



WORKING PAPER

LEGAL COMMITTEE – 36TH SESSION

(Montréal, 30 November to 3 December 2015)

Agenda Item 2: Consideration of the General Work Programme of the Legal Committee

CONSIDERATION OF GUIDANCE ON CONFLICTS OF INTEREST

(Presented by the United States)

1. INTRODUCTION

1.1 During the 37th Session of the Assembly, the United States proposed adding the subject “consideration of guidance on conflicts of interest” to the Committee’s Work Programme (A37-WP/80). The proposal was accepted and the item is currently listed as second in importance after “acts or offences of concern to the international aviation community and not covered by existing air law instruments.” The Secretariat has conducted a survey of Member States on the subject and is presenting the results in LC/36-WP/2-2. No decision has yet been taken to convene a task force.

2. DISCUSSION

2.1 We believe that the subject has not diminished in importance.

2.2 As it happens, the Organization for Economic Cooperation and Development (OECD) has done substantial work in the field of “managing conflict of interest in the public service.” <http://www.oecd.org/gov/ethics/managingconflictinterestinthepublicservice.htm>. A task force could make a constructive start by considering the possible applicability of OECD guidance to aviation safety oversight.

2.3 Considering the achievements of the two currently active legal task forces, we believe that a conflicts of interest task force could function just as effectively. The United States has offered to host the first meeting if a task force is convened.

3. ACTION BY THE COMMITTEE

3.1 The Committee is invited to recommend that the item “consideration of guidance on conflicts of interest” continue with the same level of priority on the Work Programme.

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