Doc 9735
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Universal Safety Oversight Audit Programme Continuous Monitoring Manual

Approved by the Secretary General
and published under his authority

Third Edition — 2011

International Civil Aviation Organization

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AMENDMENTS

Amendments are announced in the supplements to the *Catalogue of ICAO Publications;* 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 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 Chicago Convention.

This 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, and is published under the authority of the Secretary General.

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

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TABLE OF CONTENTS

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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, along with an explanation of its management and various components and includes procedures for conducting USOAP CMA activities.

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 System*; and

       b)   Doc 9859 — *Safety Management Manual*.

1.2.3   Additional references include ISO 19011 — *Guidelines for quality and/or environmental management systems auditing*.

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 Catalogue of ICAO Publications *provides a complete list of ICAO guidance material available to States 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 systematic and objective review of a State's safety oversight system to verify compliance with the provisions of the Chicago Convention or national regulations, conformance with or adherence to ICAO Standards and Recommended Practices (SARPs), procedures and good aviation safety practices.

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.

Critical elements (CEs). The eight 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. (See 2.3.1.1 for the list of CEs.)

Deficiency. A condition where the State's safety oversight system does not meet a Protocol Question (PQ) used to measure the effective implementation of the eight critical elements. One or more related deficiencies may be grouped together to identify a finding. A PQ marked as "not satisfactory" may also be referred to as a deficiency.

Finding and Recommendation (F&R). A finding is generated as a result of a lack of compliance with Articles of the Chicago Convention, 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. The lack of compliance is expressed in terms of one or more deficiencies. For every finding, ICAO recommends measures to be taken by the State for its resolution.

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 safety oversight capability, calculated for each critical element or for each audit area. The overall Lack of Effective Implementation (LEI) published in the USOAP audit reports is the average of the eight LEIs for each critical element.

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

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

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 eight 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 Questions (PQs). The primary tool used in USOAP for assessing the level of effective implementation of a State's safety oversight system based on the eight critical elements, the *Convention on International Aviation*, ICAO SARPs, PANS and related guidance material.

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 the possibility of harm to persons or property damage is reduced to, and maintained at or below, an acceptable level through a continuing process of hazard identification and risk management.

Significant Safety Concern (SSC). Occurs when the audited 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 Chicago Convention are not met, resulting in an immediate safety risk to international civil aviation.

Validate. To confirm submitted information in order to determine either the existence of a finding or the progress made in resolving the 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/CMO	Chief of Continuous Monitoring and Oversight Section
CAA	Civil Aviation Authority
CAP	Corrective Action Plan
CBT	Computer-based training
CC	Compliance Checklist
CE	Critical element
CMA	Continuous Monitoring Approach
CMO	Continuous Monitoring and Oversight Section
CSA	Comprehensive Systems Approach
DD/SMM	Deputy Director of Safety Management and Monitoring
DSA	Daily subsistence allowance
EFOD	Electronic Filing of Differences
F&R	Finding and Recommendation
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
OPS	Aircraft operations
ORG	Civil aviation organization
MIR	Mandatory Information Request
MOU	Memorandum of Understanding
NCMC	National Continuous Monitoring Coordinator
OJT	On-the-job training
PANS	Procedures for Air Navigation Services
PEL	Personnel licensing and training
PH	Portfolio holder
PQ	Protocol Question
QMS	Quality management system
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 Co-operation 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 ICAO 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).

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 Chicago 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 Manual* (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 enhancement of international aviation safety requires the participation and support of all Member States, particularly during the transition period when the tools and guidance required for USOAP CMA will be developed and refined.

2.3   CEs

2.3.1   CEs are essentially the safety defence tools of a State's safety oversight system required for the effective implementation of safety-related international Standards and associated procedures. Each Member State should address all eight 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 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.

2.3.1.1   ICAO has defined the following eight CEs of a State's safety oversight system (see the *Safety Oversight Manual* (Doc 9734), *Part A — The Establishment and Management of a State's Safety Oversight System*):

CE-1. **Primary aviation legislation.** The provision of a comprehensive and effective aviation law consistent with the environment and complexity of the State's aviation activity and compliant with the requirements contained in the *Convention on International Civil Aviation*.

CE-2. **Specific operating regulations.** The provision of adequate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation and providing for standardized operational procedures, equipment and infrastructures (including safety management and training systems), in conformance with the Standards and Recommended Practices (SARPs) contained in the Annexes to the *Convention on International Civil Aviation*.

Note.— The term "regulations" is used in a generic sense, and includes but is not limited to, instructions, rules, edicts, directives, sets of laws, requirements, policies and orders.

CE-3. **State civil aviation system and safety oversight functions.** The establishment of a Civil Aviation Authority (CAA) and/or other relevant authorities or government agencies, headed by a Chief Executive Officer, supported by the appropriate and adequate technical and non-technical staff and provided with adequate financial resources. The State authority must have stated safety regulatory functions, objectives and safety policies.

Note.— The term "State civil aviation system" is used in a generic sense to include all authorities with aviation safety oversight responsibilities which may be established by the State as separate entities, such as: CAA, Airport Authorities, Air Traffic Service Authorities, Accident Investigation Authority and Meteorological Authority.

CE-4. **Technical personnel qualifications and training.** The establishment of minimum knowledge and experience requirements for the technical personnel performing safety oversight functions and the provision of appropriate training to maintain and enhance their competence at the desired level. The training should include initial and recurrent (periodic) training.

CE-5. **Technical guidance, tools and provision of safety-critical information.** The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and safety-critical information, as applicable, to the technical personnel to enable them to perform their safety oversight functions in accordance with established requirements and in a standardized manner. In addition, this includes the provision of technical guidance by the oversight authority to the aviation industry on the implementation of applicable regulations and instructions.

CE-6. **Licensing, certification, authorization and/or approval obligations.** The implementation of processes and procedures to ensure that personnel and organizations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorization and/or approval to conduct the relevant aviation activity.

CE-7. **Surveillance obligations.** The implementation of processes, such as inspections and audits, to proactively ensure that aviation licence, certificate, authorization and/or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State to undertake an aviation-related activity for which they have been licensed, certified, authorized and/or approved to perform. This includes the surveillance of designated personnel who perform safety oversight functions on behalf of the CAA.

CE-8. **Resolution of safety concerns.** The implementation of processes and procedures to resolve identified deficiencies impacting aviation safety, which may have been residing in the aviation system and have been detected by the regulatory authority or other appropriate bodies.

