



DIRECTORS GENERAL OF CIVIL AVIATION CONFERENCE ON A GLOBAL STRATEGY FOR AVIATION SAFETY

Montréal, 20 to 22 March 2006

SUMMARY OF DISCUSSIONS

THEME 2: IMPROVING AVIATION SAFETY

Topic 2.1: Transparency and sharing of safety information DGCA/06-WPs/5 Revised, 11 (and Corr. No. 1), 22 (and Corr. No. 1), 23 Revised, 26 (and Corr. No. 1), 29 (and Corr. No. 1) , 30 Revised, 34, 35 and 39 IPs/24, 26, 34, and 39

1. DGCA/06-WP/5 Revised titled “Transparency and sharing of safety information” was presented for the consideration of the conference. The subject was also addressed in WPs/11 (and Corrigendum No. 1), 22 (and Corrigendum No. 1), 23 Revised, 26 (and Corrigendum No. 1), 29 (and Corrigendum No. 1), 30 Revised, 34, 35 and 39, which were presented by their respective authors. Also associated with this topic were IPs/24, 26, 34 and 39.

2. A number of delegates expressed their full support for DGCA/06-WP/5, and expressed views affirming that transparency and sharing of information would enhance safety, improve the delivery of assistance to correct deficiencies, create a better basis for mutual recognition and cultivate public confidence, and as a consequence, the sustainability of civil aviation.

3. However, several delegates voiced concern that the public could misconstrue information derived from USOAP audits, and that this, combined with the risk of inappropriate use of the information, could tarnish public perception, thereby creating more harm than good. Several delegates therefore supported the view that only Contracting States should be given access to USOAP reports through a secure website. One delegate commented that safety oversight audit reports prepared during the initial audit cycle may now be obsolete and, if placed on the ICAO website, could present misleading information about the status of a State’s oversight capabilities. For this reason, the information would be complemented by current information provided by the State concerned.

4. It was pointed out that any requirement for States to share information on shortcomings should be considered in light of their ability to quickly rectify such shortcomings. In this regard, the need for assistance at the regional and sub-regional levels was underscored by delegates. While it was acknowledged that the level of transparency would likely increase in parallel with improved levels of oversight capabilities, it was strongly emphasized that transparency and exchange of information was critical at all times to ensure both the safety and the confidence of the travelling public.

5. Delegates stressed that any information released to the public should be standardized, factual and unambiguous to avoid any risk of confusion or misinterpretation. Furthermore, it was suggested that there was a need for ICAO to develop a strategy with regard to disclosure of information. There was some support for the creation of an ICAO database to collect and centralize safety-related information to be reported by States on a voluntary basis. Underscoring the need for States to have access to reliable and timely information with respect to the ownership and control of aircraft, support was also expressed with regard creating a centralized system to provide information within the framework of Article 21 of the Convention.

6. Several delegates commended the work done so far to develop and support Assembly Resolution A35-17, and highlighted the need to protect safety data. In response to a question on this matter, the Chairman pointed out that draft legal guidance on the protection of information from safety data collection and processing systems was soon to be circulated to States and was available for review on the ICAO website.

7. Several delegates also pointed out the need to protect the aviation professionals who provide the safety-critical information. The implications of “just culture” and the issue of confidentiality were considered. Several delegates expressed the view that ICAO should consult with States to consider how provisions for a just culture might be introduced.

8. In summarizing the discussion, the Chairman emphasized the need to work within the framework of the Convention and the direction provided by the Assembly. In this regard he referred to fundamental points outlined in Article 44 d) of the Convention, which recognized the “needs of the peoples of the world for safe, regular, efficient and economical air transport” and Assembly Resolution A35-7, which recognized transparency and the sharing of information as fundamental tenets of a safe air transport system. There was full support for the sharing of safety information between States. Understanding the concerns regarding public availability of safety information, the Chairman suggested that States be given a maximum of two years to provide updated information to ICAO. In the meantime, States were encouraged to make their information available to the public. With regard to the subject of categorization/assessment of USOAP findings, the Chairman remarked that the Council of ICAO would examine the issue carefully. The Chairman recalled that several delegates had made reference to WP/22 and WP/35 and he advised that the substantive points made therein would be retained.

9. In general, there was support for the Chairman’s summary. Many delegates confirmed their on-going support for the principles of transparency and the sharing of information between States. They welcomed the proposed maximum two-year period for the updating of information but some were still uncomfortable with making safety information available to the public. In addition, a delegate proposed that ICAO be tasked with the development of an information management system to determine how, at the end of the two-year period, the information would be made available. Another delegate noted that travel advisories and insurance issues could also be negatively affected and that unfair competition could result.

10. Several delegates did not support a delay in the public disclosure of safety information and felt that, to preserve ICAO’s credibility, the process should be started immediately and completed prior to the next Assembly. It was pointed out that public disclosure often served as an enabler for States in need to receive assistance and financing and there was a concern that a two-year delay would not serve those States well.

11. Several delegates voiced concern regarding the proposal in WP/11 for the categorization of USOAP findings and it was recalled that the safety audit programme had been established in response

to systems of categorization initiated in some States. Offering a different view, a delegate pointed out that categorizations were already a factor and that it would be preferable for ICAO to develop its own system. It was noted that the Council of ICAO would further examine this issue.

12. It was noted that World Bank funding was being channelled into aviation infrastructure projects and it was hoped that this would continue. In addition, it was hoped that the World Bank would focus on regional initiatives for the enhancement of aviation safety. With regard to investment decisions, the Observer from the World Bank emphasized that transparency and information sharing were considered key factors. On the subject of aviation investment, the Chairman recalled that the World Bank had suggested that ICAO publish each year a report on aviation infrastructure and assistance requirements.

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