMs shall maintain an objective state of mind throughout the process to ensure that audit findings and conclusions are based only on the assessed evidence.

   e) Evidence-based approach: the rational method for reaching reliable and reproducible conclusions in a systematic process. Audit evidence shall be verifiable and based on samples of the information available. The appropriate use of sampling is closely related to the confidence that can be placed in the audit conclusions.

2.5   CRITICAL ELEMENTS

2.5.1   Critical elements (CEs) are essentially the safety defence tools of a State's safety oversight system required for the effective implementation of safety-related standards, policy and associated procedures. Each Member State should address all CEs in its effort to establish and implement an effective safety oversight system that reflects the shared responsibility of the State and the aviation community. CEs of a safety oversight system cover the whole spectrum of civil aviation activities, including personnel licensing, aircraft operations, airworthiness of aircraft, aircraft

accident and incident investigation, air navigation services and aerodromes. The level of effective implementation of the CEs is an indication of a State's capability for safety oversight.

2.5.2   The CEs of a State's safety oversight system are described in Doc 9734 *Safety Oversight Manual*, *Part A — The Establishment and Management of a State's Safety Oversight System* and Annex 19 — *Safety Management*, *Appendix 1.*

2.6   AUDIT AREAS

The following eight audit areas have been identified in the USOAP:

        1)   primary aviation legislation and civil aviation regulations (LEG);

        2)   civil aviation organization (ORG);

        3)   personnel licensing and training (PEL);

        4)   aircraft operations (OPS);

        5)   airworthiness of aircraft (AIR);

        6)   aircraft accident and incident investigation (AIG);

        7)   air navigation services (ANS); and

        8)   aerodromes and ground aids (AGA).

2.7   USOAP CMA PROTOCOL QUESTIONS

2.7.1   Protocol Questions (PQs) are the primary tool for assessing the level of effective implementation of a State's safety oversight system. They are based on ICAO SARPs, PANS, ICAO documents, other guidance material and taking into consideration the CEs. PQs are organized by audit areas.

2.7.2   The use of standardized PQs ensures transparency, quality, consistency, reliability and fairness in the conduct and implementation of USOAP CMA activities.

2.7.3   The PQs are based on the Convention, safety-related SARPs established in the Annexes to the Convention and associated guidance material. At the same time, each PQ is sufficiently flexible to allow the appropriate evaluation of the scope and complexity of the aviation activity in each State.

2.7.4   PQs are maintained live and online, so that the status of each PQ can be continuously updated based on information and evidence which is submitted by the State and validated by the Safety and Air Navigation Oversight Audit Section (OAS).

2.7.5   Any change in the status of a PQ for a State will lead to an update of the State EI.

2.7.6   The OAS amends and updates PQs on a periodic basis to reflect the latest changes in ICAO provisions and Annexes to the Convention, to include emerging issues in civil aviation and to harmonize and improve PQ

references and content. PQ amendments incorporate input from ICAO Air Navigation Bureau (ANB), ROs, USOAP mission team members and external stakeholders.

2.7.7   PQ amendments may have a minor impact on all States' EIs because the CE relevant to the PQ may be changed, some PQs may be merged with others, some PQs may be divided and some deleted. New PQs being added will be marked as undetermined until they are reviewed in a USOAP CMA activity.

2.8   PQ SELF-ASSESSMENT

2.8.1   States are required to submit and regularly update the status of PQs, using the online framework. Particularly, in light of the adoption of *Annex 19 — Safety Management*, States are encouraged to perform self-assessment. As a priority, States shall conduct a PQ self-assessment:

        a)   on PQs that were deemed not satisfactory in a previous USOAP activity;

        b)   on new PQs introduced through PQ amendments – these PQs will have an undetermined status until they are assessed through a USOAP CMA activity;

        c)   on amended PQs, if the amendment impacts the status of the PQ; or

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

2.8.2   Starting in November 2014 and in line with the mid-term objective of the GASP calling for all States to achieve full implementation of State Safety Programmes (SSPs) and safety management systems (SMS), States with an EI of over 60 per cent are required to conduct self-assessment on new or amended PQs on the provisions of Annex 19. Other States will be encouraged to do so as their SSPs gradually mature. See 2.13.

2.8.3   The PQ self-assessment is an important tool for States to use in order to prepare for a USOAP CMA activity. Each PQ includes information on ICAO references which helps identify the ICAO standard or provision related to the PQ. Each PQ also includes guidance for review of the PQ 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 USOAP CMA team will be looking for during a USOAP 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*.

2.8.4   Regular self-assessments using PQs are also a tool for States to actively monitor and report the health of their aviation system on a continuous basis. States can use PQ self-assessments to conduct scheduled internal audits of their safety oversight system. Thus, States can actively monitor their own systems in a proactive manner to identify and resolve safety oversight deficiencies.

2.9   PQ FINDING

2.9.1   When ICAO cannot obtain evidence indicating compliance, a deficiency is identified and a PQ finding is issued in one or more of the following cases:

a)   lack of compliance of the State's safety oversight system with the Convention;

b)   lack of implementation of ICAO SARPs and PANS; and/or

c)   lack of application of guidance material and relevant safety-related practices in general use in the aviation industry to support the implementation of the ICAO SARPs and PANS.

Generating a finding changes the status of the associated PQ to "not satisfactory" and decreases the State's EI, as described in 2.13 and in Chapter 3, 3.7.

2.9.2   A PQ finding is issued when there is no evidence of compliance with provisions in the aviation safety system of the State. Such evidence may be obtained during a USOAP CMA on-site activity, or through a USOAP CMA off-site activity, if the State does not provide an acceptable response to a mandatory information request (MIR); see 2.11. Also see Chapter 3, 3.2 for USOAP CMA activities.

2.9.3   Each PQ finding must be based on one PQ. Each PQ is linked to a CE, therefore, a not satisfactory PQ is also reflected in the related CE in the audit results.

2.9.4   A PQ finding contains:

a)   the not satisfactory PQ;

b)   the applicable CE; and

c)   a description of the identified deficiencies.

2.9.5   In order for ICAO to close a PQ finding, the State must address the associated PQ by resolving all the deficiencies detailed in the finding.

Note.— In order for ICAO to close a finding and recommendation (F&R) from the USOAP CSA cycle, the State must address all PQs associated with the F&R. See the definition of F&R in Chapter 1, 1.3.

2.10   SIGNIFICANT SAFETY CONCERN

2.10.1   In November 2006, the Council approved a mechanism for dealing with significant safety concerns (SSCs) identified during the conduct of safety oversight audits. The SSC mechanism is a USOAP CMA process that is used to notify a State of identified deficiencies that may pose an immediate safety risk to international civil aviation.

2.10.2   An SSC may be identified by a USOAP CMA activity team during the conduct of a USOAP CMA on-site activity (see Chapter 3, 3.2) or by ICAO at any stage throughout the continuous monitoring process.

2.10.3   If the SSC is confirmed, the National Continuous Monitoring Coordinator (NCMC) of the State is notified, specifying the due date for the State to take mitigating measures. A notification is also sent to the ICAO Regional Office (RO).

Note.— When requested by the State, ICAO RO may assist the State on how to develop and submit immediate mitigating measures to resolve the SSC.

2.10.4   If the State does not take appropriate mitigating measures or corrective actions to resolve the SSC by the specified due date, the SSC will be made available to all Member States on the online framework (OLF). If the State

does not resolve the SSC within 90 days after posting on the online framework, it will also be posted on the ICAO public website. The SSC will remain posted until it is resolved. Details of the SSC process are described in the SSC procedure and the SSC process flowchart in Appendix C.

2.11 MANDATORY INFORMATION REQUEST

2.11.1   The OAS may submit a mandatory information request (MIR) to a State to request information or documentation needed for USOAP CMA review and validation. A MIR can be issued when:

       a)   a State has not submitted and/or maintained its SAAQ, CCs and/or PQs complete and up to date;

       b)   a State has not submitted and/or maintained its CAPs up to date;

       c)   information in the SAAQ, CCs and/or PQs provided by the State contradicts information found in other documents or provided by other stakeholders;

       d)   a significant change is observed in the organization responsible for a State's aviation safety oversight;

       e)   evidence indicates that a potential deficiency or significant safety concern may exist, and additional information is required to validate this — it gives the State the opportunity to clarify the issue;

       f)   information is needed on an aircraft accident or incident;

       g)   information is needed in addition to an ICAO RO visit; and

       h)   information collected during a USOAP CMA activity is incomplete or insufficient.

2.11.2   If the State does not respond to the MIR with complete, clear and relevant information, or if the State does not respond to a MIR within the specified timeframe, ICAO can generate a PQ finding or even an SSC.

2.12 CORRECTIVE ACTION PLAN

2.12.1   When ICAO issues a finding, i.e. when the status of a PQ changes to not satisfactory as a result of a USOAP CMA activity, in response the State must develop a corrective action plan (CAP), as required by the CMA MOU (see Chapter 4, 4.6 and Appendix B). The State shall develop an acceptable CAP and submit it to the OAS through the USOAP CMA online framework (see Chapter 5 for an introduction to the online framework).

2.12.2   The State must provide and implement CAPs that meet certain criteria. Proposed CAPs must fully address the associated PQ and all identified deficiencies. Guidance and criteria for States on developing CAPs are described in Appendix D.

       Note.— When requested by the State, ICAO RO may assist the State on how to develop and submit a CAP

2.12.3   Once OAS accepts the State's CAPs, the State starts to implement the corrective actions. The OAS regularly monitors the State's progress in implementing its CAPs through the online framework until each CAP is fully implemented. Further details regarding the submission, assessment, implementation and validation of CAPs are described in Chapter 7, 7.4.15 to 7.4.21, and 7.8.3.

2.12.4   If a State does not submit a CAP within the required timeline, the OAS will coordinate with the RO and other relevant ICAO sections and report to DD/MO to determine further action, as appropriate.

2.13   EFFECTIVE IMPLEMENTATION

2.13.1   Effective implementation (EI) is a measure of the State's safety oversight capability. A higher EI indicates that a State's safety oversight system has a greater degree of compliance with ICAO provisions.

2.13.2   The EI is calculated for any group of applicable PQs based on the following formulae:

$$EI\ (\%) = \frac{\text{number of satisfactory PQs}}{\text{total number of applicable PQs}} \times 100$$

The EI can thus be calculated for each CE, each audit area and as an overall value.
In addition to the EI, a lack of effective implementation (LEI) score is also calculated for certain analysis. The LEI is simply calculated as:

$$LEI\ (\%) = 100 - EI\ (\%)$$

Note.— The EI calculation was changed under the CMA in order to make the EI a more accurate measure for analysis purposes. This change has been applied to all States uniformly and has had a minimal impact on States' EI. It does not impact the overall interpretation of results or prioritization and conduct of USOAP CMA activities for States.

2.14   STATE AVIATION ACTIVITY QUESTIONNAIRE

2.14.1   The State aviation activity questionnaire (SAAQ) is designed to collect comprehensive and specific information on each State's aviation activities, including legislative, regulatory, organizational, operational, technical and administrative details. Each State shall complete and maintain its SAAQ up to date in order to assist the Monitoring and Oversight Office in monitoring the level of aviation activity in the State related to each audit area and in prioritizing and planning USOAP CMA activities.

2.14.2   ICAO will revise the SAAQ periodically. States are required to update their SAAQs regularly.

2.15   COMPLIANCE CHECKLISTS (CCS)/EFOD

2.15.1   States are required by the USOAP CMA Memorandum of Understanding (MOU; see Chapter 4, 4.3.1, 4.3.2 and 4.6) to file their differences against standards and recommended practices by completing and maintaining up-to-date Compliance Checklists (CCs). These contain information regarding the implementation of the specific provisions of the relevant Annexes to the Convention. The completion of the CCs by Member States will provide an overview of the level of implementation of ICAO Standards to authorized users.

2.15.2   States must provide this information through the Electronic Filing of Differences (EFOD) system on the CMA online framework (http://www.icao.int/usoap/). By completing the CCs through the EFOD system, States can use the EFOD as an alternative means for notifying ICAO of their compliance and differences.

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Chapter 3

THE CONTINUOUS MONITORING APPROACH (CMA)

3.1 OBJECTIVE

USOAP CMA provides a mechanism for ICAO to collect and analyze safety information from Member States and other stakeholders to identify and prioritize appropriate oversight and monitoring activities to be carried out by ICAO. It is a strategy that uses a risk-based approach for measuring and monitoring the safety oversight capabilities and improving safety performance of States and global aviation on a continuous basis.

3.2 USOAP CMA ACTIVITIES

3.2.1   The following activities may be performed under USOAP CMA to identify deficiencies in a State and to assess the resolution of findings and SSCs, if applicable:

   a)   USOAP CMA audit;

   b)   safety audit;

   c)   ICVM; and

   d)   off-site validation activity.

3.2.2   The objective of a USOAP CMA audit is to determine a State's capability for safety oversight by assessing the effective implementation of the CEs of the safety oversight system and the status of the State's implementation of all safety-related ICAO SARPs, associated procedures, guidance material and best safety practices. Audits are tailored to the complexity of the State's civil aviation system.

3.2.3   The objective and methodology of a safety audit are the same as a USOAP CMA audit. The difference is that for a USOAP CMA audit, ICAO identifies the need for the audit, determines its scope and pays for its conduct; whereas for a safety audit, a Member State requests an audit of its current safety oversight system, determines its scope and pays for its conduct on a cost recovery basis.

3.2.4   The objective of an ICVM is to assess and validate CAPs (or mitigating measures for SSCs) implemented by a State to address previously identified findings, including SSCs. During an ICVM, the ICAO team of SMEs may also provide on-site guidance to the State on resolving findings and deficiencies.

   Note 1.— Some ICVMs are planned and conducted specifically to assess and validate a State's resolution of SSCs.

   Note 2.— A State may request ICAO to conduct an ICVM, in which case ICAO will schedule and conduct a cost recovery ICVM as described in Chapter 4, 4.7.6 and 4.7.7.

Although it is not an objective of ICVMs, the SMEs may identify preliminary SSCs during the conduct of the ICVM.

3.2.5   The objective of an off-site validation activity is to assess and validate CAPs implemented by a State to address certain PQ findings without conducting an on-site activity, i.e. an audit or ICVM. CAPs typically addressing PQ findings associated with CEs 1 to 5 (collectively known as "establishment" CEs) are best suited for an off-site validation activity, if the State submits evidence of their full implementation. This activity is conducted at ICAO HQ.

            Note 1 .— CEs 1 through 5 are related to "establishment", i.e. they indicate that the addressed provision must be fully and effectively established within the State's safety oversight system. CEs 6 through 8 are related to "implementation", i.e. they indicate that the addressed provision must be fully and effectively implemented within the State's safety oversight system.

            Note 2 .— CAPs related to the majority of PQ findings associated with CEs 6, 7 and 8 (collectively known as "implementation" CEs) do not qualify for an off-site validation activity and must be assessed and validated through an on-site activity.

            Note 3 .— If a State's response to a MIR is not acceptable, the OAS generates an off-site validation activity to change the status of the associated PQs from satisfactory to not satisfactory. In that case, the State must submit CAPs to the OAS in response to those not satisfactory PQs, as described in Chapter 7, 7.8.3 and 7.4.16 to 7.4.21.

These activities are also defined in Chapter 1, 1.3. The scope of each type of these activities are determined in the planning and scheduling process, as described in Chapter 4, 4.7. Further details about the phases and conduct of each type of activity are described in Chapter 7.

3.3   THE USOAP CMA CONCEPT

3.3.1   USOAP CMA consists of the following four major components:

        a)   collection of safety information;

        b)   determination of State safety risk profile;

        c)   prioritization and conduct of USOAP CMA activities; and

        d)   update of the EI and the status of SSCs.

