



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

Montréal, 20 to 22 March 2006

Theme 2: Improving aviation safety

Topic 2.1: Transparency and sharing of safety information

FREE FLOW AND PROTECTION OF SAFETY INFORMATION

(Presented by African States)²

SUMMARY

This working paper underlines the importance of free flow and protection of safety information in the aviation system.

Action by the Conference is in paragraph 4.

1. INTRODUCTION

1.1 Article 54 j) of the Chicago Convention invites the Council to “report to Contracting States any infraction of this Convention, as well as any failure to carry out recommendations or determinations of the Council”.

1.2 The idea of transparency and sharing of safety information contained in this provision of the Chicago Convention is more explicit in other texts. Thus Assembly Resolution A35-7 — Unified strategy to resolve safety-related deficiencies, among elements of its resolving clause, “Urges all Contracting States to share with other Contracting States critical safety information which may have an impact on the safety of international air navigation and to facilitate access to all relevant safety information” and direct the Council “to develop practical means to facilitate the sharing of such safety information among Contracting States”.

¹ English and French provided by African States.

² Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cap Verde, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

1.3 Assembly Resolution A35-17 — Protecting information from safety data collection and processing systems in order to improve aviation safety — recognizes that the protection of safety information from inappropriate use is essential to ensure the continued availability of all relevant safety information and to enable proper and timely preventive actions to be taken.

1.4 It is, therefore, with great interest that African States have considered DGCA/06-WP/5 of the ICAO Secretariat in which measures are proposed to improve transparency for activities related to safety and sharing of information on safety between States and stakeholders.

2. ANALYSIS

2.1 The mutual confidence between Contracting States which is demonstrated, inter alia by the recognition of validity of certificates and licences, is the basis of development of activities related to aviation.

2.2 The free flow of safety information, corollary of transparency and sharing of information between States and stakeholders is, therefore, a necessity to maintain and reinforce this mutual confidence.

2.3 It is with this spirit that the African Ministers in charge of civil aviation, at their first ordinary session (Sun City, South Africa, 16 to 19 May 2005) convened by the African Union, were engaged to contribute to the dissemination of safety information obtained from the ICAO Universal Safety Oversight Audit Programme (USOAP) audits, from airline ramp checks or from other reliable sources.

2.4 The African States favourably welcome the proposals made by the ICAO Secretariat in DGCA/06-WP/5 with a view to improving transparency and sharing of safety information, and to guarantee their protection, bearing in mind, the need to balance the public “right to know” and make informed choices and forestalling an undue negative perception of safety of air transport.

2.5 ICAO is an organization of Contracting States and primarily should focus on dissemination of information to Contracting States. Whilst the African States support the principle of free flow of safety information, availability of such information to the stakeholders and members of the public require determination and consent of the State concerned.

3. CONCLUSION

3.1 Transparency and sharing of safety information is an essential base for the development of an aviation system.

3.2 Free flow of information, coupled with its protection, likely carries the adhesion of Contracting States to mechanisms capable of improving transparency, sharing of information and consolidating mutual confidence between them.

3.3 African States endorse the action proposed in DGCA/06-WP/5, paragraph 4.1 b). However, items 4.1 a), c) and d), need to be reviewed to focus on dissemination of information to Contracting States through the ICAO secured website. To this end, the African States propose action as well as an amendment to the appendix to DGCA/06-WP/5 for consideration by the Conference.

4. **ACTION BY THE CONFERENCE**

4.1 The Conference is invited to:

- a) take into consideration the views expressed in this working paper;
- b) support the principle of transparency and the sharing of safety information;
- c) require ICAO to disseminate on its secured website, safety audit reports only to ICAO Contracting States;
- d) encourage States to commit themselves to the dissemination of relevant safety information to stakeholders and members of the public; and
- e) consider the amendment to the appendix to DGCA/06-WP/5.

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APPENDIX

AMENDMENT TO THE APPENDIX OF DGCA/06-WP/5 RELEASE CONSENT FORM

1. INTRODUCTION

1.1 Transparency and sharing of safety information are fundamental tenets of a safe air transport system. Contracting States providing their consent to share their ICAO safety oversight audit results with other Contracting States and stakeholders would contribute to maximizing the benefits that would be gained from this safety information. ~~In addition, each State that shares its ICAO safety oversight information will have the opportunity to provide its own comments, relative to progress made since the conduct of its audit, in the section of the ICAO websites dedicated to the audit information. Comments by States will be posted unless validated otherwise by ICAO.~~

1.2 ~~To this end,~~ Contracting States are encouraged to select one of the options below expressing their consent to authorize ICAO to publish safety oversight audit results on the ICAO ~~secured~~ websites.

- ☐ *(Contracting State)* hereby authorizes ICAO to make available on its ~~secured~~ websites the confidential final safety oversight audit and audit follow-up reports that have been prepared during the initial audit cycle pursuant to Assembly Resolution A32-11.

OR

- ☐ *(Contracting State)* hereby authorizes ICAO to make available on its ~~secured~~ websites safety oversight audit report information from the initial audit cycle consisting of an executive summary and a graph depicting a States' level of implementation of the eight critical elements of a safety oversight system.

For the Civil Aviation Authority

of State (long name)

Director General

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