Note.— This would include the ability to analyse safety deficiencies, forward recommendations, support the resolution of identified deficiencies, as well as take enforcement action when appropriate.

2.4   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).

2.5   PROTOCOL QUESTIONNAIRES

2.5.1   The main purpose of the audit protocol questionnaires is to standardize the conduct of audits under the USOAP. To facilitate the conduct of audits and distribution of work amongst audit TMs, eight separate questionnaires have been developed, one for each of the eight audit areas.

2.5.2   Each audit protocol questionnaire comprises a set of comprehensive Protocol Questions (PQs) which are, at the same time, sufficiently flexible to allow the appropriate evaluation of the scope and complexity of the aviation activity in each State. PQs are the main tool used during the conduct of an audit for the assessment of the State's safety oversight capability.

2.5.3   The PQs are based on the Chicago Convention, safety-related SARPs established in the Annexes to the Convention and associated guidance material. Each PQ is linked to a CE and when considered "not satisfactory", this is reflected in the related CE in the audit results. Every audit finding must be based on at least one not satisfactory PQ. A PQ marked as not satisfactory may also be referred to as a deficiency.

2.6   USOAP CMA PRINCIPLES

2.6.1   *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.

2.6.2   *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.

2.6.3   *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.

2.6.4   *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.

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

2.6.6   *Systematic, consistent and objective.* The 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.

2.6.7   *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.

2.6.8   *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 Quality Management System (QMS) that continually monitors and evaluates feedback received from USOAP CMA stakeholders to ensure their ongoing satisfaction.

2.7   AUDITING PRINCIPLES

2.7.1   The following auditing principles also apply to USOAP CMA activities, in accordance with the International Organization for Standardization (ISO) ISO 19011 — *Guidelines for quality and/or environmental management systems auditing.*

> *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 Significant Safety Concerns (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. 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.

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Chapter 3

THE CONTINUOUS MONITORING APPROACH (CMA)

3.1   OBJECTIVE

The new concept and methodology developed under USOAP is known as CMA. The USOAP CMA provides a mechanism for ICAO to collect safety information from Member States and other stakeholders and to analyse this information using a risk-based approach to identify and prioritize appropriate activities to be carried out by ICAO.

3.2   CONCEPT

3.2.1   USOAP CMA is designed to monitor the safety oversight capabilities and safety performance of States on a continuous basis.

3.2.2   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 Lack of Effective Implementation (LEI) and the status of SSCs.

These components, when used together in no particular order, enable ICAO to continuously monitor the safety oversight capabilities of Member States. Figure 3-1 shows the USOAP CMA components.

3.3   COLLECTION OF SAFETY INFORMATION

3.3.1   The USOAP CMA provides a mechanism for collecting safety data and information from three main sources: Member States, internal and external stakeholders. Safety information may also be obtained through USOAP CMA activities.

3.3.2   Member States provide the primary source of safety information by completing, submitting and updating the following, as described in Chapter 5, 5.2:

       a)   a State Aviation Activity Questionnaire (SAAQ);

       b)   Compliance Checklists (CCs, the Electronic Filing of Differences (EFOD) system may be used); and

       c)   the USOAP CMA PQs.

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

3.3.3   Internal stakeholders include all ICAO Secretariat, bureaux, sections and offices. These stakeholders provide information to the USOAP CMA that will be collected and shared internally through ICAO's Integrated Safety Trend Analysis and Reporting System (iSTARS).

3.3.4   Collected confidential safety information based on agreements with external stakeholders including national, regional, supranational and international organizations recognized by ICAO can be used to validate information currently available to ICAO, which will help reduce duplication and increase the effectiveness of monitoring activities.

3.3.5   The USOAP CMA relies on an online framework to facilitate the collection of safety information from Member States, as described in Chapter 5.

3.4   DETERMINATION OF STATE SAFETY RISK PROFILE

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

    a)   the LEI;

    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, departures and over-flights), personnel licences issued/validated, air operator certificates (AOCs) issued, aircraft registered and aviation accidents;

    d)   the projected growth of aviation activities in the State;

    e)   the level of acceptability of the State's CAP;

    f)   the State's CAP implementation progress;

    g)   ongoing or planned assistance projects; and

    h)   progress in implementing a safety management system (SMS) and the SSP.

3.4.2   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 is not making progress in resolving identified Findings and Recommendations (F&Rs) 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;

    b)   provide or facilitate assistance;

    c)   consider financial or technical aid; and/or

    d)   reassess or monitor more closely existing technical assistance projects.
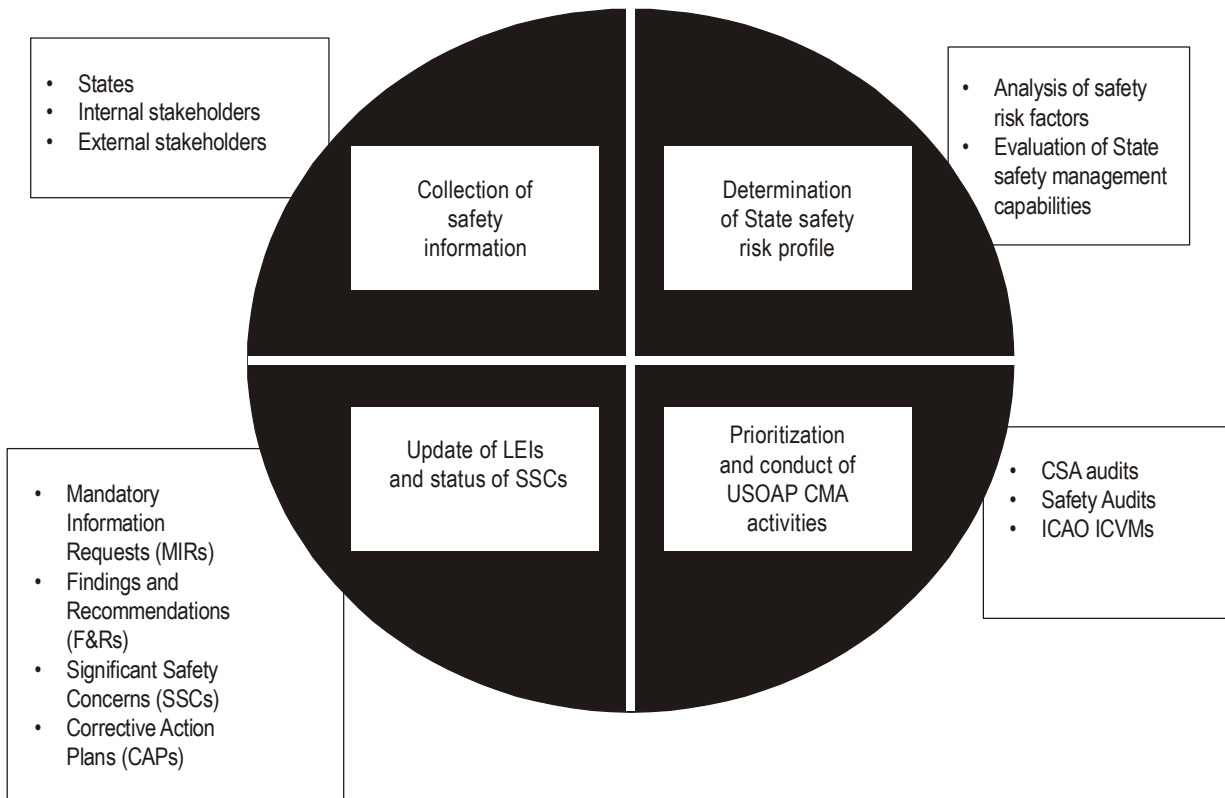
Figure 3-1.   The USOAP CMA components

