



International Civil Aviation Organization

WORKING PAPER

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ASSEMBLY — 37TH SESSION

TECHNICAL COMMISSION

Agenda Item 25: Follow-up of the High-level Safety Conference (2010)

PRINCIPLES FOR A CODE OF CONDUCT ON THE SHARING AND USE OF SAFETY INFORMATION

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

The High-level Safety Conference 2010 (HLSC 2010) provided recommendations to assure the transparency and effective exchange of safety information within the international civil aviation system. The Conference also recognized that such information should not be used for inappropriate purposes, including the attainment of economic advantage. Therefore, the Conference recommended that ICAO develop a code of conduct to ensure that safety information is to be used in a consistent and fair manner.

Action: The Assembly is invited to adopt the Resolution contained in the appendix on principles for a code of conduct on the sharing and use of safety information.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective A.
<i>Financial implications:</i>	Funding of these activities will need to come from a combination of potential savings related to productivity or efficiency gains within the Secretariat and voluntary contributions to the SAFE Fund.
<i>References:</i>	Doc 9935, <i>Report of the High-level Safety Conference 2010</i>

1. INTRODUCTION

1.1 There are numerous types of information that can be shared to promote safety. Included among them are reports regarding States' implementation of international Standards and Recommended Practices (SARPs), which the High-level Safety Conference (HLSC) 2010 proposed should be made transparent in easily understandable language to enable informed decision making by the travelling public.

1.2 In addition, future implementation of Safety Management Systems (SMS) and State Safety Programmes (SSPs) will create additional sources of information to be used for the furtherance of aviation safety. Such information, collected by States, the aviation industry and aviation organizations, includes the reporting of hazards encountered or observed within the international air transportation system and associated risk mitigation strategies. The exchange of such information will promote international safety efforts, by enabling the aggregation and integration of data, thereby enriching safety analysis processes.

2. DISCUSSION

2.1 While the increased availability of safety information will yield significant benefits, there is an associated need to mitigate the possibility that safety information could be used in an inappropriate manner. Therefore, the HLSC 2010 recommended that ICAO develop a code of conduct to guide Member States, aviation industry and aviation organizations in ensuring 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.

2.2 The draft Assembly Resolution provides a set of high-level principles for a code of conduct that build upon existing policies to facilitate the transparency and exchange of various types of safety-related information while ensuring that such information is used solely to improve safety. The principles contained within the Resolution are based on those established by several Assembly Resolutions (A36-2, A36-3, A36-7, A36-9 and A36-10) and by the Declarations of the HLSC 2010 and of the Directors General of Civil Aviation on a Global Strategy for Aviation Safety (DGCA/06). They will also provide a high-level framework to guide the work of the multidisciplinary task force, as proposed by HLSC 2010 that will address the legal, technical and operational aspects related to the sharing of safety information.

3. CONCLUSIONS

3.1 Due to the continued implementation of SMS, SSP as well as international aviation safety surveillance systems, various sources of safety-related information will be collected and become increasingly available. Such information can be essential to the improvement of safety and to assist the travelling public in making informed travel decisions. The benefits to be derived from these information sources will depend upon increased transparency based on mutual trust as well as exchange of safety information held by various entities. Therefore, an appropriate code of conduct is essential to ensure that such information is used solely to improve safety.

APPENDIX

DRAFT RESOLUTION FOR ADOPTION BY THE 37TH SESSION OF THE ASSEMBLY

Resolution 25/1: Principles for a code of conduct on the sharing and use of safety information

Whereas ensuring the safety of international civil aviation is the responsibility of Member States both collectively and individually;

Whereas the Convention and its Annexes provide the legal and operational framework upon which Member States can build a civil aviation safety system based on mutual trust and recognition, requiring that all Member States fulfil their obligations in implementing the Standards and Recommended Practices (SARPs) and in adequately performing safety oversight;

Recalling 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 SARPs;

Recalling that transparency and the sharing of such information are fundamental tenets of a safe air transportation system and that one of the objectives of sharing information is to ensure a consistent, fact-based and transparent response to safety concerns at the State and at the global levels;

Recognizing that the safety information in the possession of individual States, aviation industry and aviation organizations regarding the existence of operational hazards has the potential to provide a clearer perspective on existing and emerging areas of risk and the opportunity for timely interventions to improve safety when shared and acted upon collectively;

Recognizing that there is a 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; and

Mindful that the use of such information for other than safety-related purposes may inhibit the provision of such information, with an adverse effect on aviation safety;

The Assembly:

1. *Instructs* the Council to develop a Code of Conduct for the Sharing and Use of Safety Information based on the following principles, among others:
 - a) Member States will collect and share relevant and appropriate safety information to ensure that they can effectively discharge their individual and collective responsibilities for the safety of international civil aviation;

- b) Member States will utilize safety information to assist in ensuring that operations under their oversight are conducted in full compliance with applicable SARPs and other regulations;
- c) Member States, aviation industry and aviation organizations will ensure that shared safety information is used in an appropriate, fair and consistent manner, solely to improve aviation safety;
- d) Member States will use caution in disclosing information, keeping in mind equally the need for transparency and the possibility that such disclosure may inhibit the future provision of such information; and
- e) Member States receiving safety information from another State, will agree to provide levels of confidentiality and uphold principles for disclosure equivalent to those provided by the State generating the information.

— END —