

# **CODE OF CONDUCT ON THE SHARING AND USE OF SAFETY INFORMATION**

## **1. INTRODUCTION**

1.1 The High-level Safety Conference 2010 (HLSC 2010) recognized that mutual trust between States, as well as public confidence in the safety of air transportation, is contingent upon access to adequate information regarding the implementation of international Standards and Recommended Practices (SARPs). Transparency and the sharing of safety information are, therefore, fundamental tenets of a safe air transportation system and one of the objectives of sharing information is to ensure a consistent, fact-based and transparent response to safety concerns at the State and global levels.

1.2 The HLSC 2010 highlighted that the use of safety information for other than safety-related purposes might inhibit the future sharing of such information, with an adverse effect on aviation safety. Consequently, the HLSC 2010 recognized the need to develop principles of confidentiality and transparency to ensure that safety information is used in an appropriate, fair and consistent manner, solely to improve aviation safety and not for inappropriate purposes, including for the purpose of gaining economic advantage.

1.3 The HLSC 2010 recommended that the principles of confidentiality and transparency mentioned above be included in a code of conduct which would guide Member States, regional safety oversight organizations (RSOs), regional aviation safety groups (RASGs), the aviation industry and other international and regional aviation organizations on the sharing and use of safety information.

1.4 The 37th Session of the Assembly of ICAO expressed unanimous support for the development of a code of conduct on the sharing and use of safety information. The Code of Conduct Multidisciplinary Task Force was established in November 2010 to assist the Secretariat in developing the code of conduct.

1.5 In preparing this code of conduct, the Secretariat and the Multidisciplinary Task Force have considered the working papers and discussions on the subject from the HLSC 2010 and the 37th Session of the ICAO Assembly. Specifically, this code of conduct has been largely based on a set of high-level principles included in Resolution A37-1. These principles were designed to facilitate the transparency and exchange of various types of safety-related information while ensuring that such information is used solely to improve safety.

## **2. NATURE AND SCOPE**

2.1 This code of conduct is an ICAO policy that States are encouraged to follow. This code of conduct is without prejudice to matters already covered under international law and/or provisions that have been given binding effect by means of other obligatory legal instruments.

2.2 This code of conduct includes principles and standards applicable to the sharing and use of aviation safety-related information. It is global in scope and is directed toward ICAO Member States, RSOOs, RASGs, the aviation industry and other international and regional aviation organizations.

### **3. OBJECTIVES**

The objectives of this code of conduct are to:

- a) establish principles governing the collection, sharing and use of information related to the safety of civil aviation;
- b) provide a reference to assist States, RSOOs and RASGs to establish or improve their legal and institutional frameworks governing the use of safety information;
- c) provide guidance which may be used where appropriate in the formulation and implementation of international agreements and other legal instruments, both binding and voluntary;
- d) facilitate and promote the sharing of aviation safety information by providing reassurance regarding how this information will be used; and
- e) provide standards of conduct for all persons and organizations in receipt of information relating to the safety of international civil aviation.

### **4. PRINCIPLES**

The code of conduct is based on the following principles:

- a) transparency – the sharing and use of relevant and appropriate safety information with a view to ensuring: 1) the effective discharge of individual and collective responsibilities for the safety of international civil aviation, and 2) public confidence in the safety of air transportation;
- b) compliance with the Convention on International Civil Aviation (Chicago Convention) and its Annexes: safety information is used to assist in ensuring that international civil aviation is conducted in full compliance with applicable SARPs and other regulations; and
- c) appropriate use: shared safety information shall be used in an appropriate, fair and consistent manner, solely to improve aviation safety.

### **5. STANDARDS OF CONDUCT**

ICAO, its Member States, RSOOs, RASGs, the aviation industry and other international and regional aviation organizations will:

- a) collect and exchange relevant and appropriate safety information in a transparent way to ensure that they can effectively discharge their individual and collective responsibilities for the safety of international civil aviation;
- b) ensure that shared safety information is used in an appropriate, fair and consistent manner, solely to improve aviation safety and not for inappropriate purposes, including for the purpose of gaining economic advantage;
- c) utilize safety information to ensure that operations under their oversight are conducted in full compliance with the Chicago Convention and all applicable ICAO SARPs;
- d) use caution in disclosing information, keeping in mind equally the need for transparency, ensuring the effectiveness of the exercise of safety oversight and the possibility that disclosure may inhibit the future provision of such information;
- e) provide levels of confidentiality and uphold principles for disclosure equivalent to those provided by the State, RSOO or RASG generating the information; and
- f) ensure that the release of any safety information to the public or media is carried out in accordance with this code of conduct and in compliance with the laws and regulations applicable to the release of such information.

## **6. OTHER PROVISIONS**

Any changes to this code of conduct require approval by the Council of ICAO.

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