3.5   PRIORITIZATION AND CONDUCT OF USOAP CMA ACTIVITIES

3.5.1   Under the USOAP CMA, activities to be prioritized and conducted by the CMO and ICAO ROs are part of the strategy for measuring and facilitating the improvement of global aviation safety on a continuous basis.

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

        a)   CSA Audits;

        b)   Safety Audits; and

        c)   ICVMs.

The scope of each type of these activities will be determined in the planning and scheduling process, as described in Chapter 4, 4.7.

3.5.3   The objective of a CSA Audit is to determine a State's capability for safety oversight by assessing the effective implementation of the eight 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. CSA Audits are tailored to the complexity of the State's civil aviation system.

3.5.4   The objective of a Safety Audit is to perform, at the request of a Member State and on a cost-recovery basis, an audit of its current safety oversight system.

3.5.5   The methodology for CSA Audits and Safety Audits is the same. However, ICAO identifies the need for a CSA Audit and determines its scope, whereas the State requests the Safety Audit and determines its scope.

3.5.6   The objective of an ICVM is to assess and validate the status of corrective actions or mitigating measures taken by a State to address previously identified F&Rs, including SSCs. ICVMs also include on-site guidance provided to the State in resolving remaining deficiencies.

3.5.7   Each audit area may require a different type of activity. The most appropriate activities, the scope and the timing for each activity to be conducted in a given State are based on the following considerations:

   a)   the level of progress made by the State in resolving identified deficiencies in each audit area;

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

   c)   the State safety risk profile; and

   d)   whether or not an on-site activity is required or requested.

The activity or activities for each Member State are prioritized and conducted based on available resources and in accordance with the roles, responsibilities and procedures described throughout this manual and in the CMO QMS.

3.6   UPDATE OF LEI AND STATUS OF SSCs

3.6.1   The validation of collected safety information enables ICAO to continuously update the LEI of the safety oversight capability for each State. The LEI is based on the number of applicable not satisfactory PQs. These are grouped together to identify F&Rs.

3.6.2   The LEI for each State may be updated based on the information received through any of the following mechanisms (see Chapter 5, 5.2):

   a)   Mandatory Information Requests (MIRs); and

   b)   CAPs indicating progress made in resolving F&Rs and SSCs.

3.6.3   If an F&R is considered to pose an immediate safety risk to international civil aviation, the State will be informed of the identification of an SSC and requested to take immediate mitigating or corrective actions. If appropriate evidence is not provided by the State that such actions have been taken within a specified timeframe, all Member States will be notified of the SSC through the CMA online framework.

3.6.4   Changes in the LEI and SSC status are determined either through the conduct of USOAP CMA on-site activities or through validation by ICAO HQ of safety information received from States, ICAO ROs, recognized organizations and other stakeholders. The updating of the LEI and the status of SSCs, if applicable, are carried out at State, regional and global levels on an ongoing basis.

3.6.5   The ICVM process determines the change in the status of not satisfactory PQs, as a result of the progress made by the State in resolving identified F&Rs and in implementing its CAPs. The validation by ICAO HQ of the information collected and documented through ICVMs results in an update of the LEI. 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.

3.6.6   The CSA or Safety Audit process shows the current status of the civil aviation safety oversight system in the State and may generate a new set of F&Rs and, potentially, SSCs. The LEI is updated subsequent to each of such activities performed.

3.6.7   The CMO will review all received safety information that is pertinent to an F&R. If the associated PQs only require the review of documented evidence provided by the State (e.g. regulations and procedures), the CMO will update the status of the not satisfactory PQs to satisfactory, which results in an update of the LEI. Similarly, the validation of safety information received by the CMO can result in a new F&R or a new SSC.

3.6.8   Any change in the status of PQs for a State results in an update to that State's LEI. The impact on the LEI due to any progress in resolving an F&R depends on the number of associated PQs addressed. In order for an F&R and/or an SSC to be closed, all associated PQs and deficiencies specifically detailed in the F&R must be addressed.

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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.

       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 OF ICAO

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

4.2.2   The Continuous Monitoring and Oversight Section (CMO) is an entity under the DD/SMM within the Air Navigation Bureau (ANB). It is headed by the Chief of CMO, (C/CMO), who, in coordination with other related sections and ROs, is responsible for the management of the USOAP CMA.

4.2.3   The CMO is responsible for managing the overall development, transition, implementation and quality of the USOAP CMA, including but not limited to:

      a)   developing, implementing, managing and maintaining the USOAP CMA;

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

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

      d)   providing timely notification to States regarding scheduled activities;

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

f)   managing the conduct of USOAP CMA activities;

g)   monitoring the status of F&Rs and/or SSCs;

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

i)   updating State LEI;

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 LEI; and

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

4.2.4   The CMO 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 revision of PQs;

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

c)   providing consultation for the review and confirmation of F&Rs 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   Within the scope of USOAP CMA, ICAO ROs are actively involved in 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 F&Rs 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)   monitoring the progress of States in submitting and updating required information, including: SAAQs, CCs, CAP implementation progress, mitigating measures related to SSCs and online PQs;

b)   providing the CMO with relevant safety information, including areas of concern;

    c)   facilitating the exchange of information between ICAO HQ and States;

    d)   providing support to States that require assistance in developing acceptable CAPs;

    e)   providing input for the selection and prioritization of USOAP CMA activities;

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

    g)   providing ICAO mission teams with logistical support during the preparation and conduct of USOAP CMA on-site activities; and

    h)   monitoring the status of the LEI for States and for the region.