These components, not necessarily in a particular order, enable ICAO to continuously monitor the safety oversight capabilities of Member States. Figure 3-1 shows the USOAP CMA components.
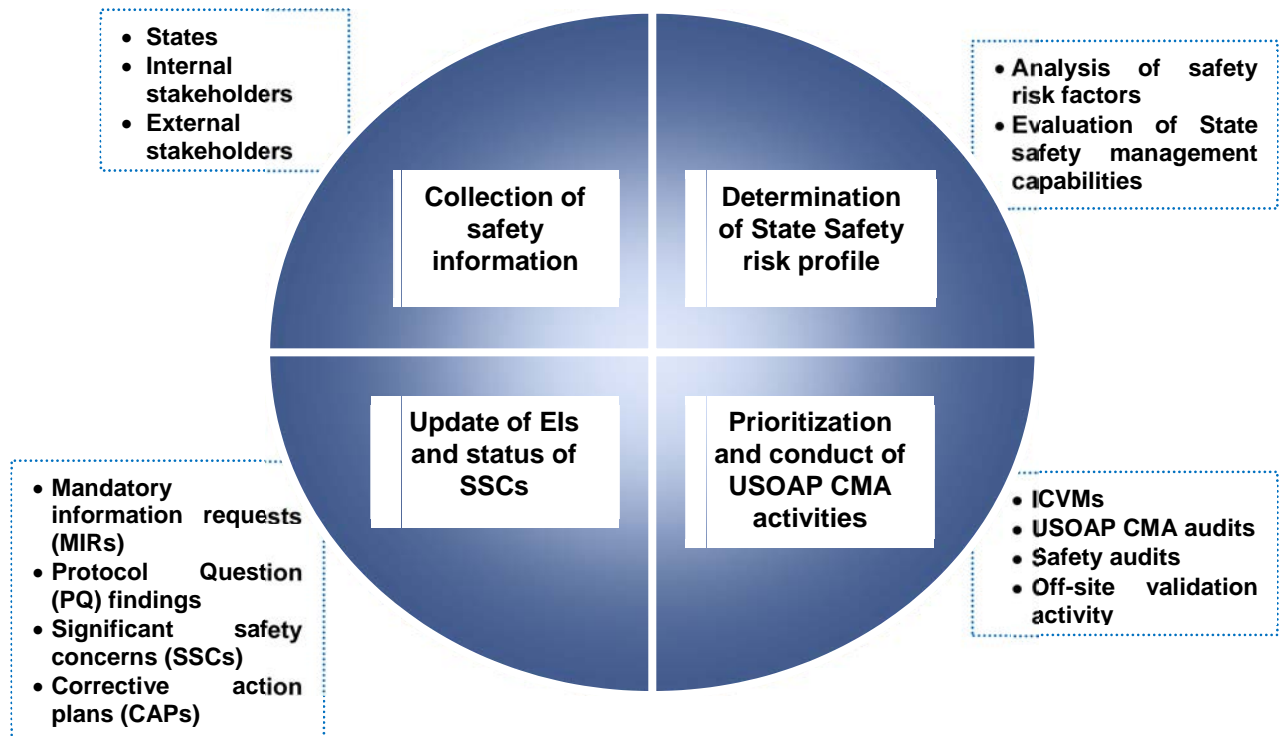
Figure 3-1.   USOAP CMA components

3.4   COLLECTION OF SAFETY INFORMATION

3.4.1   USOAP CMA provides a mechanism for collecting safety data and information from three main sources: Member States, internal and external stakeholders.

3.4.2   Member States provide the primary source of safety information by completing, submitting and updating the following, as described in Chapter 2, 2.8, 2.14 and 2.15.

      a)   the self-assessment checklist based on USOAP CMA PQs;

      b)   the State Aviation Activity Questionnaire (SAAQ); and

      c)   Compliance Checklists (CCs) on the Electronic Filing of Differences (EFOD) system.

Implementation of State safety programmes (SSPs) will also provide relevant safety data in support of USOAP CMA. As SSPs evolve, they will generate additional safety data that will be used to enhance the effectiveness of USOAP CMA.

3.4.3   USOAP CMA relies on an online framework to facilitate the collection of safety information from Member States, as described in Chapter 5. The ongoing collection of data allows ICAO to select and conduct the appropriate activities for each State.

3.4.4   Internal stakeholders include all ICAO Secretariat (HQ and regional offices). These stakeholders provide information to USOAP CMA that will be collected and shared internally through ICAO's Integrated Safety Trend Analysis and Reporting System (iSTARS, version 2.0 released under the name SPACE in 2013) and the CMA online framework.

3.4.5   External stakeholders include national, regional, supranational and international organizations. Based on agreements with ICAO, these stakeholders collect and provide confidential safety information to ICAO and/or share information that can be used to supplement data currently available to ICAO. The sharing of information reduces duplication of resources and effort for ICAO and the recognized organizations, increases the effectiveness of monitoring activities and reduces the load placed on States as a result of repetitive audits, inspections and monitoring activities.

3.5   DETERMINATION OF STATE SAFETY RISK PROFILE

3.5.1   The State safety risk profile is based on various safety risk indicators that identify or highlight specific information related to a State that need to be considered in identifying and prioritizing USOAP CMA activities. These safety risk indicators include, but are not limited to:

        a)   the EI (determined through a previous USOAP CMA activity);

        b)   the existence of SSCs;

        c)   the level of aviation activities in the State related to each audited area, e.g. number of: aircraft movements (i.e. arrivals and departures), personnel licences issued/validated, air operator certificates (AOCs) issued, aircraft registered and aviation serious incidents and accidents;

        d)   the projected growth of air traffic and aviation activities in the State;

        e)   the State's capability in submitting CAPs that are acceptable by ICAO;

        f)   the level of progress made by the State in implementing its CAP to resolve identified deficiencies in each audit areas;

        g)   significant changes in the organizational structure of the State's civil aviation authority;

        h)   ongoing or planned assistance projects;

        i)   the State's progress in achieving the objective of GASP related to safety management;

        j)   air navigation deficiencies; and

        k)   regional office (RO) mission reports.

3.5.2   The State safety risk profile will be monitored on an ongoing basis by ICAO Headquarters (HQ). In the event that the USOAP CMA process indicates that a State has not provided or updated the progress reports on the OLF, is not making progress in resolving identified findings and/or SSCs, or if the collected information indicates that the safety oversight system in a State has deteriorated, ICAO may take any of the following actions based on the State safety risk profile:

a)   increase the monitoring of the State by conducting a USOAP CMA activity;

b)   provide or facilitate assistance; and/or

c)   reassess or monitor more closely existing technical assistance projects.

3.6   PRIORITIZATION AND CONDUCT OF USOAP CMA ACTIVITIES

3.6.1   Under USOAP CMA, the Monitoring and Oversight Office and ICAO ROs use defined criteria to select and prioritize States for the conduct of the appropriate type of USOAP CMA activity. These activities, as defined in 3.2, are part of the strategy for measuring and facilitating the improvement of global aviation safety on a continuous basis. States are prioritized through the planning and scheduling process which is described in Chapter 4, 4.7.

3.6.2   The criteria used to select a State for an audit include:

a)   the State's safety risk profile, in particular LEI vs air traffic;

b)   date of the last audit;

c)   significant changes in any of the audit areas within the State's civil aviation system;

d)   information submitted by the State through PQ self-assessment;

e)   recommendations from the RO or ANB sections;

f)   information shared by recognized international organizations; and

g)   regional balance.

3.6.3   The criteria used to select a State for an ICVM include:

a)   the State's safety risk profile, in particular LEI vs air traffic;

b)   the State's readiness, indicated by its reported progress in implementing its CAPs;

c)   the State's progress in resolving identified SSCs;

d)   information submitted by State through PQ self-assessment;

e)   recommendations from the RO or ANB sections;

f)   information shared by international organizations; and

g)   regional balance.

3.6.4   The criteria used to select a State for an off-site validation activity include whether:

a)   the State has PQ findings associated with CEs 1 to 5;

b)   at least 50 per cent of the State's corresponding CAPs meet the following three conditions:

• they fully address PQ findings;

• they are fully implemented;

• the State has submitted all evidence of implementation through the USOAP CMA online framework;

c) information submitted by State through PQ self-assessment.

3.6.5   A specific request from the State or a recommendation by an RO can also trigger a USOAP CMA activity. If the State requests the activity, it will be cost recovery as described in Chapter 4, 4.7.6 and 4.7.7.

3.6.6   The activity or activities for each Member State are prioritized and conducted based on available resources and in accordance with the policy, roles, responsibilities and procedures described throughout this manual and in the QMS of the Monitoring and Oversight Office. The scope and timing for the appropriate USOAP CMA activity to be conducted in a given State are determined through the planning and scheduling process, as described in Chapter 4, 4.7.

3.7   UPDATE OF EI AND STATUS OF SSCs

3.7.1   The conduct of USOAP CMA activities and the validation of collected safety information enables ICAO to continuously update (i.e. increase or decrease) the EI of the safety oversight capability for each State.

3.7.2   Changes in the EI and SSC status occur through the change in the status of PQs, as a result of either:

a)   the conduct of a USOAP CMA audit;

b)   the conduct of an ICVM or off-site validation activity; or

c)   validation by ICAO HQ of safety information received from States (e.g. through MIRs), ICAO ROs (through RO visits), recognized organizations and other stakeholders (through their audits and/or inspections).

3.7.3   The audit process shows the current status of the civil aviation safety oversight system in the State and may generate a new set of PQ findings and, potentially, significant safety concerns (SSCs), i.e. changing the status of PQs from satisfactory or undetermined to not satisfactory. The EI is updated subsequent to each audit performed.

3.7.4   Both ICVM and off-site validation activity processes may change the status of not satisfactory PQs to satisfactory, as a result of State's progress in resolving existing PQ findings effective implementation of CAPs. Actions taken by a State to resolve any SSCs, if applicable, are also reviewed during the ICVM and forwarded to ICAO HQ to determine whether the SSCs have been resolved and whether the status of related not satisfactory PQs can be changed to satisfactory.

3.7.5   In the validation of a State's safety information, the Monitoring and Oversight Office reviews all safety information pertinent to a PQ, including documented evidence provided by the State (e.g. regulations and procedures). If the evidence fulfills the provisions of a PQ, the OAS changes the status of the not satisfactory PQ to satisfactory, which results in an update of the EI. In the absence of such evidence, the validation of safety information by the OAS can result in a new PQ finding or a new SSC.

3.8   EI-RELATED SAFETY ANALYSIS

3.8.1   In 2009, ICAO launched the iSTARS (integrated Safety Trend Analysis and Reporting System) project with the goal of combining different safety related datasets such as accidents, traffic and USOAP results into a single web-based system to allow integrated safety analysis.

3.8.2   In 2013, version 2.0 of iSTARS, called SPACE, was released through the ICAO Secure Portal website. It offers users a choice of safety-related applications from its catalogue.

Note.— iSTARS version 2.0, i.e. SPACE, on the ICAO Secure Portal website can be accessed from: http://portal.icao.int *– group name SPACE. No installations are required. SPACE is fully web-based and mobile/tablet-friendly.*

3.8.3   SPACE and the CMA online framework are two different but connected systems. SPACE is designed for all State aviation professionals to view and analyse safety information, including but not limited to USOAP information, whereas the online framework is designed primarily for NCMCs to provide ICAO with information related to USOAP. The two systems are synchronized so as to show the exact same information at all times.

3.8.4   SPACE provides a set of applications related to USOAP which allow users to:

a)   find any State's current implementation scores, i.e. the EI or LEI;

b)   explore any State's current PQ status by viewing and drilling down to not satisfactory PQs by critical element or audit area;

c)   compare any State's implementation scores to regional and/or global averages, as well as to other State's implementation scores;

d)   combine State implementation scores with other factors like accident statistics or traffic to perform risk analysis;

e)   generate tables, charts and maps using implementation scores to feed presentations, documents and reports; and

f)   run queries on individual PQs through groups of States and calculate implementation scores for each PQ.

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Chapter 4

PROGRAMME MANAGEMENT

4.1   GENERAL

4.1.1   In order to effectively manage and ensure the success of the USOAP CMA, all components of the programme, including roles and responsibilities of each entity, the required resources and procedures, are clearly defined in this chapter.

4.1.2   The effective implementation of the USOAP CMA depends on the partnerships, communication and exchange of information between ICAO, Member States and international, regional and supranational organizations, who all have a specific, defined role.

4.1.3   The QMS implemented within the USOAP CMA provides the mechanisms for effectively implementing established processes and procedures, monitoring and reviewing the components of the USOAP CMA, determining the need for corrective or preventive action and identifying opportunities for improvement. It also allows ICAO to collect and analyze data to measure the satisfaction of stakeholders with USOAP CMA and to take appropriate actions to improve USOAP CMA processes, procedures and components.

> *Note.— The roles and responsibilities outlined in this chapter solely pertain to the USOAP CMA processes and are not intended to provide a comprehensive description of roles and responsibilities of individuals, entities and organizations beyond the scope of this manual and USOAP CMA.*

4.2   ROLES AND RESPONSIBILITIES WITHIN THE ICAO SECRETARIAT

4.2.1   Within the scope of the USOAP CMA, the Deputy Director of Monitoring and Oversight (DD/MO) is responsible for overseeing the proper management of the programme, chairing the SSC validation committee and approving all final USOAP CMA activity reports.

4.2.2   The Monitoring and Oversight Office is an entity within the Air Navigation Bureau (ANB). It comprises of the Safety and Air Navigation Oversight Audit Section (OAS) and the Oversight Support Unit (OSU). The Office, in coordination with other related sections and ROs, is responsible for the management of the USOAP CMA.

Roles and responsibilities of the MO Office

4.2.3   The Monitoring and Oversight Office is responsible for managing the overall development, implementation, maintenance and quality of the USOAP CMA, including but not limited to:

     a)   monitoring the State safety risk profile to identify and prioritize appropriate USOAP CMA activities;

     b)   coordinating the schedule of USOAP CMA activities with ICAO ROs;

     c)   providing timely notification to States regarding scheduled activities;

d)   providing guidance and information to States to prepare for the conduct of USOAP CMA activities;

e)   selecting appropriately qualified TLs and TMs in coordination with the respective ROs to conduct USOAP CMA on-site activities;

f)   managing the conduct of USOAP CMA activities;

g)   developing and implementing the tools and processes required for implementing USOAP CMA components and conducting activities;

h)   monitoring the status of findings and/or SSCs;

i)   assessing corrective actions and mitigation measures proposed by States;

i)   updating State EI;

j)   providing periodic reports to the governing bodies of ICAO on the implementation of USOAP CMA and progress made in resolving identified deficiencies and improving the global EI; and

k)   facilitating and coordinating support functions for all USOAP CMA activities.

4.2.4   The Monitoring and Oversight Office monitors the conduct of all USOAP CMA tasks to ensure that they are carried out effectively and identifies any required corrective or preventive actions.

Roles and responsibilities of other ANB Sections

4.2.5   Other sections within ANB provide technical support to the USOAP CMA by:

a)   providing input for the amendment of PQs;

b)   providing input for the development of guidance material related to USOAP CMA;

c)   providing consultation for the review and confirmation of findings and SSCs, when needed;

d)   identifying safety risk indicators;

e)   developing tools to monitor the safety risk profile for each Member State;

f)   developing and maintaining the CMA online framework;

g)   providing information regarding assistance projects; and

h)   coordinating training, seminars and workshops related to USOAP CMA.

Roles and responsibilities of ICAO ROs

4.2.6   ICAO ROs are actively involved in USOAP CMA, the continuous monitoring process and specifically in facilitating effective communication between ICAO HQ and States. This allows ICAO to monitor the implementation and status of CAPs and/or mitigating measures with respect to generated findings and SSCs.

4.2.7   The key responsibilities of ICAO ROs within USOAP CMA with respect to the States they are accredited to, include but are not limited to:

    a)   providing the Monitoring and Oversight Office with relevant safety information;

    b)   providing input to the State safety risk profile;

    c)   facilitating the exchange of information between the Monitoring and Oversight Office and States;

    d)   providing guidance to States in implementing USOAP CMA;

    e)   providing input to the Monitoring and Oversight Office for the selection and prioritization of USOAP CMA activities;

    f)   contributing to the effective implementation of USOAP CMA within their region;

    g)   coordinating the regional implementation of USOAP CMA with ICAO HQ;

    h)   monitoring the status of the EI for States and for the region; and

    i)   issuing ICVM notification and confirmation letters and ICVM draft and final reports to States.

