



**Twenty - Ninth Regional Aviation Safety Group — Pan America Executive Steering Committee Meeting  
(RASG-PA ESC/29)**

ICAO NACC Regional Office, Mexico City, Mexico, 29 - 30 November 2017

**Agenda Item 9: Other Business**

**IATA SAFETY INFORMATION EXCHANGE PROGRAM**

(Presented by IATA)

<b>EXECUTIVE SUMMARY</b>	
<p>This working paper presents to the RASG-PA ESC/28 meeting, IATA’s concern with State interpretation of the amended Annex 19 SARPs and the impact this may have on our members, particularly in the area of establishing an SDCPS. This working paper also raises IATA’s concerns with the ICAO SIMS program as detailed in Section 4.</p>	
<b>Action:</b>	Suggested Action is presented in Section 5.
<i>Strategic Objectives:</i>	<ul style="list-style-type: none"> <li>• Safety</li> </ul>
<i>References:</i>	<ul style="list-style-type: none"> <li>• ICAO Annex 19 - Safety Management, 2nd Edition, July 2016</li> <li>• ICAO Safety Management Manual (SMM) (Doc9859), 3rd Edition – 2013</li> <li>• ICAO Safety Management Manual (SMM) (Doc9859), 4th Edition – Draft 2017</li> <li>• ICAO Assembly 39 WP/117</li> <li>• State Letter AN 8/3.1-16/16, Adoption of Amendment 1 to Annex 19</li> <li>• HLSC 2015 Final Report</li> </ul>

**1. 1. Regulation ~ State Safety Program**

1.1 Amendment 1 to Annex 19 was adopted by ICAO on March 2, 2016. In this amendment, State Safety Program (SSP) provisions were elevated to requirements and integrated with the State Safety Oversight (SSO) system critical elements (CEs). The Annex amendment also enhanced provisions for the protection of safety data, safety information and related sources. This amendment becomes applicable 7 November 2019.

1.2 These requirements mandate that States establish a State Safety Program (SSP) to ensure an acceptable level of safety is established and maintained in their civil aviation systems. States are further required to ensure that Safety Management Systems (SMS) are implemented by Service Provider's (SPs), including Commercial Air Carriers operating in accordance with Annex 6.

1.3 An SSP is a management system for the regulation and administration of safety by the State.

1.4 Chapter 5 of Annex 19 mandates that States establish a Safety Data Collection and Processing System(s) (SDCPS) to capture, store, aggregate and enable the analysis of safety data and safety information. Such sources include, but are not limited to: mandatory reporting systems; voluntary reporting systems; and auto data-capture systems. (*Ref. A19, 5.1.1, and Note 1*)

1.5 Using that aggregate information from multiple sectors, States must identify hazards from emerging trends across their entire aviation system to manage their safety risks, as indicated in Chapter 3.

1.6 States have an obligation to have an overall view of the safety performance that its aviation system is delivering and ensuring that the proper actions are taken to address intolerable risk. It requires a systematic and integrated application of the safety management principles by both the State and Service Providers.

1.7 The State SSP outlines the requirement for States to identify and manage safety risks to the State's entire civil aviation system and measure safety performance of the State, and not individual SPs.

## **2. Regulation ~ State Safety Program**

2.1 All safety data and safety information deemed relevant by a State is in scope for an SSP. As such, safety reporting provisions in existing Annexes and PANS, which are considered to be important to safety, are part of the safety data for an SSP.

2.2 Airline operators have collected a wealth of safety data and safety information in their respective SMS programs from both voluntary reporting and automated data capture systems and States have recognized the value of aggregate, de-identified Operator safety information to support their SSP activities.

2.3 It is recognized that some safety data and safety information from an airline Operator's SMS program is highly sensitive to both the airline and its employees, and if applicable, their unions or associations. It is also recognized that the information is extremely valuable to an SMS or SSP in the interest of maintaining or improving aviation safety.

2.4 However Industry has concerns:

2.4.1 States may make some of the voluntary or auto-data capture systems mandatory to report to the State, and thereby would not be required to apply the protection requirements in Annex 19.

*NOTE: The safety data and safety information protections in Annex 19 are mandatory for voluntary reporting systems, but are only recommended for mandatory reporting systems in recognition of the various laws and legislation some countries have (e.g. FOIA in the United States).*

- 2.4.2 States may misinterpret the data / information received, which could be extremely damaging to an airline operator, or any other Service Provider.
- 2.4.3 Requests to Operators for safety data and safety information could come from States they operate in and out of, not just their State of Registry, making it onerous for Operators to comply to numerous States with quite possibly differing safety reporting requirements.

### **3. Voiced Concern to Industry**

3.1 At the ICAO 39<sup>th</sup> Assembly in August 2016, IATA presented WP117. In it, IATA recognized and fully supported the revised Annex 19 language, particularly the enhanced protections for safety data and safety information, their sources and use. IATA also recognized that it could take years for some States to enact these provisions into their respective legal frameworks.

3.2 IATA also expressed concern over the possibility of misinterpretation of the SARPs, leading to non-harmonized implementation

3.3 As a conclusion to that working paper, IATA proposed that ICAO facilitate Industry/State(s) collaboration in developing Safety Data Collection and Processing System (SDCPS) models that meet the needs of a State SSP to manage safety at the State level, address the concerns of airline Operators on the use of information from voluntary reporting and auto data capture systems, while also adhering to the protection principles as outlined in Annex 19.

3.4 These models would also meet the intent of safety information sharing networks as detailed in Annex 19. *Reference 5.4.2 ~ Each State should promote the establishment of safety information sharing networks among all users of the aviation system and should facilitate the free exchange of information on actual and potential safety deficiencies.*

3.5 The Assembly accepted this proposal

### **4. Concern with SIMS**

4.1 Based on the information provided in RASG-PA ESC/28 — WP/16, some concerns have been identified. It is noted that further details on the program, not provided with the paper may address some of the concerns identified here.

4.2 For clarification, a States' SDCPS is to include all relevant data, including mandatory reporting systems, as noted in 1.4 above

4.3 There is no statement to clearly state that the purpose of a State SSP (and supporting SDCPS) is to identify and manage safety risks to the State's entire civil aviation system and measure safety performance of the State, and not individual SPs.

4.4 It is recognized that SIMS will alleviate a cost and resource burden to States, however, as described it does not meet the intent of information exchange provisions. It may however become a by-product of SIMS.

4.5 The granularity of the information presented back to the State may not be enough to mitigate risk. Although trends may be identified, the details around precursors and the expertise to evaluate effective and timely mitigations may not be available.

**5. Suggested action**

5.1 The Meeting is invited to take note of this working paper, as it provides feedback on the concerns of operators regarding the status of SMS/SSP implementation in the region. IATA would welcome any opportunity to provide continuous feedback at any forum were states discuss Annex 19 implementation.