4.2.8   Qualified technical staff from the ROs also conduct and participate in USOAP CMA ICVMs as TLs and TMs as part of their regular regional activities.

4.3   ROLES AND RESPONSIBILITIES OF MEMBER STATES

4.3.1   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 provision of information through the CMA online framework. Each Member State shall facilitate USOAP CMA on-site activities 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.

        Note.— Although every effort will be made to facilitate Member States' submissions of the information required to support the USOAP CMA through the CMA online framework, an alternative means will be provided to States that are unable to use the online framework.

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

4.3.3   Member States are encouraged to enter into agreements with ICAO for long- or short-term secondment of auditors and SMEs for USOAP CMA activities.

**Roles and responsibilities of
National Continuous Monitoring Coordinators (NCMCs)**

4.3.4   In order to support the USOAP CMA, each State is responsible for identifying one or more qualified NCMCs to act as primary points of contact for all USOAP CMA processes and activities.

4.3.5   The NCMC is responsible for maintaining and updating the information to be provided by the State to the CMO on an ongoing basis, including but not limited to:

    a)   SAAQ;

    b)   CCs;

    c)   State responses to PQs;

d) State responses to MIRs;

e) CAPs to resolve F&Rs;

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

g) the latest information regarding the SSP; and

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

4.3.6   The NCMC shall coordinate the completion and ongoing update of the CCs in order to provide the CMO with information regarding the implementation of provisions of the relevant Annexes to the Convention. States may choose to use the EFOD system to accomplish this task.

4.3.7   Should action be necessary to resolve F&Rs, the NCMC shall coordinate the development and submission of an acceptable CAP to the CMO within the specified timeline from the date of the official issuance of an F&R (see Appendix A for timeline).

4.3.8   In the event that an SSC is identified and the State is notified, the NCMC shall coordinate the development and submission of acceptable mitigating measures to the CMO in response to the SSC.

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, recognized 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 (RSOOs)

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.

        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   MOU

4.6.1   A 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   ICAO shall publish a periodic schedule, in accordance with Appendix A, identifying the Member States that will receive USOAP CMA on-site activities. The schedule shall be established in coordination with recognized organizations.

4.7.2   The scope of the scheduled USOAP CMA activity, identifying the areas that will be covered, is determined based on an assessment, by audit area, of the:

   a)   amount of progress made in the implementation of the State's CAP (for ICVMs);

   b)   changes to the aviation safety oversight system in the State (for CSA Audits); and

   c)   amount of work required to be completed on-site (as opposed to activities that can be performed off-site).

The scope of a Safety Audit is determined at the State's discretion. The methodology for conducting USOAP CMA activities will be the same regardless of the defined scope.

4.7.3   ICAO determines the duration of the mission by reviewing information submitted by the State. Selection of the USOAP CMA mission team is based on the scope and the quantity of work to be performed on-site.

4.7.4   The programme schedule and its amendments are provided to States via electronic bulletins posted on the ICAO public website. 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.

4.7.5   Once the periodic schedule for USOAP CMA activities has been finalized, 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.

4.7.6   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.

4.7.7   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.

4.7.8   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 postponing the USOAP CMA activity as initially scheduled.

4.7.9   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 TL and 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.

4.7.10   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 or directly to the CMO. The TL 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 CMO.

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

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

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

  c)   draft F&Rs;

  d)   draft preliminary SSCs, if applicable;

  e)   supporting documentation for each F&R, if applicable;

  f)   primary aviation legislation and regulations; and

  g)   any other relevant documents used in the preparation and conduct of the mission.

4.8.6   The CMO 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's, thus strengthening the confidence of all Member States in the management of the USOAP.

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

4.9.3   The CMO's QMS 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 CMO shall monitor 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/SMM.

4.9.5   The CMO also obtains feedback on USOAP CMA activities through the TL and TM mission feedback forms, which provide comments and information on the conduct of USOAP CMA activities from planning to completion and assist the CMO in improving USOAP CMA procedures and processes. The CMO maintains a record of all TL and TM mission feedback forms, related recommendations and actions taken by the CMO 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 missions, 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   Staff Regulation 1.4 is binding for all TMs, including short-term seconded auditors and SMEs, with respect to all their assignments as ICAO safety oversight audit 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 CMO 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 CMO.

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 CMO, 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 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 C/CMO.

4.12.3   If C/CMO 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 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 SAAQs, CCs, PQs, MIRs, F&Rs, SSCs and CAPs.

5.1.3   The CMA online framework also includes a link to the USOAP CMA computer-based training (CBT) application, containing a wide range of CBT modules for USOAP CMA familiarization and training, as described in Chapter 6, 6.2.3.

5.1.4   Although every effort will be made to facilitate Member States' submission of the information required to support the USOAP CMA through the CMA online framework, alternative means will be provided for those States that are unable to use it.

5.1.5   A user manual, online tutorials and online help functions will be made available to support the users of the CMA online framework.

5.2   USOAP CMA INFORMATION

SAAQ

5.2.1   The 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 CMO in monitoring the level of aviation activity in the State related to each audit area, and in prioritizing and planning USOAP CMA activities.

5.2.2   The SAAQ will be subject to revision by ICAO periodically. States will be required to submit updated information accordingly.

CCs

5.2.3   States are required to complete and maintain up-to-date CCs that contain information on the implementation of the specific provisions of the relevant Annexes to the Convention. The completion of the CCs by Member States will provide authorized users with an overview of the level of implementation of ICAO Standards. States are encouraged to provide this information through the EFOD system.

USOAP CMA PQs

5.2.4   PQs are the primary tool for assessing the level of effective implementation of a State's safety oversight system and are based on the eight CEs, ICAO SARPs, PANS, ICAO documents and other guidance material.

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

5.2.6   PQs are maintained live and online, so that the status of each PQ can be continuously updated based on information, which will be validated by the CMO, and on evidence submitted by the State.

5.2.7   States are required to address, as a priority, PQs that have a not satisfactory status. In addition, States are recommended to use the online PQs as a tool to monitor and report the health of their aviation system on an ongoing basis and, in particular, when any changes are introduced. States using the PQs to conduct regularly scheduled internal audits of their safety oversight system are taking an active role in monitoring their own system to identify and resolve safety oversight deficiencies.

