



ICAO SAFETY

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Runway Safety Go-team: Kiev, Ukraine

Safety Data and Information Protection

Arnaud Desjardin
Regional Officer, Safety
ICAO EUR/NAT Regional Office

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Safety Data and Safety Information

- Safety Data is collected from safety-related activities, including:
 - accident or incident investigations;
 - safety reporting;
 - continuing airworthiness reporting;
 - operational performance monitoring;
 - inspections, audits, surveys; or
 - safety studies and reviews
- Safety Information:
 - Safety data processed, organized or analysed in a given context so as to make it useful for safety management purposes



Safety Data and Information Protection

- Why?





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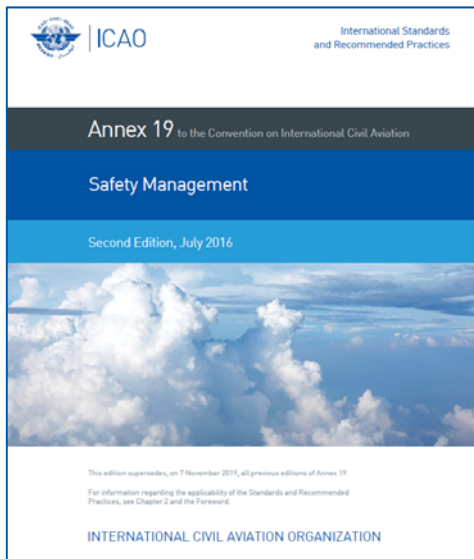
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General Principles

- States shall, through national laws, regulations and policies protecting safety data, safety information and related sources, ensure that:



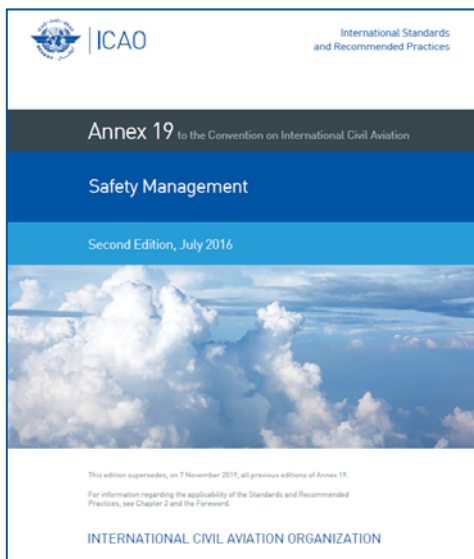
- a) a balance is struck between the need for the protection of safety data, safety information and related sources to maintain or improve aviation safety, and the need for the proper administration of justice;
- b) safety data, safety information and related sources are protected in accordance with this appendix;
- c) the conditions under which safety data, safety information and related sources qualify for protection are specified; and;
- d) safety data and safety information remain available for the purpose of maintaining or improving aviation safety



Principles of protection

- States shall ensure that safety data or safety information is not used for:
 - a) disciplinary, civil, administrative and criminal proceedings against employees, operational personnel or organizations;
 - b) disclosure to the public; or
 - c) any purposes other than maintaining or improving safety safety data and safety information remain available for the purpose of maintaining or improving aviation safety

unless a principle of exception applies.





3. Principles of exception

Exceptions to the protection of safety data, safety information and related sources shall only be granted when the competent authority:

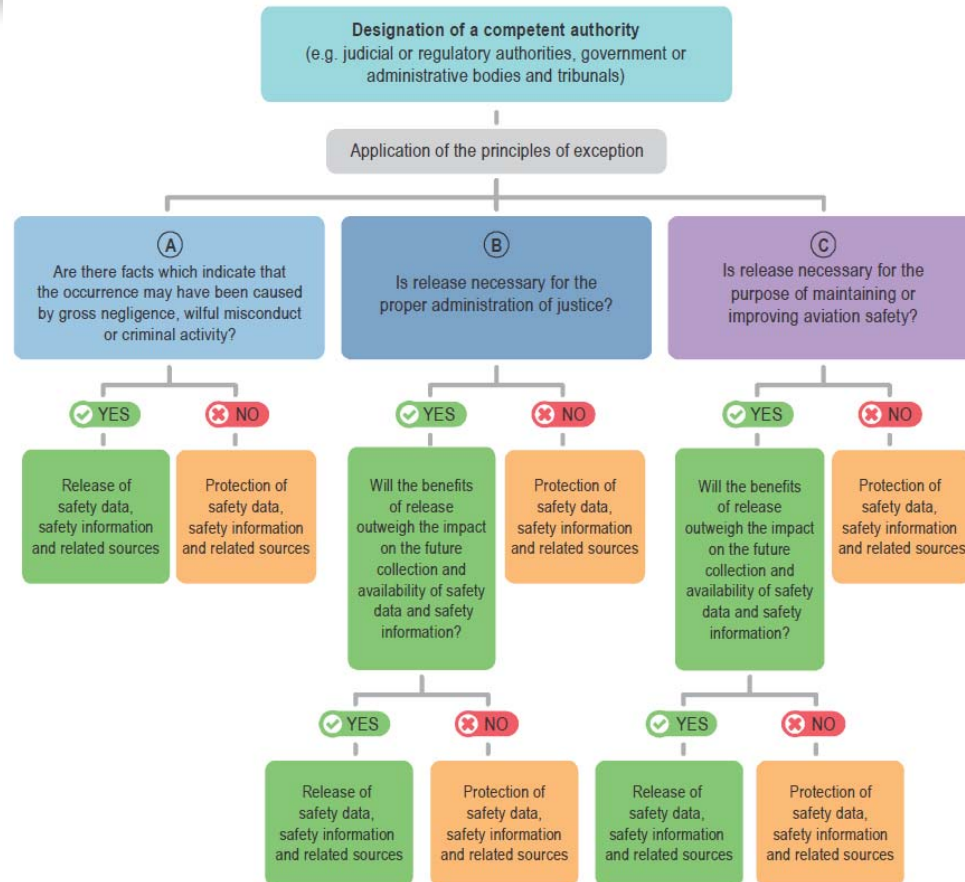
- a) determines that there are facts and circumstances reasonably indicating that the occurrence may have been caused by an act or omission considered, in accordance with national laws, to be conduct constituting gross negligence, wilful misconduct or criminal activity;
- b) after reviewing the safety data or safety information, determines that its release is necessary for the proper administration of justice, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information; or
- c) after reviewing the safety data or safety information, determines that its release is necessary for maintaining or improving safety, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information.

Note 1.— In administering the decision, the competent authority takes into account the consent of the source of the safety data and safety information.

Note 2.— Different competent authorities may be designated for different circumstances. The competent authority could include, but is not limited to, judicial authorities or those otherwise entrusted with aviation responsibilities designated in accordance with national law.



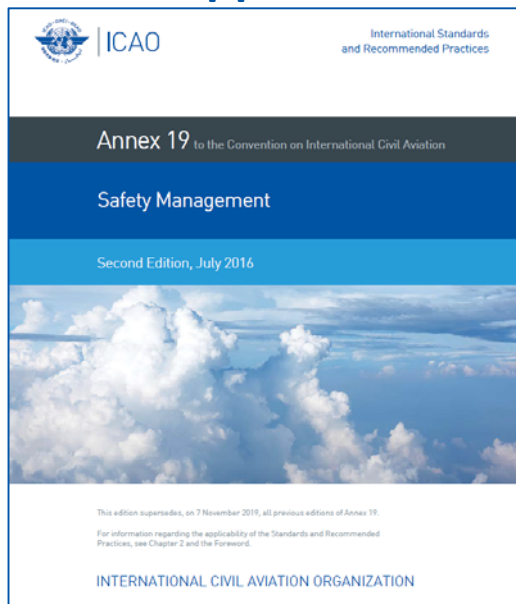
Guidelines for the application of the principles of exception





More on Safety Data and Info protection

Annex 19, chapter 5.3 and Appendix 3



Safety Management Manual (Doc 9859), chapter 7