4.2.8   Qualified technical staff and SMEs from the ROs also conduct and participate in USOAP CMA ICVMs as TLs and TMs and in USOAP CMA audits as TMs (i.e. auditors) as part of their regular regional activities.

**Roles and responsibilities of ICAO Regional Continuous
Monitoring Coordinators (RCMCs)**

4.2.9   In order to support the regional coordination and implementation of USOAP CMA, each RO is responsible for identifying one or more Regional Continuous Monitoring Coordinator(s) (RCMCs) to act as primary points of contact for all USOAP CMA technical and operational matters at the regional level.

4.2.10   The key responsibilities of the RCMCs with respect to the regional implementation of the USOAP CMA include, but are not limited to:

    a)   providing support and information to States in the region by communicating with the NCMCs on USOAP CMA issues, including development of acceptable CAPs, performing PQ self-assessment, follow-up on SSC and responding to MIRs;

    b)   proposing the appropriate type and timing of USOAP CMA activities to the Monitoring and Oversight Office;

    c)   monitoring the progress of States in submitting and updating required information, including SAAQs, CCs/EFOD and PQ self-assessment;

    d)   following up with States so that they submit and update their CAPs in a timely manner;

    e)   assessing the acceptability of CAPs submitted by States;

    f)   monitoring the progress of States in implementing their CAPs;

g)   assisting the Monitoring and Oversight Office with the planning, coordinating and conducting USOAP CMA activities within the region;

h)   providing pertinent and available information to USOAP CMA activity TLs during the activity preparation phase

i)   ensuring that States scheduled for a USOAP CMA activity fully implement their CAPs and submit required information, documentation and evidence, in preparation for the upcoming activity;

j)   ensuring that regional officers are informed about USOAP CMA processes and activities;

k)   facilitating USOAP CMA training courses, seminars and workshops; and

l)   supporting the implementation of the USOAP CMA QMS at the RO level.

4.2.11   In the event that an RCMC needs assistance in performing any of the duties outlined above, portfolio holders (PHs) provide the required support.

Assignment of portfolio holders (PHs)

4.2.12   Member States participating in USOAP CMA are divided into portfolios by ICAO region. Each portfolio of Member States is managed by a portfolio holder (PHs).

4.2.13   PHs may be assigned to assist RCMCs in all matters relating to the States in their portfolio. Key responsibilities of PHs include all those outlined for RCMCs in 4.2.10.

Note.— The PH is primarily an ICAO RO role. However, when required, the Monitoring and Oversight Office will assist and support ICAO ROs in performing PH tasks and duties through its pool of long-term seconded technical officers (TOs) and experts.

4.3   ROLES AND RESPONSIBILITIES OF MEMBER STATES

4.3.1   The success of USOAP CMA depends on the cooperation of States and their participation in the programme. Member States shall sign a MOU with ICAO to confirm their full support of the USOAP CMA process and to commit to actively participating in all USOAP CMA activities, including the timely provision of information through the CMA online framework.

4.3.2   According to the MOU, States shall:

a)   continuously update PQ compliance status through PQ self-assessment;

b)   update and implement CAPs addressing not satisfactory PQs;

c)   provide evidence related to PQ compliance and CAP implementation;

d)   take appropriate and timely action to resolve SSCs;

e)   promptly reply to MIRs issued by ICAO;

f)   complete and continuously update SAAQ and the CCs; and

g)   provide other relevant safety information, as requested by ICAO.

4.3.3   Each Member State shall facilitate USOAP CMA on-site activities by accepting the dates and scope of USOAP CMA activities and by making appropriate staff from its CAA, or other relevant entities, available for interview by the USOAP CMA mission team, as required. Each State shall also facilitate the work of the USOAP CMA mission team by providing all necessary resources, documents, information, administrative and support functions.

4.3.4   Member States should secure adequate resources to fulfil all the conditions of the MOU.

4.3.5   Member States are encouraged to second technical experts to ICAO on a short-term basis as auditors and SMEs to conduct USOAP CMA activities and on a long-term basis (for a minimum of two years) to support the implementation of USOAP CMA.

**Roles and responsibilities of
National Continuous Monitoring Coordinators**

4.3.6   In order to support USOAP CMA and facilitate related activities, each State is responsible for designating one or more qualified National Continuous Monitoring Coordinators (NCMCs) to act as primary points of contact for all USOAP CMA processes and activities.

4.3.7   The NCMC is responsible for submitting, maintaining and/or updating the information to be provided by the State to the Monitoring and Oversight Office on an ongoing basis, including but not limited to:

a)   PQ compliance status through PQ self-assessment;

b)   CAPs;

c)   mitigating measures taken by the State in response to SSCs;

d)   SAAQ;

e)   CCs;

f)   responses to MIRs; and

g)   other relevant safety information, as requested by ICAO.

4.4   ROLES AND RESPONSIBILITIES OF RECOGNIZED ORGANIZATIONS

4.4.1   For the USOAP CMA to achieve its maximum effectiveness, it is important to share safety information between ICAO and other entities involved in auditing international aviation activities. These entities include national, regional, supranational, international and civil aviation organizations.

4.4.2   Through agreements with ICAO and in support of USOAP CMA, organizations may agree to the following:

a)   cooperating with ICAO to review and develop auditing tools, including software applications, and auditing questionnaires and methodologies to facilitate the sharing of information;

b)   identifying and maintaining an up-to-date cross-reference between auditing/monitoring tools used by these organizations and by USOAP CMA;

c)   providing information regarding PQ status obtained through their own inspection and/or auditing activities of specific States for validation by ICAO; and

d)   providing their periodic schedule of activities to facilitate the elimination of unnecessary duplication of monitoring activities and effective establishment of a more cost-effective global network for monitoring safety.

4.4.3   ICAO may also enter into agreements with regional, supranational and international organizations for long- or short-term secondment of auditors and SMEs for USOAP CMA activities.

4.5   ROLES AND RESPONSIBILITIES OF REGIONAL SAFETY OVERSIGHT ORGANIZATIONS

4.5.1   ICAO supports the establishment of regional safety oversight organizations (RSOOs) performing safety oversight-related activities on behalf of a group of Member States. Activities performed by such organizations may include:

a)   harmonization of legislation and regulations;

b)   development of comprehensive and detailed procedures; and

c)   selection and training of a regional core of qualified and experienced inspectors to perform a full range of safety oversight activities on behalf of participating States.

4.5.2   If an RSOO or any other entity performs safety-related activities on behalf of a State, ICAO, with the consent of that State, may elect to enter into a working arrangement with this RSOO or entity, as appropriate, to facilitate monitoring of that State. This may include contribution of RSOOs to USOAP CMA activities.

Note.— Details on the establishment of regional safety oversight systems can be found in the Safety Oversight Manual *(Doc 9734), Part B —* The Establishment and Management of a Regional Safety Oversight System*.*

4.6   MEMORANDUM OF UNDERSTANDING

4.6.1   A Memorandum of Understanding (MOU) signed between each Member State and ICAO establishes the official agreement outlining the terms and responsibilities of the Member State and ICAO in the effective implementation and maintenance of USOAP CMA and conduct of USOAP CMA activities. The generic MOU is outlined in Appendix B.

4.6.2   In order for ICAO to conduct a USOAP CMA activity in a State, the State has to return a signed copy of the MOU to ICAO. Member States that do not sign and submit a copy of the MOU shall be reported to the ICAO Council. All other Member States shall also be informed of the State's refusal to sign the MOU and participate in the USOAP CMA.

4.7   PLANNING AND SCHEDULING

4.7.1   The Monitoring and Oversight Office selects and prioritizes States through the planning and scheduling process and using input from ICAO ROs, based on the criteria defined in Chapter 3, 3.6. ICAO publishes a periodic schedule of USOAP CMA activities for selected States, in accordance with Appendix A and in coordination with recognized organizations, identifying the Member States that will receive USOAP CMA on-site activities. The programme schedule and its amendments are provided to States via electronic bulletins posted on the ICAO-NET and the CMA online framework.

4.7.2   ICAO determines the scope of an activity by reviewing information submitted by the State through PQ self-assessment and updates on CAP implementation. The activity scope determines the selection of the USOAP CMA mission team, the duration of the activity and the amount of work to be performed on-site.

         Note.— States may request ICAO to modify the scope of an activity only in extreme circumstances and by providing ICAO with a valid explanation.

4.7.3   The scope of a scheduled USOAP CMA audit usually covers all audit areas and all PQs applicable to the State. However, some audits may be conducted with a limited scope depending on:

         a)   level of changes within the aviation safety oversight system of the State;

         b)   results of a previous USOAP CMA activity; and

         c)   level of aviation activity in the State.

         Note.— In States with an EI of over 60 per cent, the scope of USOAP CMA audits also includes the safety management provisions of Annex 19.

4.7.4   The scope of a scheduled ICVM comprises the audit areas and the relevant and applicable PQs in each audit area that will be covered during the ICVM and is determined based on:

         a)   the number of not satisfactory PQs required to be assessed on-site;

         b)   whether the State has fully implemented CAPs associated with those PQs; and

         c)   level of aviation activity in the State.

4.7.5   The scope of an off-site validation activity is determined based on:

         a)   the number of qualifying CAPs, i.e. CAPs addressing PQ findings associated with CEs 1 to 5 (some CE 1 to 5 PQ findings still require an on-site activity);

         b)   whether the State has fully implemented CAPs associated with those PQs; and

         c)   whether the State has submitted evidence that is complete and relevant to the CAP implementation.

         Note.— In some cases, ICAO may be able to consider some PQ findings associated with CEs 6, 7 and 8 for an off-site validation activity.

4.7.6   In addition to USOAP CMA activities in the periodic schedule, ICAO will consider specific requests from States for cost-recovery activities. States requesting cost-recovery activities will be expected to provide logistical

assistance in making travel arrangements for the team and to cover all travel-related costs, local transportation and daily subsistence allowance (DSA).

> *Note.— The DSA is based on rates established by the United Nations and includes accommodation, meals and incidental expenses.*

4.7.7   The scope of a cost-recovery activity is based on the State's discretion and request. The methodology for conducting USOAP CMA activities will be the same regardless of the defined scope.

4.7.8   ICAO will notify selected States of the scheduled USOAP CMA on-site activity through a State notification letter according to the timelines defined in Appendix A. States are required to acknowledge receipt of the State Notification Letter and confirm their acceptance of the USOAP CMA activity within the timeline defined in Appendix A.

4.7.9   According to the MOU, Member States are urged to accept scheduled USOAP CMA activities without any changes, unless there are compelling reasons not to do so. However, should changes be required, adjustments may be made to the programme schedule to ensure the overall effectiveness and efficiency of the USOAP CMA.

4.7.10   If a State needs to make any changes to the programme schedule, the State is required to advise ICAO of its inability to accept a scheduled activity within the timeline defined in Appendix A. In addition, the State shall clearly indicate the compelling reasons for not accepting or for postponing the USOAP CMA activity as initially scheduled.

4.7.11   Although everything possible will be done to maintain the activity schedule, changes to activity dates may occur for reasons beyond ICAO's control. Additionally, once a team leader (TL) and team members (TMs) are assigned to an activity, all efforts will be made to avoid changes to the composition of the USOAP CMA team, specifically the TL.

4.7.12   ICAO will submit requests for the release of short-term seconded auditors and SMEs by States or supporting organizations in accordance with the timeline defined in Appendix A. In order to facilitate planning and scheduling, all auditors and SMEs will be requested to provide their non-availability dates as early as possible.

4.8   PROGRAMME RECORDS

4.8.1   All supporting documentation, correspondence, notes, records and other information relating to USOAP CMA activities are obtained, managed and filed through an established and controlled system.

4.8.2   During a USOAP CMA on-site activity, TMs shall not make personal copies of any document provided to them by the State, nor shall information contained therein be shared with any person other than the TL, TMs, State officials and counterparts concerned, and then only to facilitate the USOAP CMA mission.

4.8.3   At the end of each mission, all TMs, including short-term seconded auditors and SMEs not based at ICAO HQ, shall submit all supporting documentation and notes from the mission to the TL. Short-term seconded auditor and SMEs shall also ensure that at the end of the mission and before their departure, all information in electronic format is deleted from their computers.

4.8.4   TMs are responsible for their own material until it is given to the TL, who is also responsible for his/her notes and materials from the USOAP CMA activity, and for those handed over by TMs, as applicable, until they are submitted to the OAS.

4.8.5   At the end of the mission, the TL shall submit the following documents and records to the OAS (preferably an electronic version) for processing and filing according to established procedures:

a)   draft PQs duly completed by the TL and TMs;

b)   on-site activity draft report (relevant portions completed);

c)   draft preliminary SSCs, if applicable;

d)   supporting evidence and documentation submitted by the State, including primary aviation legislation and regulations;

e)   working documents and forms; and

f)   any other relevant documents used in the preparation and conduct of the mission, as required by the QMS of the Monitoring and Oversight Office.

4.8.6   The Monitoring and Oversight Office maintains supporting documentation, notes and records pertaining to USOAP CMA activities for a minimum of five years. USOAP CMA activities reports are retained electronically for an indefinite period.

4.9   PROGRAMME QUALITY MANAGEMENT

4.9.1   The 33rd session of the Assembly (Resolution A33-8, superseded by Assembly Resolution A35-6) requested the Secretary General to undertake a study on the establishment of an independent quality assurance mechanism to monitor and assess the quality of USOAP. Accordingly, an internal QMS was incorporated into the structure of the USOAP in compliance with the ISO 9001 standard for QMS, thus strengthening the confidence of all Member States in the management of the USOAP.

4.9.2   The Monitoring and Oversight Office has been registered to the ISO 9001 standard since 2002 by an accredited third-party registrar, indicating that it meets all the requirements of the standard. The QMS of the Monitoring and Oversight Office is subject to annual audits by the registrar to ensure its ongoing and effective implementation, maintenance and improvement.

4.9.3   The QMS of the Monitoring and Oversight Office consists of controlled and documented procedures and various mechanisms for monitoring and improving USOAP CMA processes, ensuring that USOAP CMA activities are carried out according to defined provisions and that the requirements of all stakeholders are met. The QMS has the full support and commitment of ICAO management.

4.9.4   As part of the requirements of the QMS, the Monitoring and Oversight Office monitors the level of satisfaction of Member States that receive USOAP CMA activities through a State feedback form that allows States to provide comments, complaints and suggestions for improvement regarding the planning, coordination and conduct of the USOAP CMA activity they have received. The TL shall provide a confidential State feedback form to the State NCMC at the end of the USOAP CMA activity, requesting the State to complete and return it to DD/MO.

4.9.5   The Monitoring and Oversight Office also obtains feedback on USOAP CMA activities through the TL and TM feedback forms, which provide comments and information on the conduct of USOAP CMA activities from planning to completion and assist the Office in improving USOAP CMA procedures and processes.

4.9.6   The Monitoring and Oversight Office maintains a record of all State, TL and TM feedback forms, related recommendations and actions taken by the Office to address issues and concerns.

4.10   CONFIDENTIALITY

4.10.1   All material used during USOAP CMA activities shall remain confidential, including personal notes and draft reports prepared by the team. TMs shall not leave printed or handwritten notes behind when performing on-site activities and dispose of them appropriately.

4.10.2   During USOAP CMA on-site activities, TMs shall not make personal copies of any documents provided to them by the State, nor share any information contained therein with any person other than the concerned parties. In this respect, as with other issues relating to confidentiality of USOAP CMA activities, TMs should adhere to the requirements of *The ICAO Service Code* (Doc 7350/9), Article I, 1.8, which states that:

> *Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Secretary General. They shall not at any time use such information to private advantage. These obligations do not cease upon separation from service.*

4.10.3   ICAO Staff Regulation 1.4 states that:

> *Staff members shall conduct themselves at all times in a manner befitting their status as international civil servants.*

This is binding for all TMs, including short-term seconded auditors and SMEs, with respect to all their assignments as USOAP CMA activity TMs, and is applicable to all information received in any form as a result of their association with the USOAP CMA.