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

5.2.9   PQs will be subject to revision by ICAO periodically.

MIRs

5.2.10   The CMO may submit an MIR to a State to request information or documentation needed for USOAP CMA review and validation. An MIR can be issued when:

   a)   a State has not submitted and/or maintained its SAAQ, CCs and/or PQs 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, or when a transfer of CAA responsibilities or functions to a different State authority occurs (e.g. the CAA is transferred from a military to a civilian authority);

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

   f)   missing or inadequate information gathered during a USOAP CMA activity.

F&Rs

5.2.11   The management of F&Rs is a USOAP CMA process that is used to notify a State of identified deficiencies, when:

   a)   the State fails to provide an acceptable response to an MIR; or

   b)   evidence is obtained that indicates a deficiency in the State.

5.2.12   F&Rs are related to one or more of the eight CEs and indicate the State's lack of compliance with the Chicago Convention, lack of implementation of ICAO SARPs and PANS, and lack of application of guidance material and relevant safety-related practices in general use in the aviation industry.

5.2.13   A completed F&R contains:

   a)   PQs found to be not satisfactory;

   b)   applicable CEs;

   c)   a description of the identified deficiency; and

   d)   ICAO's recommendation to the State on how to resolve the identified finding and on how to complete and submit the CAP.

SSCs

5.2.14   The management of SSCs 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. An SSC may be generated when:

   a)   the State does not address a previously issued F&R that may pose an immediate safety risk to international civil aviation; or

   b)   evidence and information received from the State or other stakeholders indicate a potential SSC in the State.

5.2.15   An SSCs may be identified by a USOAP CMA activity team during the conduct of a USOAP CMA on-site activity or by ICAO at any stage throughout the continuous monitoring process. During an on-site activity, TMs shall report possible SSCs to the TL as soon as they are detected so that the TL can take appropriate action to verify the concerns.

5.2.16   When the TL verifies the existence of an SSC during a USOAP CMA on-site activity, the State will be notified as soon as it is discovered so that it can initiate mitigating measures. At this point, the identification of an SSC is considered preliminary.

5.2.17   All relevant information required for the validation and confirmation of the preliminary SSC must be submitted to the CMO.

5.2.18   The SSC committee, responsible for review and confirmation of the SSC, convenes upon receiving a preliminary SSC. The committee is chaired by the DD/SMM and comprised of the C/CMO, the TL, if available, and an SME or Standards and Procedures Officer (SPO) from the relevant audit area.

5.2.19   If the SSC committee confirms the preliminary SSC as submitted, the originator of the SSC as well as the State are notified, and ICAO HQ formally issues the SSC.

5.2.20   If the SSC committee confirms the preliminary SSC with technical modifications, the modified preliminary SSC is resubmitted to the originator for confirmation.

5.2.21   If the SSC committee does not confirm the preliminary SSC, the originator is notified. The preliminary SSC may not be confirmed due a number of reasons, including but not limited to:

a)   the preliminary SSC is vague;

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

c)   the selected PQ is inappropriate.

If the identified safety concern is valid but insignificant, or if it does not adhere to the established definition, the preliminary SSC will be converted to and issued as an F&R.

5.2.22   If the SSC is confirmed, the NCMC is notified within the timeline defined in Appendix A, specifying the due date for the State to take mitigating measures or corrective actions. A notification is also sent to the RO.

5.2.23   If the State does not take appropriate mitigating measures or corrective actions by the specified due date, the SSC will be posted and all Member States will be notified.

CAPs

5.2.24   States have the responsibility to develop a CAP in response to any identified F&R. The proposed CAP must address all elements identified in the F&R and indicate the office responsible for taking action and the estimated implementation date for each action.

5.2.25   The State shall submit its CAP to the CMO within 45 calendar days from the date of posting the F&Rs on the USOAP CMA online framework or from the date of notification of the F&Rs through the draft report.

5.2.26   The CMO shall provide the State with feedback on the acceptability of the proposed CAP. If the CAP does not fully address the F&R, the CMO notifies the State and requests an improved CAP.

5.2.27   If a State fails to submit a CAP within the required timeline, the CMO will coordinate with the RO and other relevant ICAO sections and report to DD/SMM to determine further action, as appropriate.

5.2.28   If there is any change to a CAP, including change to the corrective actions, the office responsible for taking action and/or the estimated implementation date for each action, the State shall provide this information to the CMO through a CAP update.

5.2.29   The State is responsible for providing ICAO with regular progress reports on the implementation of their CAPs, which may be accompanied by supporting objective evidence.

5.2.30   CAPs, CAP updates and CAP progress reports received from the State will be reviewed by the CMO and published on the CMA online framework. The CMO will validate the information and evidence supporting CAP progress reports received from either the State or other stakeholders and will update the status of the following, as applicable:

a)   not satisfactory PQs;

b)   F&Rs; and

c)   the State's LEI.

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Chapter 6

USOAP CMA ACTIVITY TEAM COMPOSITION

6.1 USOAP CMA TEAM COMPOSITION

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

6.1.2   The CMO 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 and currency to conduct USOAP CMA activities. Assignment of qualified auditors and SMEs to a USOAP CMA activity shall be made in coordination with their respective organizations and authorities, and in accordance with applicable cooperation agreements.

6.1.3   This list provides 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 minimization of travel costs for each mission.

> *Note.— 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 a TM. If ICAO wishes to include an observer, the State must be notified before the start of the on-site activity.*

6.2 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 technical officers (TOs) to be trained as auditors and SMEs. 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 CMO 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 USOAP CMA SMEs or auditors.

6.2.3   ICAO shall provide the required training for auditors and SMEs through 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   In order to be qualified as a USOAP CMA SME and to participate in an ICVM, the candidate must successfully complete all four parts of the CBT.

6.2.5   In order to qualify as an auditor and to participate in a USOAP CMA audit, the SME must, in addition to the CBT, successfully complete on-the-job training (OJT) in the audit process and in one or more audit areas. OJT will be provided by an experienced USOAP CMA auditor during an actual on-site audit activity.

6.2.6   An OJT evaluation form identifying the competencies to be demonstrated for each activity phase is used to document the OJT results and to determine whether any further training is required.

