



**Opening address by the President of the Council of the
International Civil Aviation Organization (ICAO),
Mr. Roberto Kobeh González,
to the ICAO-COPAC International Safety Seminar**

(Madrid, 24 and 25 March 2011)

It is a great honour for me to be in Madrid today opening the joint ICAO-COPAC International Safety Seminar on safety information and the cooperation between aviation and judicial authorities. This is a seminal event as the issues to be discussed will have a profound effect on aviation safety in the future.

Over the past decade, the number of fatal accidents and associated fatalities has consistently dropped despite an increase in traffic. While this represents significant progress, the overall global accident rate remains essentially unchanged, indicating that there is more work to be done. In addition, there is an unacceptable gap in safety performance between certain States and regions. The projected increase in traffic over the coming decade and beyond will only intensify this problem. Therefore, new approaches must now be taken to further improve safety on a global level while also reducing the variance in safety performance that exists in the global aviation system.

ICAO's vision for the future is to work in collaboration with its Member States, regional safety oversight organizations, industry partners and other stakeholders to create an even safer global air transport system than that which exists today. To achieve this goal, more flexible and effective strategies are being developed and implemented to address global safety issues, as well as to support States having specific safety challenges. For some States, the immediate concern will be to improve fundamental oversight capabilities. For others, it is now time to complement traditional prescriptive and reactive safety strategies with a proactive and performance-based approach. The transition towards a proactive safety strategy will require the identification and timely response to emerging risks before they result in accidents or incidents.

This innovative strategy is built upon key fundamentals that include the implementation of Safety Management Systems and State Safety Programmes as well as the transition to a Continuous Monitoring Approach for the ICAO Universal Safety Oversight Audit Programme. These innovations and trends will depend upon a continuous flow of data and information collected from numerous sources including: safety oversight activities conducted by aviation authorities, accident and incident investigations, mandatory occurrence reports as well as reports of systemic hazards provided on a voluntary basis by front line personnel.

In the context of this strategy, the continuous availability of safety data and information is critical. The aviation community has confirmed that it is imperative for such data, information and subsequent analysis to be used optimally for safety purposes only, rather than to unnecessarily apportion blame or create liability. This affirmation has been expressed in multiple forums including the ICAO High-level Safety Conference held in 2010 and the past two sessions of the ICAO Assembly. It is now time to respond. Otherwise, the ability to exchange data or information among key aviation safety stakeholders will be limited, and the potential benefits to be derived from such data will not be fully realized. Thus, appropriate protective provisions are essential to ensure the constant flow of data and information required to identify and assess emerging risks and to design effective mitigation strategies.

Many organizations, including ICAO, are developing tools capable of conducting proactive analyses that will ultimately lead to safety improvements in the global aviation system. A concrete example of ICAO's analysis capabilities is the integrated safety trend analysis and reporting system, also known as iSTARS. This system, and others like it, has the potential to provide crucial information used to guide policy decisions and prioritize use of limited resources through analysis of various types of data, by creating multidimensional assessments of emerging safety issues. A prerequisite to further development of analytical capabilities such as iSTARS is, precisely, the protection of the sources that provide the required data and information.

The success of these efforts, however, is dependent on finding an appropriate balance between the need to protect safety data and safety information, while simultaneously allowing for the proper administration of justice in national jurisdictions. By developing and adhering to appropriate protective covenants, the international community will be fostering an environment where the exchange of critical information can be encouraged and facilitated without jeopardizing information sources. This protective environment is necessary to ensure the continuous availability of safety data and safety information so that the resulting analysis can then be shared among the aviation community. But, while the ultimate objective of protecting these sources is to assure their availability to enhance aviation safety, reckless conduct, gross negligence and wilful misconduct must not be tolerated. To this end, this seminar is timely as it addresses the necessary cooperation between aviation safety entities and judicial authorities.

An important initiative taken by regulators and industry towards an effective and widespread sharing of information is the Global Safety Information Exchange launched during the 37th Session of the ICAO Assembly. This initiative can help to better identify existing and emerging risks in air transport operations, making it possible to take action before safety issues result in accidents. These types of initiatives, that are part of a global proactive strategy, can only be achieved through adequate protection of information providing all participants with the assurance that information exchanged among them will be used only for safety purposes.

In recognition of the benefits associated with the sharing of information, we have already started putting together the components of a strategy intended to ensure the availability of data and information required to achieve our safety objectives. In December 2010, ICAO agreed to establish a multidisciplinary task force to particularly progress the protection of information. In parallel, the ICAO Council is developing certain principles of confidentiality and transparency that will shape a Code of Conduct on the Sharing and Use of Safety Information to further assure that this information is used in an appropriate, fair and consistent manner. This Code of Conduct is being created to reaffirm mutual trust between States in sharing information that has the potential to support consistent, fact-based and transparent responses to safety concerns at the State, regional and global levels. These two actions will provide the means to progress our analysis capabilities in risk identification that will lead to enhanced mitigation strategies.

As you can see, a sound proactive strategy designed to further enhance aviation safety requires constant collection, adequate protection, precise analysis and effective sharing of information among aviation stakeholders. These key elements will continue to build a global strategy capable of achieving even further reductions in the global aviation accident rate and to start reducing the variance in safety performance among States and regions.

It is imperative that a global agreement on the development of a legal framework to protect the sources of sensitive data and information be achieved, which will require close coordination and cooperation between aeronautical and judicial authorities. The level of protection should be commensurate with the nature of the information generated by each source and the purpose that disclosure of such information would serve. Without a balanced protective framework, essential information will remain unavailable to ICAO and to other organizations involved in the detection, analysis and resolution of global safety issues. For these reasons, it is now time to bring to the table the points of view of all safety information stakeholders.

In closing, ladies and gentlemen, we must always be cognizant of the fact that, despite our tireless efforts, a certain degree of risk is inherent to aviation operations. Nonetheless, I am confident that the conclusions of the seminar will provide very valuable and innovative ideas that will inevitably promote safety through enhanced protection of safety information and lead to closer collaboration between aviation and judicial authorities. The valuable contributions originated within the coming days will certainly help to provide the citizens of all ICAO Member States with the safest national, regional and global air transport systems possible. And, again, this can only be achieved through close collaboration among key stakeholders who, while having differing perspectives, will come to a common understanding to ensure the continued and successful evolution of our global safety strategy.