4.10.4   The results of any USOAP CMA activity will be maintained confidential between the State, the Monitoring and Oversight Office and the accredited RO for the State until the report production process, described in Chapter 7, 7.4, is completed.

4.11   LANGUAGE

4.11.1   USOAP CMA activities will be conducted in English, French or Spanish. Member States shall indicate which of these languages they wish to be used for the conduct of the scheduled activities and for communicating with the Monitoring and Oversight Office.

4.11.2   For States using one of the other three ICAO working languages (Arabic, Chinese or Russian) as their working language, ICAO shall endeavour to ensure that at least one of the TMs has command of that language. In such cases, the results and reports of the USOAP CMA activity will be translated and made available to the State in the ICAO language of their choice, in accordance with the timeline defined in Appendix A.

4.11.3   USOAP CMA activities in Member States whose language is not one of the ICAO working languages may be conducted with the assistance of an interpreter, with the audit results reported in English.

> *Note.— Use of interpreters in the USOAP CMA on-site activity with the purpose of facilitating communications between the State and the USOAP CMA activity team is at the discretion of the State.*

4.11.4   Interpretation and translation support during the conduct of USOAP CMA on-site activities shall be provided by Member States.

4.11.5   To facilitate timely and effective review, any documentation submitted by a State to the Monitoring and Oversight Office, including aviation legislation and regulations, should be in one of the ICAO working languages, but preferably in English.

4.11.6   The final report of a USOAP CMA activity will be published in the ICAO working language selected by the State. If translation of the final report into an ICAO working language other than the language of the activity is required, additional time will be allocated, according to the timeline defined in Appendix A. If the final report is published in a language other than English, an English translation of the findings will be made available.

4.12   RESOLUTION OF DISPUTES

4.12.1   In performing duties related to USOAP CMA, all assigned personnel shall aim to prevent disputes by working closely with their State counterparts as transparently and fairly as possible.

4.12.2   Disputes encountered throughout the USOAP CMA process that cannot be resolved by the assigned personnel shall be reported to DD/MO through the Chief of Safety and Air Navigation Oversight Audit Section (C/OAS).

4.12.3   If DD/MO cannot resolve the dispute, the matter shall be referred to the appropriate authority within ICAO for resolution.

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Chapter 5

CMA ONLINE FRAMEWORK

5.1   OVERVIEW

5.1.1   The CMA online framework (http://www.icao.int/usoap/) provides ICAO, Member States and other authorized users with a suite of web-integrated applications that allow continuous monitoring and reporting of safety-related information and documentation received from different sources. This enhances the effectiveness and efficiency of the USOAP CMA in identifying deficiencies and associated safety risks.

5.1.2   The applications within the online framework facilitates the administration and management of PQs, PQ findings, SSCs, MIRs, CAPs, SAAQs and CCs/EFOD.

5.1.3   Various modules of the online framework are divided into:

a)   modules for States to provide and submit information to ICAO;

b)   modules for States to access and obtain information and data from ICAO; and

c)   administration and support modules.

5.2   MODULES FOR STATES TO SUBMIT INFORMATION

Self-assessment

5.2.1   This module allows States to conduct PQ self-assessment by submitting and regularly updating the status of PQs and related evidence and documentation. Regular PQ self-assessments allow States to monitor and report the health of their aviation system on a continuous basis. See Chapter 2, 2.8.

CAPs

5.2.2   This module allows States to submit to ICAO the CAPs they develop to address PQ findings. ICAO uses this module to assess the CAPs and determine if they are acceptable in addressing findings. Once the State indicates that a CAP has been fully implemented and submits supporting evidence, ICAO uses this module to validate the evidence and the implementation of the CAP. See Chapter 2, 2.12.

SAAQ

5.2.3   This module allows States to complete the SAAQ and to continue to update it on a regular basis. See Chapter 2, 2.14.

CC/EFOD

5.2.4   This module allows States to complete the CCs, file differences and continue to update them. See Chapter 2, 2.15.

MOU

5.2.5   This module allows States to complete and submit the USOAP CMA MOU. See Chapter 4, 4.3.1, 4.3.2 and 4.6.

5.3   MODULES FOR STATES TO OBTAIN INFORMATION

State dashboard

5.3.1   This module allows States to view various live statistics and charts, such as their overall status, PQ status, CAP status and EI/LEI percentages. This information helps States in monitoring their progress within the USOAP CMA.

5.3.2   This module links users to iSTARS 2.0 SPACE and allows States to view various live charts and global, regional and State-specific analysis of USOAP data. See Chapter 3, 3.8.

Significant safety concerns

5.3.3   This module shows details of unresolved SSCs and CAPs submitted by the State. See Chapter 2, 2.10.

USOAP reports

5.3.4   This module provides access to published final reports of USOAP activities.

E-supplements

5.3.5   This module shows differences filed for Annexes to the Convention. The information is available only for States that have filed their differences electronically and through the EFOD system.

5.4   ADMINISTRATION AND SUPPORT MODULES

Access control

5.4.1   This module allows States to manage the access rights of their users to the online framework. ICAO gives complete access to State NCMC(s) who then manage user accounts for the State, including the addition of new user accounts and deactivation of expired user accounts.

CMA library

5.4.2   This module contains documents, references, additional information and updates on USOAP CMA implementation, processes and tools.

Tutorials and help

5.4.3   This module contains user manuals and tutorial videos on the modules of the online framework.

Feedback

5.4.4   This module allows States to provide feedback to ICAO or report their problems and concerns regarding the online framework.

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Chapter 6

USOAP CMA ACTIVITY TEAMS

6.1   USOAP CMA ACTIVITY TEAM COMPOSITION

6.1.1   USOAP CMA activity teams consist of a TL and a number of TMs, as required, covering the scope of the USOAP CMA activity to be conducted. TMs can be auditors or SMEs. Audit teams are comprised of auditors. ICVM teams can be comprised of both auditors and SMEs.

6.1.2   The Monitoring and Oversight Office maintains a list of qualified USOAP CMA auditors and SMEs from ICAO or other recognized organizations. The members of each USOAP CMA activity team are selected from this list, based on their availability, up-to-date training status and currency to conduct USOAP CMA activities. Assignment of qualified auditors and SMEs to a USOAP CMA activity is made in coordination with their respective organizations and authorities, and in accordance with applicable cooperation agreements.

6.1.3   The list of qualified auditors and SMEs provides information on the qualifications and roles of each expert (as auditor, SME or TL), audit areas and languages. It also tracks the records of their initial, on-the-job, recurrent and specialized training and the USOAP activities carried out by each expert. Furthermore, it facilitates the assignment of appropriate roles for each TM and helps to determine additional training requirements, as required. The geographical location of each expert is also indicated to facilitate planning and scheduling and to minimize travel costs for each on-site activity.

Note 1.— All TMs in a USOAP CMA on-site activity team, including auditors and SMEs from recognized organizations and those seconded by States, are subject to the ICAO Service Code (ICAO Doc 7350) and represent only ICAO throughout the entire activity. All non-ICAO TMs are entitled to privileges and immunities granted to ICAO staff on mission.

Note 2.— On occasion, the State may wish to include observers or advisors in the USOAP CMA on-site activity. Such individuals can observe the activity, but they do not participate as TMs. If ICAO wishes to include an observer, the State must be notified before the start of the on-site activity and must agree with the participation of observers. Such observers do not participate in the activity in an official capacity as TMs and shall only observe the interaction of other TMs with State counterparts. Non-ICAO observers are not privy to the State's confidential information and are not entitled to any privileges and immunities granted to staff representing ICAO while on mission.

6.2   TRAINING OF SMEs AND AUDITORS

6.2.1   Based on Assembly Resolution A37-5, States and recognized organizations are called upon to nominate experts for secondment to ICAO in support of USOAP CMA as auditors or SMEs on a long- or short-term basis. In addition, ICAO HQ and ROs shall also identify TOs to be trained as auditors and SMEs who will perform as TMs and TLs. USOAP CMA training procedures define and establish the criteria related to the acceptable qualifications of auditors and SMEs, based on a combination of their education, work experience, technical background and training.

6.2.2   The Monitoring and Oversight Office selects candidates from the pool of nominated experts based on their qualifications, experience and programme needs. Selected candidates are provided with appropriate training, and those successfully completing training are qualified as auditors or USOAP CMA SMEs.

6.2.3   ICAO provides the required training for auditors and SMEs through computer-based training (CBT), comprised of the following four parts:

> 1)   auditing basics;
>
> 2)   USOAP audit modules;
>
> 3)   ICVM modules; and
>
> 4)   audit area modules.

6.2.4   The first step to be qualified as a USOAP CMA auditor or SME is for the candidate to successfully complete all four parts of the computer-based training (CBT).

> *Note.— ICAO also offers the USOAP CMA CBT to States that wish to familiarize their civil aviation staff with the USOAP CMA methodology and activities.*

6.2.5   The Monitoring and Oversight Office conducts a technical interview with candidates who complete the CBT in order to verify their qualification and experience and to determine whether any candidates need additional training in the relevant audit area.

6.2.6   Candidates who meet the criteria of the technical interview are scheduled to participate in an appropriate USOAP CMA activity. Before the activity, the Monitoring and Oversight Office provides familiarization to the candidate on the methodology, processes and tools of the activity and the PQs of the audit area.

6.2.7   Trainees receive on-the-job training (OJT) during the on-site activity from an experienced USOAP CMA auditor or SME. The OJT provider evaluates the trainee's competency and ability to conduct assigned tasks and reports the OJT results to the Monitoring and Oversight Office. The OJT provider makes a recommendation to the Monitoring and Oversight Office regarding the trainee's readiness to participate in a future activity as TM and identifies any additional training required.

6.2.8   The OAS reviews the trainee's input to the activity results and the draft report and decides about the trainee's additional training, if required. The Monitoring and Oversight Office may provide the required additional training either before the trainee's next on-site activity in the form of familiarization or during the next on-site activity as another OJT.

6.2.9   The Monitoring and Oversight Office approves trainees who have received and completed all familiarization and training and adds them to the list of approved auditors and SMEs. The training and OJT records are considered in future decisions about assignment of TMs to USOAP CMA activities.

6.2.10   The USOAP CMA training procedures establish the mechanisms for maintaining and improving the competencies and personal attributes of USOAP CMA TMs. The Monitoring and Oversight Office requires auditors and SMEs to maintain and/or improve their qualification and performance through periodic training or retraining such as new or updated CBT, refresher training on USOAP processes and methodology and various workshops and seminars. Approved auditors and SMEs shall comply with these requirements in order to remain current and approved.

6.2.11   ICAO shall also contribute to the ongoing maintenance and improvement of the competencies of USOAP CMA auditors and SMEs by regularly assigning them to conduct USOAP CMA activities.

> *Note.— The process for training and qualifying TLs for USOAP CMA activities is as described in this section. However, candidates for TL training are already qualified auditors or SMEs and they do not need to go through*

the technical interview mentioned in 6.2.5. TL OJT is provided by an experienced USOAP CMA TL on the preparation, conduct, validation and reporting of the USOAP CMA activity. See 6.4.

6.3   TEAM MEMBERS

6.3.1   Responsibilities of auditors and SMEs for USOAP CMA on-site activities include:

a)   determining the status of PQs and drafting PQ findings in their audit area (in audits);

b)   evaluating and documenting the State's progress in addressing findings and SSCs and implementation of CAPs (in ICVMs);

c)   collecting, assessing and submitting evidence;

d)   documenting activity results and completing relevant checklists and forms;

e)   providing input to the activity draft report;

f)   conducting quality assurance on TMs' input to the PQs and the evidence collected by the team;

g)   coordinating with and assisting other TMs;

h)   cooperating with and assisting the TL at all times during the preparation, conduct and completion of the USOAP CMA activity;

i)   participating in and contributing to all briefings and meetings, including daily presentation of work progress made in respective audit area(s);

j)   debriefing and communicating USOAP CMA process and requirements to State counterparts;

k)   submitting all evidence, contributions, notes, information, documents and forms by deadlines specified by the TL at the conclusion of the activity, in accordance with the requirements of the QMS of the Monitoring and Oversight Office;

l)   responding to the queries of the OAS during the report production process; and

m)   providing OJT to TMs in training, as required.

6.3.2   Although the TL is responsible overall for ensuring that tasks are completed at the appropriate time during the activity, all TMs must be vigilant and support the TL and each other in achieving the goals and objectives of USOAP CMA activities.

Additional information and details on tasks and duties of TMs is provided throughout Chapter 7.

6.4   TEAM LEADERS

6.4.1   Experienced ICAO USOAP auditors and SMEs with proven leadership abilities, and strong communication and interpersonal skills are selected by the Monitoring and Oversight Office to be trained as TLs for the conduct of USOAP CMA activities.

Note.— Audit TLs are staff of the Monitoring and Oversight Office. ICVM TLs are ICAO staff, i.e. staff from the Monitoring and Oversight Office and ICAO ROs.

6.4.2   The TL is responsible for the overall conduct of the activity and coordinating all tasks and technical matters related to the activity, in accordance with guidance and instructions provided by the Monitoring and Oversight Office and those outlined in this manual.

6.4.3   Responsibilities of a USOAP CMA TL also include but are not limited to:

a)   preparing for the activity and coordinating related details with the Monitoring and Oversight Office and NCMCs;

b)   preparing the State-specific activity plan;

c)   communicating with the State regarding technical, administrative and logistical issues;

d)   liaising with ROs or regional civil aviation organizations during the preparation phase, if required;

e)   communicating with and informing assigned TMs regarding the preparation phase and other pertinent information;

f)   conducting a preparatory briefing for TMs prior to the opening meeting/briefing with the State civil aviation authorities;

g)   conducting opening and closing meetings/briefings with the State civil aviation authorities;

h)   managing the team's workload and progress to accomplish the activity;

i)   providing leadership, guidance and support to TMs at all times during the on-site activity;

j)   coordinating and communicating with State representatives through daily debriefings during the conduct of the activity;

k)   collecting and consolidating TMs' input for preparation of activity results and the draft activity report;

l)   ensuring the quality of TMs' inputs and collected evidence;

m)   ensuring the accuracy and quality of the contents of the draft report;

n)   collecting all evidence, contributions, notes, information, documents and forms from TMs and submitting them to the Monitoring and Oversight Office;

o)   completing relevant checklists and forms and submitting them to the Monitoring and Oversight Office;

p)   ensuring compliance with established timelines and the requirements of the QMS of the Monitoring and Oversight Office;

q)   providing OJT to TLs and TMs in training; and

r)   providing the OAS with additional information and clarification during the validation and report production phase, as required.

6.4.4   Each TL is also assigned to cover one (or more) of the audit areas (based on their expertise) within the scope of the USOAP CMA on-site activity, except in cases where the size and complexity of the State requires a large activity team and a dedicated TL.
Additional information and details on tasks and duties of TLs is provided throughout Chapter 7.

6.5   COMPETENCIES

6.5.1   TLs and TMs shall possess competencies required for conducting USOAP CMA activities, performing related tasks and applying USOAP CMA tools and procedures. Required competencies shall include:

      a)   applying auditing principles and techniques;

      b)   performing TL and TM responsibilities and functions;

      c)   complying with USOAP CMA procedures and completing forms related to the conduct of USOAP CMA activities;

      d)   identifying and generating findings;

      e)   identifying and reporting SSCs; and

      f)   using the USOAP CMA online framework.

6.5.2   Auditors and SMEs are expected to have:

      a)   recent work experience with an organization as an inspector, auditor or aircraft accident investigator in any one of the following audit areas pertaining to USOAP CMA:

            1)   personnel licensing;

            2)   OPS, certification and surveillance;

            3)   AIR;

            4)   AIG;

            5)   ANS, including air traffic management, meteorology, aeronautical information systems, search and rescue, communications, navigation and surveillance; and

            6)   aerodrome certification and operation;

      b)   aviation industry experience, such as with an air operator, aviation training organization, approved design, production or maintenance organization, air traffic service provider, aerodrome operator or similar organizations;

      c)   working knowledge of the Convention, its Annexes and related guidance material;

      d)   working knowledge and experience related to civil aviation legislation and regulations, and familiarity with internationally recognized regulatory systems;

e)   working knowledge of States' safety oversight systems and responsibilities of national, regional and supranational safety oversight organizations;

f)   command of written and spoken English, French or Spanish;

g)   the ability to write clearly and concisely; and

h)   the ability to use office automation equipment and contemporary computer software.