6.2.7   Auditors and SMEs are expected to have:

    a)   recent work experience with an ORG 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)   ANS, including air traffic management, meteorology, aeronautical information systems, search and rescue;

        5)   aerodrome certification and operation; and

        6)   AIG;

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

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

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

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

    f)   the ability to write clearly and concisely; and

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

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

    a)   knowledge of ICAO organization, functions and activities;

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

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

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

6.2.9   General responsibilities of auditors and SMEs for USOAP CMA on-site activities include, but are not limited to:

a)   reviewing the SAAQ and submissions of CCs relating to their portion of the USOAP CMA activity;

b)   communicating and clarifying the process and requirements of the USOAP CMA on-site activity to State personnel being interviewed;

c)   drafting their contribution to the USOAP CMA activity report for submission to the TL;

d)   submitting all documents and notes pertaining to the activity to the TL at the conclusion of the activity; and

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

6.2.10   In addition to general responsibilities outlined in 6.2.9, the responsibilities of TMs specific to CSA and Safety Audits include:

a)   identifying the status of the PQs within their portion of the audit; and

b)   grouping the not satisfactory PQs to identify draft F&Rs and SSCs.

6.2.11   In addition to general responsibilities outlined in 6.2.9, the responsibilities of TMs specific to ICVMs include:

a)   documenting any progress made to address existing USOAP F&Rs and SSCs within the scope of the ICVM; and

b)   collecting evidence to support their recommendations for any changes in the status of the PQs, F&Rs or SSCs.

6.2.12   Although the TL is responsible overall for ensuring that actions are taken at the appropriate time during the mission, it is imperative that all TMs be vigilant and support the TL and each other in achieving the goals and objectives of USOAP CMA activities.

6.2.13   The performance of TMs is monitored to identify any needs for further training. ICAO shall maintain the records of TM performance in its auditor database. These records shall be used and considered in future decisions about assignment of TMs to USOAP CMA activities.

6.2.14   The USOAP CMA training procedures establish the mechanisms for maintaining and improving the competencies and personal attributes of USOAP CMA TMs. Where and when required, the qualification and performance of TMs may be maintained and improved through additional and updated CBT, additional OJT, and various in-house and external seminars, workshops and refresher training courses.

6.2.15   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.

6.3   TLs

6.3.1   Experienced ICAO USOAP auditors with proven leadership abilities, and strong communication and interpersonal skills are selected by the CMO to be trained as TLs for the conduct of USOAP CMA audits.

6.3.2   USOAP CMA auditors and SMEs with proven leadership abilities, and strong communication and interpersonal skills will be trained to lead ICVMs.

6.3.3   An experienced USOAP CMA TL from the CMO shall provide OJT to audit TL candidates on the preparation, conduct, validation and reporting of USOAP CMA audits. An experienced ICVM TL shall provide OJT to ICVM TL candidates on the preparation, conduct and reporting of USOAP CMA ICVMs.

6.3.4   In order to be qualified as a USOAP CMA TL, the prospective TL must successfully complete OJT by demonstrating his/her competency during each phase of the USOAP CMA activity. An OJT evaluation form identifying those competencies is used to document the OJT results and to determine whether any further training needs to be provided.

6.3.5   The TL assumes responsibility for the conduct of the activity in accordance with guidance and instructions provided by the CMO, including those outlined in this manual.

6.3.6   The TL is responsible for coordinating all technical matters related to the mission, including the content and submission of the draft mission report.

6.3.7   The responsibilities of a USOAP CMA TL also include but are not limited to:

a)   preparing the State-specific mission plan;

b)   coordinating details related to the activity with CMO and NCMCs;

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

d)   communicating with assigned TMs and informing them of the progress of the preparatory work and other pertinent information related to the scheduled on-site activity;

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

f)   conducting opening and closing meetings with the State civil aviation authorities;

g)   managing the team's workload to accomplish the mission;

h)   providing leadership and guidance to TMs at all times during the on-site activities;

i)   coordinating the development of the F&Rs;

j)   consolidating the input from TMs for preparation of the draft USOAP CMA activity report;

k)   completing the TL mission feedback form and forwarding it to the CMO;

l)   providing OJT to prospective TLs; and

m)   liaising with ROs or regional civil aviation organizations, as required.

6.3.8   Each TL will also be assigned to cover one or several of the audit areas within the scope of the USOAP CMA on-site activity, except in cases where the size and complexity of the State requires a large mission team and a dedicated TL.

6.4   PERSONAL ATTRIBUTES

To ensure that auditing principles established for the USOAP CMA, as defined in Chapter 2, 2.7, 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.

6.5   COMPETENCIES

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)   auditing principles and techniques;

   b)   TL and TM responsibilities and functions;

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

   d)   USOAP CMA specialty and other audit areas;

   e)   procedures for generating F&Rs;

   f)   procedures for reporting SSCs; and

   g)   use of the CMA online framework.

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Chapter 7

USOAP CMA ACTIVITY PHASES AND PROCEDURES

7.1 PHASES

7.1.1   USOAP CMA on-site activities are divided into the following three phases:

    a)   the preparation phase;

    b)   the on-site mission phase; and

    c)   the validation and reporting phase.

7.1.2   **The preparation phase:** during this phase, ICAO prepares for the mission by:

    a)   confirming the scope and duration of the USOAP CMA activity;

    b)   confirming the assignments of all TMs;

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

    d)   reviewing safety information and documents submitted by the State, including but not limited to, the SAAQ, CCs (preferably submitted through the EFOD system), PQs and information regarding the SSP, where applicable;

    e)   preparing the State-specific mission 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 mission team briefing.

7.1.3   **The on-site mission phase:** during this phase, a USOAP CMA mission team visits the State to conduct the specified USOAP CMA activity. The team will collect and document evidence provided by the State and/or conduct an on-site assessment of the State's overall capability for safety oversight and managing its safety responsibilities, in accordance with the scope of the planned activity. At the end of this phase, the mission team:

    a)   recommends to ICAO HQ the closure of any pre-existing F&Rs and/or SSCs that have been resolved based on provided evidence (ICVMs and audits);

    b)   recommends the issuance of any new F&Rs and/or SSCs to address identified deficiencies in the State's safety oversight system (audits); and

c) informs the State of the outcome of the mission during a closing meeting between the mission team and State authorities (verbal notification for ICVMs and draft F&Rs for audits).

7.1.4   **The validation and reporting phase:** this phase begins once the closing meeting has been concluded. During this phase, the TL submits the draft report of the USOAP CMA activity, which is compiled from contributions and notes from each TM. The CMO performs a quality and technical review to validate the mission results and produces the draft report which is sent to the State for comments. The State is asked to provide comments to the draft report within the timeline defined in Appendix A. The CMO reviews the State's comments for incorporation in the final report. At the end of this phase, ICAO publishes the final report and sends it to the State.

7.2   THE PREPARATION PHASE

Confirmation of activity team and mission duration

7.2.1   The TL confirms the number of days scheduled for the mission to ensure that the team assigned will be able to accomplish the mission's goals. If required, the TL may request the CMO for adjustments to the duration of the mission or assignment of additional TMs.

7.2.2   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.

7.2.3   The TL also follows up on the release of auditors and SMEs.

Document review

7.2.4   The TL, with support from CMO 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) an updated CAP(s) containing information on the status of the implementation associated with existing F&Rs or SSCs;

c) online PQs completed by the State;

d) CCs completed by the State either in paper format or 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 Co-operation Bureau (TCB) and recognized organizations.

7.2.5   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 for additional documents or information with the NCMC, which may include:

        a)   relevant State-specific legislation;

        b)   operating regulations; and/or

        c)   procedures addressing the scope of the audit.

7.2.6   Before the start of the USOAP CMA activity, each portfolio holder (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. After the PH completes the handover to the TL, it becomes the TL's responsibility to review any additional updates provided by the State.

7.2.7   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 mission plan

7.2.8   The TL, with support from the PH, SPOs and TMs, shall develop a State-specific mission plan and shall forward it, together with other relevant information, to the NCMC for coordination with State authorities, in accordance with the timeline defined in Appendix A. The TL shall also forward the State-specific mission plan to all assigned TMs.

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

7.2.10   Other information in the State-specific mission plan shall include:

        a)   scheduled dates for opening and closing meetings;

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

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

        d)   TMs' names and assigned audit areas;

        e)   names, positions and coordinates of the NCMC and State civil aviation system counterparts;

        f)   daily and local transportation arrangements; and

        g)   deadline for the State to provide evidence.

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

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

7.2.12   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.

Mission team briefing

7.2.13   The TL shall conduct a briefing before the start of the activity with all TMs assigned to the mission. The briefing should be held at a convenient location on-site; it may even be conducted remotely. The objective of the briefing is to build team synergy and to ensure that all TMs are aware of pertinent information. Depending on the type of activity, the TL may review the following with the team:

a)   mission package contents as provided by the CMO;

b)   audit areas assigned to each TM;

c)   the State-specific mission plan and scheduled on-site tasks;

d)   installation of the CMA software applications and practice data entry;

e)   deadlines for submitting F&Rs and draft reports to the TL;

f)   the SSC process;

g)   coordination required for the production of the draft report;

h)   guidelines for TMs' conduct;

i)   confidentiality of information; and

j)   guidelines on dealing with State counterparts and external entities (such as media, reporters and labour unions).

7.2.14   TMs are also expected to review their mission packages and be prepared for each day. In addition, all TMs are required to attend daily TM briefings scheduled and conducted by the TL, with the objective of:

a)   addressing and resolving potential issues encountered during daily activities;

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

c)   enhancing team coordination and support.

7.3   THE ON-SITE MISSION PHASE

Opening meeting

7.3.1   The TL shall convene an opening meeting with the State CAA officials and all TMs on the first day of the on-site activity to review and explain the process and scope of the on-site activity and to confirm the work schedule outlined in the State-specific mission plan. The date and time of the opening meeting shall be scheduled in advance and included in the mission plan.

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

7.3.3   The opening meeting shall cover the following:

   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 methods and procedures to be used during the on-site activity;

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

   e)   the schedule for the closing meeting.

Conduct of the on-site activity — General

7.3.4   Conduct of on-site activities will differ depending on the type of activity. In the case of CSA and Safety Audits, the mission team shall assess the State's safety oversight capability. In the case of ICVMs, the mission team shall collect objective evidence regarding the progress made by the State in implementing CAPs and mitigating measures to address F&Rs and SSCs.

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

7.3.6   Although several PQs may have been reviewed during the preparatory phase of the activity, the status of these PQs shall also be reviewed during the on-site activity.

7.3.7   During the conduct of a USOAP CMA activity, the activity team may, depending on the scope of the activity, review 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.

7.3.8   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, shall collect 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 shall be systematic and objective, using the State-specific PQs. The TL should provide the State with a deadline for providing evidence to be considered during the on-site activity.

7.3.9   The mission team shall clearly and concisely reference objective evidence supporting actions taken by the State to address identified F&Rs or SSCs.

7.3.10   During the conduct of a USOAP CMA activity, the team may undertake visits to selected industry and 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 an F&R on the State civil aviation system and not on the industry or service providers.

7.3.11   Any meeting between the mission 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.

7.3.12   USOAP CMA teams may encounter situations during on-site activities that reveal an SSC, resulting in an immediate safety risk to international civil aviation. Therefore, mechanism has been established to address such SSCs as a priority, as described in Chapter 5, 5.2.14 to 5.2.23.

7.3.13   When a preliminary SSC is identified, the TL brings it to the attention of the State as soon as it is discovered to allow the State to initiate corrective actions immediately. The TL provides all relevant information on the preliminary SSC to C/CMO. At this point the identification of an SSC is considered preliminary until it is validated and confirmed by the SSC committee.

Conduct of the on-site activity – Audits

7.3.14   During the conduct of audits, TMs take comprehensive notes and complete the applicable PQs, which will be used in developing the draft report, including the F&Rs.

7.3.15   To assist the State in finding solutions to identified shortcomings and deficiencies, the TL convenes daily briefings with TMs, NCMC and State counterparts to provide information, assess the progress of on-site tasks and discuss the development of draft F&Rs.

7.3.16   Each F&R is related to one or more relevant CE. F&Rs generated by the USOAP CMA mission team shall be recorded and clearly indicate how and why they were made. Absence of evidence will normally be reflected as a finding. For every finding, ICAO recommends measures to be taken by the State for its resolution. The State is required to propose a CAP to address each F&R.

7.3.17   TMs shall submit their draft F&Rs to the TL supported by objective evidence and relevant documentation. The USOAP CMA team shall review all initiated F&Rs to ensure that they are objective, clear and concise, and address at least one of the eight CEs.

Conduct of the on-site activity – ICVMs

7.3.18   During an ICVM, the USOAP CMA team will collect evidence related to the State's progress in implementing its corrective actions and mitigating measures to address identified F&Rs and SSCs, as applicable.

7.3.19   Using the evidence collected, the USOAP CMA team will document and evaluate the level of progress made by the State in implementing its CAPs. The activity team will then report its results and recommendations to the CMO through the RO.