6.5.3   It is desirable for auditors and SMEs to have the following:

a)   knowledge of ICAO organization, functions and activities;

b)   command of an additional USOAP CMA language (English, French or Spanish);

c)   knowledge of one of the other working languages of ICAO (Arabic, Chinese or Russian); and

d)   previous approval as an ICAO auditor in one of the USOAP CMA audit areas and/or certification as a QMS auditor.

6.6   PERSONAL ATTRIBUTES

6.6.1   To ensure that auditing principles established for the USOAP CMA, as defined in Chapter 2, 2.4, are fully respected and practised by auditors and SMEs, ICAO shall recruit personnel who are:

a)   enthusiastic, constructive, objective, inquisitive and analytical;

b)   ethical, fair, truthful, sincere, honest and discreet;

c)   patient and good listeners who can communicate at all levels without arguing;

d)   open-minded and willing to consider alternative ideas or points of view;

e)   of strong but diplomatic personality, tactful with people, able to make unpopular decisions and yet maintain respect based on sound judgements;

f)   observant, perceptive and aware of surroundings, activities and situations;

g)   versatile, flexible and able to readily adjust to different situations;

h)   unbiased and not easily influenced, and respected by all;

i)   tenacious, persistent and focused on achieving objectives;

j)   decisive and able to reach timely conclusions based on logical reasoning and analysis;

k)   self-reliant and independent, while interacting and working effectively with others;

l)   able to maintain harmonious working relationships in a multicultural environment and have an appreciation of, and sensitivity to, cultural differences; and

m)   pleasant, friendly and able to quickly establish a good rapport with colleagues and State representatives.

_____

Chapter 7

USOAP CMA ACTIVITY PHASES AND PROCEDURES

7.1   PHASES OF USOAP CMA ON-SITE ACTIVITIES

7.1.1   USOAP CMA on-site activities, i.e. audits and ICVMs, are divided into the following three phases:

a)   the preparation phase;

b)   the on-site conduct phase; and

c)   the validation and report production phase.

USOAP CMA on-site activities are defined in Chapter 3, 3.2.

7.2   THE PREPARATION PHASE – ON-SITE ACTIVITIES

7.2.1   During this phase, ICAO prepares for the activity by:

a)   confirming the scope and duration of the activity;

b)   confirming the assignments of the TL and all TMs;

c)   requesting the release of all TMs, including short-term seconded auditors and SMEs who are not ICAO staff members;

d)   reviewing information and documents submitted by the State, including but not limited to CAPs and associated evidence, the SAAQ, CCs (submitted through the EFOD system), self-assessment results (using the online PQs) and information regarding the SSP, where applicable;

e)   preparing the State-specific activity plan and coordinating it with TMs, the State and the accredited RO, as required;

f)   making travel arrangements;

g)   managing various administrative issues; and

h)   conducting a team briefing.

7.2.2   The State shall prepare for the activity by:

a)   conducting PQ self-assessment;

b)   ensuring that the SAAQ and CCs are updated and complete;

c) ensuring that CAPs related to not satisfactory PQs within the scope of the activity are fully implemented and updated on the CMA online framework (for ICVMs);

d) preparing, updating and organizing evidence and documentation to be submitted to the activity team, including legislation, operating regulations, manuals and/or procedures, records, etc.;

e) communicating with the TL in a timely manner and providing the TL with all required information and documentation; and

f) supporting the TL with travel, transportation and administrative issues and information, as required.

Confirmation of scope and activity team

7.2.3   The TL confirms the scope and number of days scheduled for the activity determined in the planning and scheduling process, described in Chapter 4, 4.7, to ensure that the assigned team will be able to accomplish the activity's goals. If required, the TL may request the Monitoring and Oversight Office for adjustments to the duration of the activity or assignment of additional TMs.

7.2.4   States shall be advised of the activity team's composition before the start of the planned activity according to the timeline defined in Appendix A (except in the case of safety audits, where this timeline is adjusted on a case-by-case basis). Specifically, the State shall be informed of the TL's and TMs' names and assigned audit areas.

7.2.5   The TL also follows up on the release of auditors and SMEs from their organizations of employment.

Document review

7.2.6   The TL, with support from the OAS technical staff, shall conduct a review of the documentation and information associated with the planned USOAP CMA activity as provided by the State and/or recognized organizations. The documents and information to be reviewed may include:

a) a completed and updated SAAQ;

b) updated CAPs containing information on the resolution of existing findings or SSCs;

c) PQ self-assessment completed by the State;

d) CCs completed by the State through the EFOD system;

e) the latest information regarding the SSP, if applicable;

f) results of previous USOAP activities; and

g) other relevant documents, including information obtained from ICAO ROs, Technical Cooperation Bureau (TCB) and recognized organizations.

7.2.7   If necessary, the TL may request the State to provide other relevant or necessary documentation for the preparation of the activity. The TL shall communicate and coordinate any such requests with the NCMC for additional documents or information related to the scope of the activity which may include relevant State-specific legislation, operating regulations, manuals and/or procedures.

7.2.8   Before the start of the USOAP CMA activity, each PH, with support from SPOs, shall review the content and completeness of the documentation provided by the State before the handover to the assigned TL. The PH also provides the latest update on the status of not satisfactory PQs and the implementation of CAPs. After the PH completes the handover to the TL, it becomes the TL's responsibility to review any additional updates provided by the State. The role of the PH is defined in Chapter 4, 4.2.12 and 4.2.13.

7.2.9   The TL shall forward all available and relevant material and documents to the TMs prior to the USOAP CMA on-site activity in order to provide them with sufficient time for review and preparation.

Preparation of State-specific activity plan

7.2.10   The TL, with support from the PH, SPOs and TMs, develops a State-specific activity plan that, together with other relevant information, is forwarded, to the NCMC for coordination with State authorities, in accordance with the timeline defined in Appendix A. The TL also forwards the State-specific activity plan to all assigned TMs.

           Note.— Audit plans are forwarded to the NCMC by the OAS; ICVM plans are forwarded by the ICAO RO.

7.2.11   The State-specific activity plan includes a daily work schedule and information about the conduct of the on-site activity and visits to facilities and entities other than the CAA. Should any modifications to the State-specific activity plan be necessary, the TL shall coordinate such changes with the NCMC.

7.2.12   Other information in the State-specific activity plan includes:

           a)   scheduled dates for opening and closing meetings or briefings;

           b)   the language for the on-site activity and reports;

           c)   scope of on-site tasks to be conducted;

           d)   the number of not satisfactory PQs to be covered (ICVMs);

           e)   TMs' names and assigned audit areas;

           f)   names, positions and contact information of the NCMC and State civil aviation system counterparts;

           g)   information on industry and/or service provider visits;

           h)   daily and local transportation arrangements; and

           i)   travel itinerary for TL and TMs.

           Note.— In accordance with ICAO Staff Rules, the members of the ICAO activity team are not allowed to accept a State's offer to pay for the cost of accommodations.

7.2.13   The TL coordinates with the NCMC any visits by the activity team to industry or service providers. The State is responsible for arranging and coordinating domestic travel and for covering related transportation costs.

7.2.14   The TL, in coordination with the NCMC, shall determine the requirements for language interpretation services, if required; the provision of which is the State's responsibility.

Activity team briefing

7.2.15   The TL conducts a briefing before the start of the activity with all TMs at a convenient location on-site. The objective of the briefing is to build team synergy, provide further familiarization to TMs on the processes and tools of the activity and ensure that all TMs are aware of pertinent information. The TL reviews the following with the team:

> a) objectives and methodology of the activity;
>
> b) audit areas assigned to each TM;
>
> c) tasks, responsibilities and deliverables of TL and TMs;
>
> d) guidelines for TMs' conduct;
>
> e) mission package contents as provided by the OAS;
>
> f) the SSC process;
>
> g) the State-specific activity plan and scheduled on-site tasks;
>
> h) deadlines for submitting draft audit checklists and findings (audits), draft ICVM checklists (ICVMs), evidence submitted by the State and draft reports to the TL;
>
> i) coordination required for the production of the draft report and for reporting the draft results of the activity to the State;
>
> j) guidelines on dealing with State counterparts and external entities (such as media, reporters and labour unions);
>
> k) confidentiality of information; and
>
> l) ensuring that all TMs are able to open and work with audit or ICVM checklists.

TMs are also expected to review their mission packages and be prepared for each day.

7.3   THE CONDUCT PHASE – ON-SITE ACTIVITIES

7.3.1   During this phase, a USOAP CMA team visits the State for the selected USOAP CMA activity within the determined scope and:

> a) conducts a systematic and objective assessment of the State's safety oversight system using USOAP CMA PQs and recommends the issuance of any new findings and/or SSCs to address identified deficiencies in the State's safety oversight system (in audits);
>
> b) collects and documents evidence submitted by the State that support the implementation of CAPs and recommends to ICAO HQ the closure of any pre-existing findings and/or SSCs that have been resolved based on provided evidence (in ICVMs); and

c) informs the State of the outcome of the audit or ICVM during a closing meeting or briefing between the ICAO team and State authorities.

7.3.2 In this phase, the State:

a) ensures that State representatives, counterparts and staff members implicated in the conduct of the activity are available for interviews and discussions with the activity team;

b) makes the evidence, information and documentation requested by the activity team readily available and submits them to the team in a timely manner;

c) facilitates and arranges visits to industry and/or service providers;

d) provides a suitable working environment for the activity team; and

e) arranges daily transportation and administrative issues, as required.

Opening meeting/briefing

7.3.3 The TL convenes an opening meeting (for audits) or briefing (for ICVMs) with the State representatives and all TMs on the first day of the on-site activity to review and explains the process and scope of the on-site activity and to confirm the work schedule outlined in the activity plan. The date and time of the opening meeting/briefing is scheduled in advance and included in the activity plan.

7.3.4 The opening meeting/briefing may be jointly chaired by the TL and the State senior executive, who may also wish to brief the USOAP CMA activity team.

7.3.5 The opening meeting/briefing covers the following, at a minimum:

a) introduction of TMs, State officials and CAA representatives;

b) a summary of the scope and objectives of the USOAP CMA activity;

c) a summary of the tools used and procedures followed for the conduct of the on-site activity;

d) official communication procedures between the activity team and State officials; and

e) the activity plan, including the schedule for the closing meeting/briefing.

Conduct of the on-site activity — General

7.3.6 The conduct of on-site activities differs depending on the type of activity. In the case of audits, the audit team assesses the State's safety oversight capability. In the case of ICVMs, the ICVM team collects objective evidence regarding the progress made by the State in implementing CAPs and mitigating measures to address findings and SSCs.

7.3.7 Any changes to the activity plan or confirmed on-site tasks must be coordinated between the TL and the NCMC.

7.3.8   Although several PQs may have been reviewed during the preparation phase of the activity, the status of these PQs is reviewed during the on-site activity.

7.3.9   During the conduct of a USOAP CMA activity and depending on its scope, the activity team reviews the State's legislative and regulatory provisions, the implementation of ICAO SARPs and PANS, the application of guidance material and relevant safety-related practices in use in the aviation industry.

7.3.10   During the on-site activity, the State shall provide the appropriate evidence in order to fulfil the requirements of the USOAP CMA activity being conducted. The USOAP CMA team, under the leadership of the TL, collects objective evidence and information by examining records, reviewing documentation and relevant material, visiting facilities, examining equipment and tools, and conducting interviews. The gathering of evidence is systematic and objective, using the State-specific PQs. The TL provides the State with a deadline for providing evidence to be considered during the on-site activity.

7.3.11   The activity team makes clear and concise reference to objective evidence supporting actions taken by the State to address identified findings or SSCs.

7.3.12   During the conduct of a USOAP CMA activity, the team may undertake visits to selected industry and/or service providers. Industry visits shall be conducted in the company of the CAA representatives and on the basis of the State-specific mission plan already agreed upon. These visits are used to determine the State's safety oversight capability or its implementation of CAPs or mitigating measures. Safety concerns that may be identified during these visits can only be identified as a finding or SSC on the State civil aviation system and not on the industry or service providers.

7.3.13   To assist the State in finding solutions to identified deficiencies, the TL convenes daily briefings with TMs, NCMC and State counterparts to provide information, assess the progress of on-site tasks (for ICVMs) and discuss draft findings (for audits).

7.3.14   All TMs are also required to attend daily TM briefings scheduled and conducted by the TL, with the objective of:

        a)   reviewing the team's daily progress;

        b)   addressing and resolving potential issues and delays encountered during daily tasks;

        c)   identifying areas of concern, including preliminary SSCs;

        d)   determining required changes in the work schedule (if any);

        e)   coordinating common areas, e.g. LEG and ORG PQs; and

        f)   enhancing team coordination and support.

7.3.15   Any meeting between the activity team and the media during a USOAP CMA activity will only be held in the presence of the State authorities, where only information limited to the objectives and general activities of USOAP CMA shall be discussed. TMs shall not provide the media with information related to the results of a specific activity of the State or other States but shall refer the matter to State authorities or the TL, who is authorized to respond.

7.3.16   USOAP CMA teams may encounter situations during on-site activities that reveal an SSC, resulting in an immediate safety risk to international civil aviation. The mechanism established to address such SSCs as a priority is described in Chapter 2, 2.10.

7.3.17   As soon as a preliminary SSC is identified, the TL, after coordination with the OAS, brings it to the attention of the State to allow the State to initiate corrective actions immediately. The TL provides all relevant information on the preliminary SSC to C/OAS. At this point the identification of an SSC is considered preliminary until it is validated and confirmed by the SSC validation committee. See Chapter 2, 2.10.

Conduct of the on-site activity – Audits

7.3.18   During the conduct of audits, TMs take comprehensive notes and assess the applicable PQs, which will be used in developing the draft report, including the findings.

7.3.19   Each finding is related to one relevant PQ. The audit team records the finding, marks the status of the associated PQ as not satisfactory and clearly indicates how and why they were made. Absence of evidence will normally be reflected as a finding. The State is required to propose a CAP to address each finding.

7.3.20   TMs shall submit their draft findings to the TL supported by objective evidence and relevant documentation. The audit team shall review all initiated findings to ensure that they are objective, clear and concise and associated with the relevant PQ.

Conduct of the on-site activity – ICVMs

7.3.21   During an ICVM, the ICVM team collects evidence related to the State's progress in implementing its corrective actions to address identified findings and mitigating measures to address SSCs, as applicable.

7.3.22   Using the evidence collected, the ICVM team documents and evaluates the level of progress made by the State in implementing its CAPs. If the State shows evidence of full and effective CAP implementation addressing a not satisfactory PQ, the ICVM team makes a recommendation to the OAS to change the status of that not satisfactory PQ to satisfactory and to close the associated finding and/or SSC.

7.3.23   If the State has not fully implemented a CAP addressing a not satisfactory PQ, the status of that PQ remains not satisfactory until a future ICVM or off-site validation activity, as applicable. The ICVM team documents the progress achieved by the State, as well as remaining areas and issues where the State still needs to fully and effectively implement its corrective actions. The future USOAP CMA activity for the State will focus on these remaining areas.

Closing meeting/briefing

7.3.24   At the end of the on-site phase of a USOAP CMA activity, the TL convenes a closing meeting (for audits) or briefing (for ICVMs) with the State representatives and all TMs to provide them with information relating to the preliminary results of the activity.

7.3.25   The closing meeting/briefing covers the following, at a minimum:

    a)   a brief overview of the objective and scope of the completed activity;

    b)   presentation of preliminary audit results and draft findings (for audits);

    c)   presentation of preliminary evaluation of the progress made by the State in implementing its corrective actions or mitigating measures (for ICVMs);

      d)   presentation of preliminary SSCs if applicable (both audits and ICVMs); and

      e)   information on post-activity actions to be performed by ICAO and the State.

7.3.26   At the audit closing meeting, the TL provides a draft copy of any identified findings to the State authorities. The closing meeting identifies the most significant safety deficiencies and includes an overview of the effectiveness of the State's safety oversight system and capabilities. The TL clearly reminds State authorities that the preliminary audit results are being provided only to allow the State to start working on their corrective actions. Draft audit findings will undergo a technical and editorial review by the OAS before being forwarded to the State as the draft audit report for their comments according to the timelines defined in Appendix A. See 7.4.6 to 7.4.11.

7.3.27   At the ICVM closing briefing, the TL presents the preliminary results of the ICVM to the State authorities. The preliminary ICVM results include the ICVM team's evaluation of the progress made by the State in implementing its corrective actions or mitigating measures. This information will be validated and will undergo a technical review by the OAS before being forwarded to the State as the draft ICVM report for their comments according to the timelines defined in Appendix A. See 7.4.6 to 7.4.11.

7.3.28   If applicable, the TL provides a draft copy of the preliminary SSCs to the State authorities at the closing meeting/briefing and explains that the SSC validation committee at ICAO HQ will review and confirm the validity of any preliminary SSCs. The TL clearly reminds State authorities that the draft copy of the preliminary SSC are being provided only to allow the State to start working on their mitigating measures. ICAO will conduct a technical review on the preliminary SSCs before finalizing and communicating them to the State. The SSC process is defined in Chapter 2, 2.10.

7.3.29   The TL provides an overview of the report production process and related timelines at the end of the closing meeting/briefing. The TL also reminds the State authorities of the actions required by the State under the terms of the MOU, including the timelines defined in Appendix A, relating to the preparation and submission of the State's CAPs and providing comments on the draft activity report.

7.3.30   The closing meeting/briefing should be a review of the issues already covered in the daily briefings with State counterparts. All identified deficiencies and findings (in audits) or the general level of progress made by the State (in ICVMs) should have already been discussed in the daily briefings and well understood by everyone attending the closing meeting/briefing. Any preliminary SSCs should have also been discussed and well understood by everyone before the closing meeting/briefing. While the State may choose to further discuss or make arguments about the identified findings and deficiencies, and particularly preliminary SSCs, during the closing meeting/briefing, however the State should have presented all available evidence to the activity team earlier. The activity team has already considered all evidence provided by the State during the conduct of the activity.

7.4   THE VALIDATION AND REPORT PRODUCTION PHASE – ON-SITE ACTIVITIES

7.4.1   This phase begins once the closing meeting or briefing has been concluded. During this phase:

      a)   the TL submits the draft report of the USOAP CMA activity, which is compiled from contributions and notes from each TM;

      b)   for audits, the OAS performs a quality and technical review of the audit results (i.e. the findings issued by each TM) and the input of each TM to the audit draft report;

      c)   for ICVMs, the OAS validates the ICVM results (i.e. the recommendations of each TM on changing the status of PQs) and evidence collected by the ICVM team, and performs a quality and technical review of the input of each TM to the ICVM draft report;

d)   the OAS produces the draft report and sends it to the State for comments;

e)   the OAS, upon receiving State's comments, reviews them for incorporation in the final report;

f)   ICAO sends the final activity report to the State at the end of this phase;

g)   publishes the final report on the USOAP CMA online framework; and

h)   for audits, the OAS assesses CAPs submitted by the State to ensure that they are acceptable and that they fully address associated PQ findings.

7.4.2   In this phase of an on-site activity, the State shall:

a)   develop an acceptable CAP in response to audit findings (for audits);

b)   submit the CAPs to ICAO through the USOAP CMA online framework within 45 calendar days from the date ICAO sends out the audit draft report (for audits);

c)   using the online framework, continue to update its existing CAPs that address remaining not satisfactory PQs (for ICVMs);

d)   develop mitigating measures to address SSCs, if applicable (for both audits and ICVMs); and

e)   provide comments to the draft report.

Preparation of on-site activity reports – General

7.4.3   A draft and a final report will be generated for each USOAP CMA on-site activity.

7.4.4   Audit and ICVM reports include:

a)   an overview of the activity scope, team composition and visits to industry and/or service providers, if applicable;

b)   an executive summary including short-, medium- and long-term priorities identified by ICAO to assist the State in prioritizing its corrective actions; and

c)   detailed analysis of audit or ICVM results by CEs 1 to 4 and by the technical audit areas (PEL, OPS, AIR, AIG, ANS and AGA), including comparison of the EI before and after the activity and highlights of effective and lack of effective implementation.

7.4.5   The TL, in coordination with the OAS, is responsible for verifying and ensuring the technical content and the overall accuracy of the report. The OAS shall consult with the TL during the report production process for questions or clarifications related to the report content.

Preparation of the draft report

7.4.6   The draft report is compiled by the TL based on submissions provided by the TMs. TMs are expected to prepare their notes for the report during the on-site activity daily. Prior to the TMs' return to their home State or duty

station at the end of an on-site activity, the TL reviews and coordinates their individual submissions and discusses them with the TMs concerned to ensure the overall quality and consistency of the report.

7.4.7   After this review and coordination, the TL submits the draft report to the OAS for further technical and editorial review.

7.4.8   As part of the production of the audit draft report, the OAS performs a technical review of the audit results and the information contained in the audit draft report, including the:

      a)   evidence collected by the audit team; and

      b)   PQ findings issued by the audit team.

7.4.9   As part of the production of the ICVM draft report, the OAS performs a validation of the ICVM results and the information contained in the draft report, including the:

      a)   evidence collected by the ICVM team; and

      b)   recommendations of the TMs on changing the status of not satisfactory PQs to satisfactory, based on the State's progress in implementing its corrective actions and mitigating measures.

7.4.10   The draft report is forwarded to the State, which shall provide its comments according to timelines defined in Appendix A. The draft report is an official activity report and it is made available only to the visited State. The State may share the draft report with others at its discretion.

    Note.— The ICAO RO sends out ICVM draft reports and the OAS sends out audit draft reports.

7.4.11   If the State does not provide any comments or does not acknowledge receipt of the draft report within the specified timeframe, the OAS shall automatically begin the process for producing the final report.

Preparation of the final report

7.4.12   Once the OAS receives the State's comments, the final report is produced by incorporating them into the draft report which is submitted to DD/MO for approval.

7.4.13   The final report is sent to the State according to the timeline defined in Appendix A and is also published through the USOAP CMA online framework. Audit findings are also posted on the online framework.

    Note.— The ICAO RO sends out ICVM draft final reports and the OAS sends out audit final reports.

7.4.14   If translation of the final report into an ICAO working language other than the language of the activity is required, additional time will be allocated, according to the timeline defined in Appendix A. If the final report is published in a language other than English, the audit findings will be translated into English and published through the USOAP CMA online framework.

Submission, assessment, implementation and validation of CAPs

7.4.15   In response to audit findings, i.e. not satisfactory PQs, the State must prepare and submit CAPs to the OAS within 45 calendar days from the date the OAS sends out the USOAP CMA activity draft report, in accordance with the timeline defined in Appendix A.

7.4.16   In order for the OAS to be able to review and validate CAPs, the State must provide and implement CAPs that meet certain criteria. Proposed CAPs must fully address the associated PQ and all identified deficiencies. They must indicate the entity responsible for taking each corrective action and the estimated implementation date of each corrective action. Guidance for States on developing CAPs and these criteria is provided in Appendix D.

7.4.17   The OAS assesses proposed CAPs using the online framework to ensure that they address the associated PQ findings. The OAS determines whether the CAPs are acceptable by the defined criteria and informs the State on the level of CAP acceptability. If a CAP fully addresses the PQ finding, the State implements the corrective action according to the submitted plan. If a CAP does not fully address the PQ finding or only partially addresses it, the OAS requests the State to revise and resubmit the CAP.

7.4.18   Once the OAS accepts the CAPs, the State starts to implement the corrective actions outlined in each CAP.

7.4.19   If the State makes any changes to the initially proposed CAP, the State shall submit a CAP update through the online framework.

7.4.20   The OAS regularly monitors the State's progress in implementing its CAPs through the online framework until each CAP is fully implemented.

7.4.21   To demonstrate that a CAP is fully implemented, the State must submit relevant and complete evidence of implementation to the OAS through the USOAP CMA online framework. If the OAS confirms that the State has submitted all evidence of implementation, it will then be able to assess and validate the full implementation of the CAP through the appropriate USOAP CMA activity, in order to change the status of the associated PQ from not satisfactory to satisfactory.

7.5   PHASES OF USOAP CMA OFF-SITE VALIDATION ACTIVITIES

7.5.1   USOAP CMA off-site validation activities are divided into the following three phases:

    a)   the preparation phase;

    b)   the off-site validation conduct phase; and

    c)   the reporting phase.

    USOAP CMA off-site validation activities are defined in Chapter 3, 3.2.

7.6   THE PREPARATION PHASE – OFF-SITE VALIDATION ACTIVITIES

7.6.1   During this phase, ICAO prepares for the activity by:

    a)   confirming the scope of the activity;

    b)   confirming the assignments of all TMs;

c)   reviewing information and documents submitted by the State, including but not limited to CAPs and associated evidence, the SAAQ, CCs (submitted through the EFOD system) and self-assessment results (using the online PQs); and

d)   requesting the State to provide other relevant or necessary documentation related to the scope of the activity, as applicable.

7.6.2   The State shall prepare for the activity by:

a)   conducting PQ self-assessment, especially on PQs with undetermined status;

b)   ensuring that all CAPs related to not satisfactory PQs within the scope of the activity are fully implemented and updated on the CMA online framework;

c)   preparing, updating and organizing evidence and documentation to be submitted to the activity team, including legislation, operating regulations, manuals and/or procedures, records, etc.; and

d)   communicating with the OAS in a timely manner and providing all required information and documentation.

7.7   THE CONDUCT PHASE – OFF-SITE VALIDATION ACTIVITIES

7.7.1   During this phase, an ICAO team of SMEs reviews the documents and evidence submitted by the State that support the implementation of selected CAPs and evaluates the level of progress made by the State in their implementation. The activity team makes clear and concise reference to objective evidence supporting actions taken by the State to address identified findings. If the State shows evidence of full and effective CAP implementation addressing a not satisfactory PQ, the off-site validation team changes the status of that not satisfactory PQ to satisfactory and closes the associated finding.

7.7.2   In this phase, the State continues to provide requested evidence, information and documentation to the activity team, as required.

7.7.3   If the State has not fully implemented a CAP addressing a not satisfactory PQ, the status of that PQ remains not satisfactory until a future ICVM or off-site validation activity is conducted, as applicable. The OAS also confirms not satisfactory PQs that can only be assessed through an ICVM.

7.8   THE REPORTING PHASE – OFF-SITE VALIDATION ACTIVITIES

7.8.1   During this phase, the OAS produces the activity report, sends it to the State and publishes it on the USOAP CMA online framework.

7.8.2   The off-site validation activity report includes:

a)   an overview of the activity objective, scope and team composition;

b)   the EI by CE and by audit area;

c)   list of PQs which have been changed from not satisfactory to satisfactory;

d)   list of PQs that remain not satisfactory based on inadequate evidence or CAPs that have not been fully implemented;

e)   list of PQs which have been changed from not satisfactory to not applicable; and

f)   list of PQs that remain not satisfactory and that must be assessed through an ICVM.

Submission, assessment, implementation and validation of CAPs

7.8.3   If a State's response to a MIR is not acceptable, the OAS changes the status of any PQs from satisfactory to not satisfactory through an off-site validation activity. In that case and to address those not satisfactory PQs, the State must prepare and submit CAPs to the OAS within 45 calendar days from the date ICAO sends out the off-site activity report.

Details regarding the submission, assessment, implementation and validation of CAPs are described in 7.4.16 to 7.4.21.

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Appendix A

USOAP CMA ON-SITE ACTIVITY TIMELINES

Several key phases and tasks during the USOAP CMA process are time-sensitive and should be initiated and completed within the established timelines, as defined in Tables A-1 and A-2.

Table A-1.   USOAP CMA on-site activity timelines (before the start of the on-site activity)

RESPONSIBILITIES/TASKS		TIMELINES BY ACTIVITY (days noted below are calendar days)			
ICAO	*State*	*ICVMs*	*Audits*	*Cost recovery ICVMs*	*Safety (cost recovery) audits*
Publication/posting of USOAP CMA schedule		Periodic (typically 12 months)		ICAO and the Member State shall mutually agree on the dates and timelines for cost recovery ICVMs on a case-by-case basis.	ICAO and the Member State shall mutually agree on the dates and timelines for safety audits on a case-by-case basis. *(Note.— Safety audits are cost recovery audits.)*
Notification letter to States about conduct of on-site activity		**120 days before** start of on-site activity			
	Acknowledging receipt of notification letter	**30 days after** receipt of notification letter			
Confirmation letter to States about the ICVM scope		**90 days before** start of ICVM	N/A		
	Acknowledging receipt of confirmation letter	**30 days after** receipt of notification letter	N/A		
	Updating CAPs	**Ongoing** submission of CAP updates **at least 90 days before** start of ICVM	N/A		
Latest date for changing scheduled activity		**60 days before** start of ICVM	**90 days before** start of audit		

Submission of release requests for short-term seconded auditors and SMEs to their sponsoring organization		**60 days before** start of ICVM	**90 days before** start of audit		
Preparation of activity plan (includes notifying States of activity team composition)		**45 days before** start of on-site activity			

Table A-2.   USOAP CMA on-site activity timelines (after completion of the on-site activity)

RESPONSIBILITIES/TASKS		TIMELINES BY ACTIVITY (days noted below are calendar days)			
ICAO	*State*	*ICVMs*	*Audits*	*Cost recovery ICVMs*	*Safety (cost recovery) audits*
Providing draft report to State		**90 days** after last day of on-site activity			
	Providing comments on draft report	**45 days** from receipt of draft report			
Publication of final report		**30 days** from receipt of State comments			
Translation of report		Additional days as required			
	Submission of CAP	N/A	**45 days** from ICAO sending the draft report to State	N/A	**45 days** from ICAO sending the draft report to State

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Appendix B

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN STATE [LONG NAME] AND THE
INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)
REGARDING THE UNIVERSAL SAFETY OVERSIGHT AUDIT
PROGRAMME CONTINUOUS MONITORING APPROACH

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

Whereas the 32nd Session of the Assembly of ICAO in Resolution A32-11 directed the Council to establish the ICAO Universal Safety Oversight Audit Programme (USOAP), providing for regular, mandatory, systematic and harmonized safety audits to be carried out by ICAO, that such universal safety oversight programme shall apply to all Contracting States, and that greater transparency and increased disclosure be implemented in the release of audit results;

Whereas the 32nd Session of the Assembly urged all Contracting States to sign a bilateral Memorandum of Understanding (MOU) with the Organization, agreeing to audits to be carried out upon ICAO's initiative, but always with the consent of the State to be audited, and outlining the rules of conduct for such audits;

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 USOAP;

Whereas the 36th Session of the Assembly directed the Secretary General to examine options for the continuation of the USOAP beyond 2010, including the possibility of adopting a Continuous Monitoring Approach (CMA);

Whereas the 37th Session of the Assembly directed the Secretary General to evolve the USOAP to a CMA, which will incorporate the analysis of safety risk factors and be applied on a universal basis in order to assess States' oversight capabilities;

Whereas the 37th Session of the Assembly directed the Secretary General to ensure that the 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,* and Annex 14 — *Aerodromes*;

Whereas the 37th Session of the Assembly urged all Contracting 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 implementation of the USOAP CMA;

Whereas the 37th Session of the Assembly urged all Contracting States to cooperate with ICAO and, as much as practicable, to accept continuous monitoring activities scheduled by the Organization, including audits and validation missions, in order to facilitate the smooth functioning of the USOAP CMA;

Whereas the 37th Session of the Assembly directed the Secretary General to make all safety oversight-related information generated by the USOAP CMA available to all Contracting States through the USOAP restricted website;

Whereas the 37th Session of the Assembly directed the Secretary General to continue to foster coordination and cooperation between USOAP and audit programmes of other organizations related to aviation safety, for the sharing of confidential safety information in order to reduce the burden on States caused by repetitive audits or inspections and to decrease the duplication of monitoring activities;

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

Recognizing that mutual trust between States as well as public confidence in the safety of air transportation is contingent upon access to adequate safety information.