Closing meeting — Audits

7.3.20   At the end of the on-site phase of an audit, the TL shall convene a closing meeting with the State's CAA representatives to provide them with information relating to the preliminary results of the audit.

7.3.21   The closing meeting shall include the following items, at a minimum:

      a)   a brief review of the objective and scope of the completed audit;

      b)   presentation of draft F&Rs and preliminary SSCs; and

      c)   information on post-audit actions to be performed by ICAO and the State.

7.3.22   The TL shall provide a draft copy of any identified F&Rs and preliminary SSCs to the State authorities, making it clear that they are being provided only to allow the State to start working on their corrective actions or mitigating measures. Any draft F&Rs will undergo a technical and editorial review by the CMO prior to being finalized and posted on the CMA online framework. Any preliminary SSCs will be reviewed by a committee at ICAO HQ to confirm their validity. ICAO will then conduct a technical and editorial review on the preliminary SSCs before finalizing and communicating them to the State.

7.3.23   The closing meeting should place due emphasis on the most significant safety deficiencies and include a review of the effectiveness of the State's safety oversight system and capabilities.

7.3.24   The TL shall remind 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 mission report. An overview of the report production process and timelines will also be discussed at this time. v

7.3.25   The closing meeting should be a review of the issues already covered in the daily briefings. All identified deficiencies should already have been discussed and well understood by everyone attending the closing meeting. While the State may choose to discuss the deficiencies, particularly SSCs noted during the closing meeting, all evidence should already have been presented and taken into consideration earlier.

Closing briefing — ICVMs

7.3.26   At the end of the on-site phase of an ICVM, the TL shall convene a closing briefing with the State's CAA representatives to provide them with information related to the conduct of the ICVM.

7.3.27   The closing briefing shall include the following items, at a minimum:

      a)   a brief review of the objective and scope of the completed ICVM;

      b)   verbal presentation of the preliminary evaluation of the progress made by the State in implementing its corrective actions or mitigating measures;

      c)   presentation of preliminary SSCs, if applicable; and

      d)   information on post-ICVM actions to be performed by ICAO and the State.

7.3.28   The TL shall provide a draft copy of any preliminary SSCs to the State authorities, making it clear that they are being provided only to allow the State to start working on their mitigating measures. Any preliminary SSCs will be reviewed by a committee at ICAO HQ to confirm their validity. ICAO will then conduct a technical and editorial review of the preliminary SSCs before finalizing and communicating them to the State.

      Note.— Except in the case of a preliminary SSC, the TL does not leave any written report with the State at the closing briefing.

7.3.29   The TL shall remind the State authorities that the information presented on the evaluation of the progress made by the State in implementing its corrective actions or mitigating measures is of a preliminary nature only. This information will be validated by the CMO and provided to the State according to the timelines defined in Appendix A. An overview of the report production process and timelines will also be discussed at this time.

7.3.30   The closing briefing should be a review of the issues already covered in the daily briefings. The TL shall summarize the general level of progress made by the State, as well as the areas that may require additional effort. Any identified preliminary SSCs should already have been discussed and well understood by everyone attending the closing briefing. While the State may choose to make arguments in response to any preliminary SSCs noted during the closing briefing, all evidence should have already been presented and taken into consideration ealier.

7.4   THE VALIDATION AND REPORTING PHASE

Preparation of mission reports – General

7.4.1   A draft and a final report will be generated for each USOAP CMA activity.

7.4.2   CSA and Safety Audit reports are based on the draft F&Rs and SSCs and include summaries of each audit area and reference to CEs.

7.4.3   ICVM reports are based on validated corrective actions and mitigating measures taken by the State in response to identified F&Rs and SSCs. ICVM reports include a summary of each audit area and details on the progress achieved by the State in implementing its CAPs.

7.4.4   The TL, in coordination with the CMO, is responsible for verifying the technical content and the overall accuracy of the report. The TL shall be consulted during the report production process for questions or clarifications related to the report content.

Preparation of the draft report

7.4.5   The draft report is compiled by the TL based on submissions received from the TMs. TMs are expected to prepare their notes for a report during the on-site activity daily. Prior to the TMs' return to their home State or duty station at the end of a mission, the TL shall review the individual submissions and discuss them with the TMs concerned to ensure the overall quality and consistency of the report.

7.4.6   After this review, the TL submits the draft report to the CMO for further technical and editorial review.

7.4.7   Concerning ICVMs, the CMO will perform a validation of the information contained in the draft report, which will include:

   a)   a review of the evidence collected during the mission by the ICVM team; and

   b)   validation of the progress made by the State in implementing its corrective actions and mitigating measures.

The results of the validation will be incorporated into the draft report.

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

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

Preparation of the final report

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

7.4.11   The final report will be sent to the State according to the timeline defined in Appendix A and will then be published through the USOAP CMA online framework. The F&Rs will be posted on the CMA online framework.

7.4.12   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 to this document. If the final report is published in a language other than English, the report will be translated into English and published through the CMA online framework.

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Appendix A

USOAP CMA ACTIVITY TIMELINES

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

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

RESPONSIBILITIES/TASKS		TIMELINES BY ACTIVITY (days noted below are calendar days)			
ICAO	State	ICVMs	CSA Audits	Cost-recovery ICVMs	Safety Audits
Publication/posting of programme schedule		Periodic	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 CSA Audits.)
Notification letter to States about CMA activity		**120 days before** start of on-site activity			
	Acknowledgement of the receipt of notification letter and confirmation of CMA activity	**30 days after** receipt of notification letter			
Confirmation of the scope of the activity		**90 days before** start of on-site activity	**120 days before** start of on-site activity		
	Submission of CAP implementation progress	**90 days before** start of on-site activity	N/A		
Latest date for changing scheduled activity		**60 days before** start of on-site activity	**90 days before** start of on-site activity		
Submission of release requests for short-term seconded auditors and SMEs to their sponsoring organization		**60 days before** the start of the on-site activity	**90 days before** the start of the on-site activity		
Preparation of mission plan (includes notifying States of mission team composition)		**45 days before** the start of the on-site activity			

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

RESPONSIBILITIES/TASKS		TIMELINES BY ACTIVITY (days noted below are calendar days)			
ICAO	State	ICVMs	CSA Audits	Cost-recovery ICVMs	Safety Audits
Written notification of SSC to State		**15 days** after last day of on-site activity			
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	**45 days** from posting F&Rs online or notification through the draft report			

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

— END —