IT IS AGREED AS FOLLOWS:

PART I — USOAP CMA ACTIVITIES (GENERAL)

1.   Pursuant to Assembly Resolution A37-5, State [long name]*,* hereafter referred to as State [abbreviated name]*,* hereby agrees to participate fully in the USOAP CMA by taking part in all USOAP CMA activities and by committing to provide information related to the establishment and implementation of its safety oversight system on an ongoing basis, whenever possible through the CMA online framework. USOAP CMA activities will cover the *Convention on International Civil Aviation* (Chicago, 1944) and the safety-related provisions of its Annexes.

2.   State [abbreviated name] and ICAO accept that all actions taken by the parties or activities carried out under the USOAP CMA will be conducted in accordance with the guidelines and principles set forth in the third edition of ICAO *Universal Safety Oversight Audit Programme Continuous Monitoring Manual* (Doc 9735).

3.   State [abbreviated name] agrees to facilitate the USOAP CMA by designating one or more appropriately-qualified persons to act as National Continuous Monitoring Coordinator(s) (NCMCs) on an ongoing basis. The NCMCs act as facilitators and as the primary points of contact for all USOAP CMA processes and activities. The NCMCs will be responsible for providing ICAO with updates and information on an ongoing basis, either by providing ICAO with copies of the relevant information and updates, or by directly inputting information through the USOAP CMA online framework.

4.   Information to be submitted and updated regularly by the NCMCs through the USOAP CMA online framework will include responses to the State Aviation Activity Questionnaire (SAAQ), status of the USOAP Protocol Questions (PQs), responses to ICAO Mandatory Information Requests (MIRs), information relating to Significant Safety Concerns (SSCs), updates to the State Corrective Action Plan (CAP), including information regarding implementation status and, as far as practicable, any other relevant safety information, as requested by ICAO. Details regarding the role of the NCMCs and the submission of information through the USOAP CMA online framework are contained in ICAO Doc 9735.

5.   State [abbreviated name] agrees to complete and maintain up-to-date Compliance Checklists, which contain information on the implementation of the specific provisions of the relevant Annexes to the Chicago Convention. Whenever possible, the State will provide this information through the Electronic Filing of Differences (EFOD) system.

6.   Based on information collected through the USOAP CMA online framework, ICAO Headquarters may issue MIRs, Findings and Recommendations (F&Rs) and/or SSCs which apply to State [abbreviated name]. Such MIRs, F&Rs and/or SSCs will be notified to the State through the USOAP CMA online framework, or by letter, and will be addressed by the State in accordance with the timelines set out in the Part III of this MOU.

7.   All safety-related information generated by USOAP CMA activities will be made available to all ICAO Member States through the USOAP CMA online framework. A standardized report approved by the Council on the level of effective implementation of State [abbreviated name]'s safety oversight system will be made available through the ICAO public website.

8.   If a Regional Safety Oversight Organization (RSOO) or any other entity performs safety-related activities on behalf of State, [abbreviated name] ICAO, with the consent of State, [abbreviated name], may elect to enter into a working arrangement with this RSOO or entity as appropriate, to facilitate the monitoring of the State.

PART II — USOAP CMA ON-SITE ACTIVITIES

9.   USOAP CMA on-site activities comprise USOAP Comprehensive Systems Approach (CSA) audits, as well as ICAO Coordinated Validation Missions (ICVMs) and Safety Audits. Safety Audits are conducted on a cost-recovery basis at the request of State, [abbreviated name]. When requested by State, [abbreviated name], an ICVM may also be conducted on a cost-recovery basis.

10.   With the exception of Safety Audits and cost-recovery ICVMs, where all costs are borne by State, [abbreviated name], ICAO will be responsible for the cost of transportation to and from State, [abbreviated name], as well as for the daily subsistence allowance (DSA) of the team members.

11.   A periodic schedule of USOAP CMA on-site activities will be published in accordance with ICAO Doc 9735, with the dates of Safety Audits to be agreed between ICAO and the States concerned on a case-by-case basis.

12.   Unless justified reasons lead the parties to mutually agree upon alternate dates, *State* [abbreviated name] is expected to accept scheduled on-site activities.

13.   Notification of on-site activities of the USOAP CMA will be provided to the State by ICAO with at least 120 calendar days advance notice. When necessary or useful, State [abbreviated name] and ICAO may mutually agree to a shorter notice period for any USOAP CMA on-site activity.

14.   No change in the periodic schedule of USOAP CSA audits will be allowed within ninety calendar days prior to the starting date of the audit of the State, and no change to a scheduled ICVM will be allowed within sixty calendar days prior to the starting date of the ICVM, except for a compelling reason, submitted to the President of the Council of ICAO for his consideration. Any change made by the State to the dates of a scheduled Safety Audit will be made on a case-by-case basis, with the State concerned incurring all costs associated with the postponement or cancellation.

15.   The scope of all USOAP CMA on-site activities will be determined by ICAO based on information collected and will be communicated to the State in advance of the activities, in accordance with the timelines stipulated in ICAO Doc 9735.

16.   All ICAO audit and ICVM teams will comprise experts in the disciplines related to the areas addressed by the audit or ICVM. The composition of the team (names and areas of expertise) will be provided to the State at least forty-five calendar days prior to the conduct of a USOAP CSA audit or ICVM. For Safety Audits, every effort will be made to communicate the team composition to the State at least forty-five days prior; however, this timing may vary depending on the specific circumstances.

17.   USOAP CMA on-site activities will be conducted in English, French or Spanish, as requested by the State. If the language of the State, as notified to ICAO, is one of the three remaining ICAO working languages, every effort will be made to ensure that at least one team member participating in the USOAP CMA on-site activity has command of that ICAO working language.

18.   The ICAO team will develop a State-specific mission plan for each USOAP CMA on-site activity in State [abbreviated name], containing information on the conduct of the scheduled activity. The plan will be forwarded to the NCMCs prior to the activity to facilitate cooperation and coordination. Any modification to the State-specific mission plan may be agreed between ICAO and the State during the opening meeting.

19.   State [abbreviated name] agrees to facilitate USOAP CMA on-site activities by:

   a)   providing access to selected organizations related to civil aviation activities and personnel involved in the management or provision of personnel licences, air transport operations, maintenance and airworthiness of aircraft, air navigation services, aerodrome operations as well as aircraft accident and incident investigations, handling and shipping by air of dangerous goods and any other relevant activity required by safety-related provisions in the Annexes to the Chicago Convention;

   b)   making all relevant documents, files and information available to the ICAO team; and

   c)   providing access to facilities and restricted areas at air traffic services, aerodromes and other areas where the audit or ICVM is expected to be conducted.

20.   State [abbreviated name] agrees to provide support to the USOAP CMA on-site activities by:

   a)   providing interpretation services for the duration of the on-site activity or as requested by the ICAO team;

   b)   making accommodation arrangements for the ICAO team for the duration of the on-site activity;

   c)   meeting the cost of transportation when visits to various locations within the State are required under the State-specific mission plan;

   d)   providing adequate working space with privacy for the ICAO team;

   e)   providing access to a printer, photocopier, scanner and facsimile machine, if available; and

   f)   providing Internet access, if available.

21.   During the conduct of a CSA audit or Safety Audit, the ICAO team will review the State's legislative and regulatory provisions, examine records, documentation, facilities, equipment and tools, as well as conduct interviews to determine the establishment and implementation of an effective safety oversight system, including the implementation of ICAO Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) as well as the application of guidance material and relevant safety-related practices in general use in the aviation industry as referred to in such material.

22.   During the conduct of an ICVM, the ICAO team may perform any of the activities identified in paragraph 21 in order to facilitate the validation of progress made by the State in resolving identified safety oversight deficiencies.

23.   Upon completion of the USOAP CMA on-site activity, the ICAO team will conduct a closing meeting in which they will provide a summary of the results of the activity to government officials, as determined by the NCMC.

These officials may include senior Civil Aviation Authority (CAA) management and other State authorities responsible for the areas covered by the scope of the activity. The ICAO team will also provide a briefing on the next steps in the USOAP CMA process. If necessary and appropriate, the closing meeting will also be used to notify the State of any preliminary SSCs identified during the activity.

24.   For CSA audits and Safety Audits, the ICAO team will provide the State with draft F&Rs prior to departing the State. Formal written notification of any SSCs identified during the activity will be provided to State [abbreviated name] within fifteen calendar days from the closing meeting.

25.   ICAO undertakes to make available to State [abbreviated name] a draft final report for any USOAP CMA on-site activity within ninety calendar days from the closing meeting. If the ICAO working language of the State is other than the language of the activity, the draft final report will be translated into that language and timelines will be adjusted accordingly. State [abbreviated name] commits to providing ICAO with its comments on the draft final report within forty-five calendar days from receipt of the report in the ICAO working language of its choice. Any comments received will be reviewed by ICAO before being incorporated into the final report.

26.   ICAO will provide State [abbreviated name] with the final report within 165 calendar days from the date of the closing meeting. However, if translation is required into an ICAO working language other than the language of the activity, this timeline will be adjusted accordingly. The final report will then be made available to all Member States of ICAO, at least in English, through the USOAP CMA online framework.

27.   Without prejudice to other privileges and immunities applicable to ICAO as a Specialized Agency of the United Nations, and its personnel, all members of a USOAP CMA on-site activity team shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity.

PART III — DEFICIENCIES AND CORRECTIVE ACTIONS

28.   If an SSC is notified to State [abbreviated name] following a USOAP CMA on-site activity or at any other time, ICAO will provide State [abbreviated name] with a short time frame to resolve the SSC through immediate corrective actions. If the SSC remains unresolved at the end of the prescribed time frame, the SSC will be made available to all Member States of ICAO through the USOAP CMA online framework**.**

29.   Should any deficiencies be identified, State [abbreviated name] undertakes to provide ICAO with a proposed CAP within forty-five calendar days from the date of posting of the F&Rs on the USOAP CMA online framework or from the date of notification of the F&Rs through a draft final report. The CAP should provide specific actions and estimated implementation dates, as well as a responsible office for taking action to correct the deficiencies identified in the F&Rs. If no CAP is submitted, ICAO will contact State [abbreviated name] to determine the reasons for not providing a CAP and report its findings to Council.

30.   ICAO will provide State [abbreviated name] with feedback on the acceptability of any proposed CAP. If any proposed corrective actions do not fully address the associated F&Rs, the State will be notified accordingly.

PART IV — DISPUTE RESOLUTION

31.   Any difference or dispute concerning the interpretation or the application of this Memorandum of Understanding will be resolved by negotiation between the parties concerned.

**For the International Civil
Aviation Organization**

**For the Appropriate Authority of
[State formal name]**

_____

Raymond Benjamin
Secretary General

Name:
Title:

_____

Date

Date

_____

Appendix C

(Reproduced in English only)

SSC PROCEDURE AND SSC PROCESS FLOWCHART

MONITORING AND OVERSIGHT
(MO) OFFICE

CMO/QMSP-017

Identification, Confirmation and Resolution of
Significant Safety Concerns (SSCs)

Revision: C	Approved by: DD/MO	Approval date: 3 September 2014

1.0 Purpose

1.1 This procedure describes the mechanism for identifying, confirming and resolving an SSC.

2.0 Scope

2.1 This procedure applies to all SSCs from the time they are identified as preliminary until they are considered as resolved by the SSC Validation Committee.

3.0 Responsibility

3.1 Chief of the Safety and Air Navigation Oversight Audit Section (C/OAS) is the primary position responsible for the effective implementation of this procedure and to ensure that all identified SSCs are effectively processed.

3.2 The SSC Focal Point is an ICAO technical staff member responsible for coordinating the SSC process and the activities of the SSC Validation Committee.

3.3 The SSC Validation Committee is chaired by the Deputy Director of Monitoring and Oversight (DD/MO) and comprised of the C/OAS, the SSC Focal Point, the team leader (TL), if available, and a subject matter expert (SME) or Standards and Procedures Officer from the OAS Section (SPO/OAS) of the relevant audit area. This committee is responsible for the review, confirmation and validation of the SSC and its resolution. A minimum of three members is required for the Committee to convene and proceed.

4.0   Definitions / Abbreviations

Significant Safety Concern (SSC): Occurs when a Member State allows the holder of an authorization or approval to exercise the privileges attached to it, although the minimum requirements established by the State and by the Standards set forth in the Annexes are not met, resulting in an immediate safety risk to international civil aviation.

An SSC poses an immediate safety risk to international civil aviation and requires immediate attention.

C/OAS: Chief of the Safety and Air Navigation Oversight Audit Section
CAP: Corrective Action Plan
CE: Critical Element
CMA: Continuous Monitoring Approach
DD/MO: Deputy Director of Monitoring and Oversight
EB: Electronic Bulletin
HQ: Headquarters
MARB: Monitoring and Assistance Review Board
MIR: Mandatory Information Request
MO: Monitoring and Oversight Office
NCMC: National Continuous Monitoring Coordinator
OAS: Safety and Air Navigation Oversight Audit Section
OSU: Oversight Support Unit
PH: Portfolio Holder
PQ: Protocol Question
RCMC: Regional Continuous Monitoring Coordinator
RD: Regional Director
RO: Regional Office
SME: Subject Matter Expert
SPO: Standards and Procedures Officer
SSC: Significant Safety Concern
TL: Team Leader
TM: Team Member
TO: Technical Officer
USOAP: Universal Safety Oversight Audit Programme

5.0   Procedure

There are four main steps to the SSC process:

1.   Identification of a preliminary SSC;

2.   Confirmation or dismissal of the SSC by the SSC Validation Committee (within 15 days of identification);

3.   Determination of whether actions taken by the State resolve the SSC; and

4.   On-going assessment of an unresolved SSC.

5.1 Identification of preliminary SSC

5.1.1   A preliminary SSC can be identified by one of two scenarios:

Scenario 1 – During an on-site USOAP CMA activity

Team members (TMs) report a preliminary SSC to the team leader (TL) as soon as it is identified. The TL discusses the details with C/OAS. The process continues with step 5.1.2.

Scenario 2 – As part of the continuous monitoring process

A preliminary SSC may be identified by a PH (either at MO or RO), SPO/OAS, TO/OAS, USOAP auditor or SME (either from ICAO HQ or RO) based on evidence and information collected from the State or other sources during the continuous monitoring process. The matter is discussed with the SPO of the relevant audit area.

If the SPO agrees there is a concern, he/she discusses it with C/OAS and if C/OAS agrees, the SPO submits a MIR to the State. The SPO reviews the evidence presented by the State in response to the MIR and if the preliminary SSC still exists, then the process continues with step 5.1.2. If not, on-going continuous monitoring by the MO continues.

5.1.2   C/OAS evaluates the information and evidence collected for the preliminary SSC. C/OAS may consult with an SPO/OAS or SME with experience in the audit area.

The initiator of the preliminary SSC must clearly indicate the immediate safety risk that the preliminary SSC may pose to international civil aviation and must submit the following information to C/OAS:

a)   audit area(s) and applicable PQ(s) and CE(s);

b)   name of State;

c)   name of the initiator (e.g. on-site team, SPO/OAS, RO, etc.);

d)   if on-site activity (Scenario 1 in 5.1.1), reference to existing PQ finding – if other origin (Scenario 2 in 5.1.1), reference to MIR;

e)   the draft SSC based upon the applicable PQ(s);

f)   draft recommendations for resolution of the preliminary SSC.

5.1.3   If C/OAS agrees that a preliminary SSC exists, he/she contacts the SSC Focal Point to convene the SSC Validation Committee. The process continues with step 5.2.

5.1.4   If C/OAS disagrees with the severity of the concern and does not agree that a preliminary SSC exists:

- If the concern was raised by a TL during an on-site activity (Scenario 1 in 5.1.1), C/OAS informs the TL to not proceed with the preliminary SSC. The TL raises a PQ finding instead and continues with the on-site activity.

- If the concern was raised as part of continuous monitoring (Scenario 2 in 5.1.1), no further action is required.

5.2 Confirmation or dismissal of the SSC by the SSC Validation Committee

5.2.1 The SSC Validation Committee reviews the information and evidence.

5.2.2 If the committee confirms the SSC, the SSC focal point finalizes the text of the SSC initial notification letter and sends it to the State. The letter includes a due date (maximum of 15 days) by which the State must undertake its corrective actions or mitigating measures to resolve the SSC. The letter is sent to the State through the fastest means and ensuring that the State has received it.

Typical mitigating measures expected from States include actions to limit, suspend or cancel the non-compliant authorisation(s), approval(s), license(s) and/or certificate(s), as applicable.

5.2.3 If the committee does not confirm the SSC, C/OAS takes the same actions as outlined in 5.1.4.

The preliminary SSC may not be confirmed due to a number of reasons, including:

a) the preliminary SSC is vague;

b) evidence is insufficient to substantiate the preliminary SSC; or

c) the finding is valid, but does not pose an immediate safety risk to international civil aviation.

5.3 Determination of whether actions taken by the State resolve the SSC

5.3.1 The States submits corrective actions, mitigating measures, CAPs and comments to ICAO. Upon receiving the SSC initial notification letter and by the due date specified in the letter, the State submits the following information and documents:

a) State's comments and observations;

b) description of corrective actions and/or mitigating measures taken;

c) documented evidences of corrective actions and/or mitigating measures taken with reference to the associated PQs;

d) action office(s) identified for implementation of each corrective action and/or mitigating measures; and

e) estimated implementation date for each detailed step.

The State submission must be forwarded to the SSC Focal Point.

5.3.2   The SSC Focal Point convenes the SSC Validation Committee to review the State's responses and submissions to determine if:

- the supporting evidences and information are complete and relevant to the actions taken; and

- if the SSC is resolved.

5.3.3   If the evidence provided by the State confirms the SSC has been resolved, the SSC Focal Point records the result of the review, prepares an SSC resolution letter and sends it to the State.

5.3.4   If the evidence shows that the actions taken by the State are not acceptable or not sufficient to resolve the SSC, the SSC Focal Point prepares an SSC confirmation letter and sends it to the State. The SSC Focal Point posts the SSC and State's proposed corrective actions on the USOAP CMA online framework (http://www.icao.int/usoap) to inform all Member States. The SSC Focal Point also publishes an Electronic Bulletin (EB) in all ICAO working languages to inform all Member States that an SSC has been identified and remains unresolved. If the SSC has not been resolved by the State within 90 days after it is posted on the USOAP CMA online framework, it will be posted on the ICAO public website. The SSC will remain posted online until it is resolved.

The SSC Focal Point emails the EB to the NCMC of the State and the RCMC at the ICAO RO.

C/OAS refers the State to the Monitoring and Assistance Review Board (MARB).

5.4 On-going assessment of unresolved SSCs

5.4.1   The State advises ICAO that the SSC has been resolved.

The State completes a self-assessment checklist which is validated by the appropriate SPO/OAS.

If the SPO agrees that the checklist is complete and the submitted information supports the State's claim that the SSC has been resolved, the SPO recommends to C/OAS if an ICVM is required to assess the resolution of the SSC. If C/OAS determines that an ICVM is required, he/she coordinates with the Oversight Support Unit (OSU) to schedule the ICVM. The process continues with step 5.4.2. Otherwise, C/OAS contacts the SSC Focal Point to convene the SSC Validation Committee. The process continues with step 5.4.3.

If the SPO disagrees, he/she coordinates with the relevant PH to obtain additional information from the State. This may require the State to continue to update progress of its CAPs and advise ICAO when ready.

5.4.2   If the ICVM team agrees that the SSC has been resolved, the TL notifies C/OAS who contacts the SSC Focal Point to convene the SSC Validation Committee. The process continues with step 5.4.3. Otherwise, the State continues to update progress of its CAPs and advise ICAO when ready (see 5.4.1).

5.4.3   The SSC Focal Point convenes the SSC Validation Committee to review the actions taken by the State and the supporting evidence.

5.4.4   If the SSC Validation Committee determines that the SSC has been resolved, the SSC Focal Point prepares an SSC resolution letter to be sent to the State. The SSC Focal Point publishes an Electronic Bulletin (EB) announcing the resolution of the SSC and removes the posted SSC from both the ICAO public website and the USOAP CMA online framework.

The SSC Focal Point emails the EB to the NCMC and RCMC.

C/OAS reports the SSC resolution to the MARB. The MO continues with its ongoing continuous monitoring of the State.

5.4.5   If the SSC Validation Committee determines that the SSC has not been resolved, the SSC Focal Point prepares an SSC letter to notify the State that the SSC remains unresolved and posted on website. The State continues to update progress of its CAPs and advise ICAO when ready (see 5.4.1).

6.0   **Quality records**

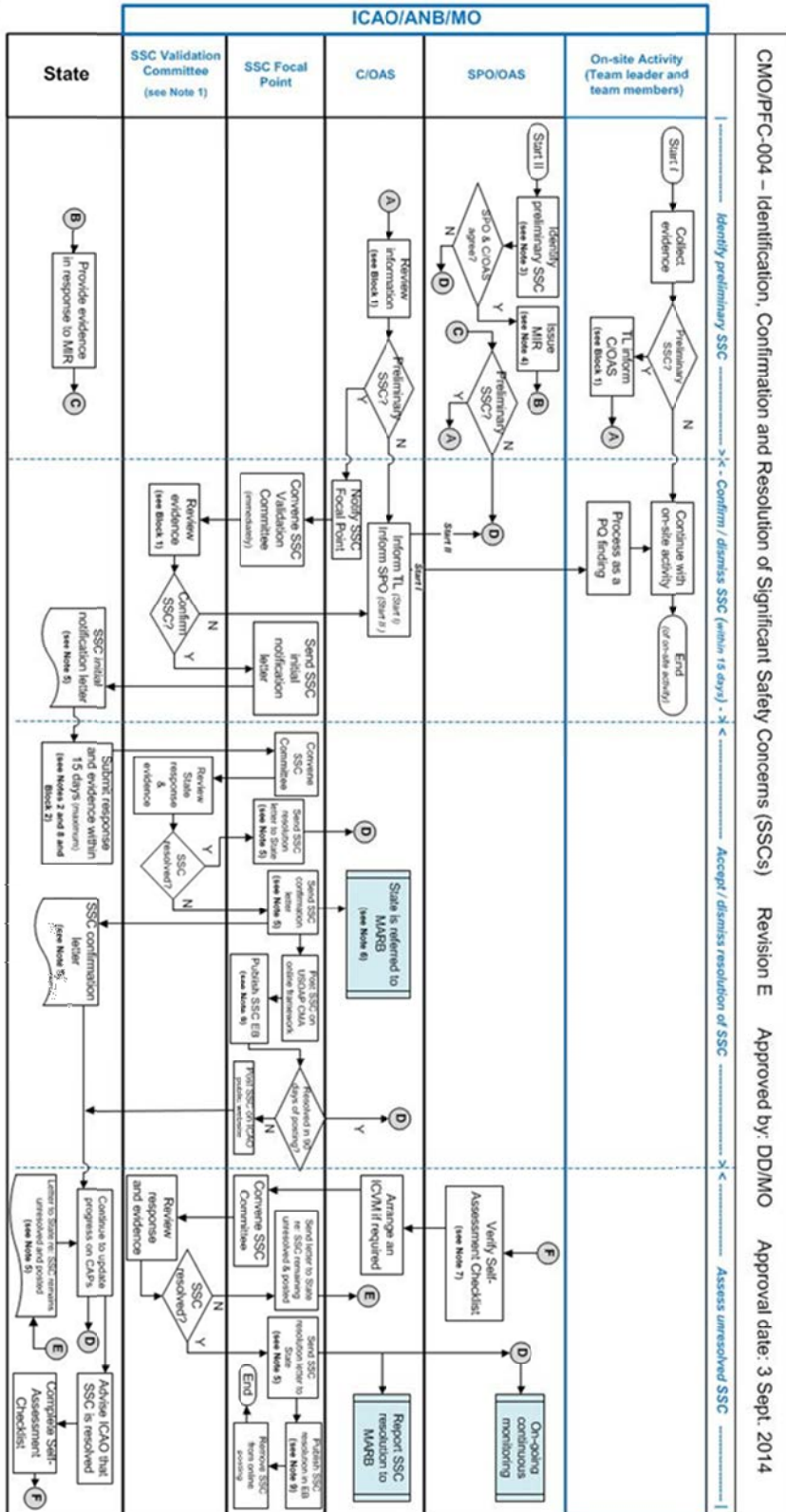**6.1** SSC letters (initial notification, confirmation and resolution)

Note 1 — All letters are signed by the DD/MO and a copy is sent to RD/RO.

6.2 Notes to File regarding SSC Validation Committee decisions

Note 2 — The SSC Focal Point records all decisions of the SSC Validation Committee in Notes to File and forwards these to OAS for filing.

6.3 SSCs posted on the USOAP CMA online framework

CMO/PFC-004 – Identification, Confirmation and Resolution of Significant Safety Concerns (SSCs)   Revision E   Approved by: DD/MO   Approval date: 3 Sept. 2014

ICAO/ANB/MO

Columns: State | SSC Validation Committee (see Note 1) | SSC Focal Point | C/OAS | SPO/OAS | On-site Activity (Team leader and team members)

Process phases:
- Identify preliminary SSC
- Confirm / dismiss SSC (within 15 days)
- Accept / dismiss resolution of SSC
- Assess unresolved SSC

Flowchart elements (text content):

- Start I
- Collect evidence
- Preliminary SSC? (Y/N)
- TL inform C/OAS (see Block 1)
- Process as a PQ finding
- End (of on-site activity)
- Continue with on-site activity
- Start II
- Identify preliminary SSC (see Note 3)
- SPO & C/OAS agree? (Y/N)
- Issue MIR (see Note 4)
- Preliminary SSC? (Y/N)
- Inform TL (Start I) / Inform SPO (Start II)
- Review information (see Block 1)
- Preliminary SSC? (Y/N)
- Notify SSC Focal Point
- Convene SSC Validation Committee (immediately)
- Review evidence (see Block 1)
- Confirm SSC? (Y/N)
- SSC initial notification letter (see Note 5)
- Send SSC initial notification letter
- Provide evidence in response to MIR
- Submit response and evidence within 15 days (maximum) (see Notes 2 and 8 and Block 2)
- Convene SSC Committee
- Review State response & evidence
- SSC resolved? (Y/N)
- Send SSC resolution letter to State (see Note 5)
- Send SSC confirmation letter (see Note 5)
- State is referred to MARB (see Note 6)
- Post SSC on USOAP CMA online framework
- Publish SSC EB (see Note 9)
- SSC confirmation letter (see Note 5)
- Resolved in 90 days of posting? (Y/N)
- Post SSC on ICAO public website
- Arrange an ICVM if required
- Send letter to State re: SSC remaining unresolved & posted
- Convene SSC Committee
- Continue to update progress on CAPs
- Letter to State re: SSC remains unresolved and posted (see Note 5)
- Review response and evidence
- SSC resolved? (Y/N)
- Send SSC resolution letter to State (see Note 5)
- End
- Remove SSC from online posting
- Publish SSC resolution in EB (see Note 9)
- Report SSC resolution to MARB
- Advise ICAO that SSC is resolved
- Complete Self-Assessment Checklist
- Verify Self-Assessment Checklist (see Note 7)
- On-going continuous monitoring

NOTES

1) **Composition of SSC Validation Committee:** DD/MO (Chair), C/OAS, SSC Focal Point, TL, SPO/OAS or SME of the relevant audit area. A minimum of three members must be present for the committee to convene.
2) State forwards its response (and related information) to the SSC Focal Point. See Block 2 for details.
3) Preliminary SSC may be identified by a PH (either at MO or RO), SPO/OAS, TO/OAS, USOAP auditor or ICVM SME (either form ICAO HQ or RO) based on evidence and information collected from the State or other sources during the continuous monitoring process.
4 MIR: Mandatory Information Request.
5) All SSC letters are signed by DD/MO.
6) MARB: Monitoring and Assistance Review Board.
7) The SPO/OAS may coordinate with the relevant PH (either at MO or RO) obtain additional information from the State. This may require the State to continue to update their CAPs progress and resubmit a new checklist at a later date.
8) If the State fails to meet the deadline to respond or to take appropriate action, the SSC Validation Committee will process the SSC as unresolved.
9) EB: Electronic Bulletin. SSC Focal Point e-mails the EB to NCMC for the State and RCMC at the RO.

Block 1 – Preliminary SSC Information

a) Identify audit area(s) and applicable PQ number(s) and CE(s)
b) Name of State
c) Name of the initiator (e.g. on-site team, SPO/OAS, etc.)
d) If from on-site activity – reference to existing PQ finding; if from HQ – reference to MIR
e) Draft preliminary SSC based on selected PQ(s)
f) Draft recommendation for resolution of the preliminary SSC

Block 2 – Response(s) from State

a) State's comments and observations
b) Corrective actions and/or mitigating measures taken
c) Documented evidence of corrective actions and/or mitigating measures taken
d) Action office(s) identified for implementation of each corrective action and/or mitigating measures and detailed steps
e) Estimated implementation date for each detailed step

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Appendix D

GUIDANCE FOR STATES ON DEVELOPING CAPs

In order for the Monitoring and Oversight Office to be able to review and validate a CAP and to change the status of the associated PQ from not satisfactory to satisfactory, States must submit CAPs to ICAO that meet certain criteria.

Following the tips and suggestions in this guidance will assist States to develop more effective CAPs that would meet ICAO's criteria for assessing accepting them.

Note.— If the State disagrees with the finding issued by ICAO and does not submit a CAP for the finding, the State must provide a clear and detailed reason in the "State Comment" field.

General

- Ensure that the required information for each part of the CAP are entered in the correct field of the CAP module on the USOAP CMA online framework.

CAP steps and proposed action items

- Ensure that the proposed actions in a CAP directly and fully address the PQ finding issued by ICAO.

- If required, break down large action items into smaller and more manageable steps.

- Describe each proposed action in a clear and detailed manner.

- List the step-by-step corrective actions in the correct sequential and/or chronological order (e.g. establishing a requirement before implementing it).

- Provide a good and clear working plan and adequate detail for the implementation of each proposed action.

- For PQ findings associated with CEs 6, 7 and 8, i.e. "implementation" CEs, provide necessary details on implementing requirements and procedures.

Action office

- Ensure that the responsible action office is indicated for each one of the corrective action steps.

- If more than one organization or entity are involved in each step, identify and record each one clearly.

- Ensure that the action offices identified in each step of the corrective action have the authority to complete the action, especially with respect to the promulgation of legislation and/or regulations.

• For higher-level corrective actions, such as the promulgation of primary aviation legislation, enter the name of the entity which has the authority to complete the action.

• Spell out the acronym for the title of an action office the first time it is used in the CAP; use the acronym thereafter.

Evidence reference

• Indicate the document containing the evidence in a clear manner.

• Provide a specific and clear reference to the page, section or paragraph of the document that contains the information that the ICAO validating officer needs to review and validate.

• Avoid broad and generic reference to a large document. Be as specific as possible.

Estimated implementation date

• Ensure that an estimated implementation date (est. imp. date or EID) is entered for each step in order to save the CAP.

• Ensure that the EID is realistic for the action item.

• Ensure that the EID is appropriate for the level of risk associated with the finding.

• The EID should be the date of completion for the action item.

Responding to ICAO's assessment

• If ICAO initially assesses a CAP as not addressing or only partially addressing the PQ finding, revise the CAP and ensure that it addresses the shortcomings indicated by ICAO.

UPDATING CAPs

• Also ensure to continuously update CAPs by indicating the:

  a) a progress level for each action item as it is implemented; and

  b) the date of completion for each completed action item.

• If the initial EID of an action item has passed and the action has not completed yet, provide a new EID.

— **END** —