



ICAO

UNITING AVIATION

Ensuring accident victims and their families are
treated the same the world over

Montréal, 16 Oct 2018

Development of ICAO Provisions on Family Assistance

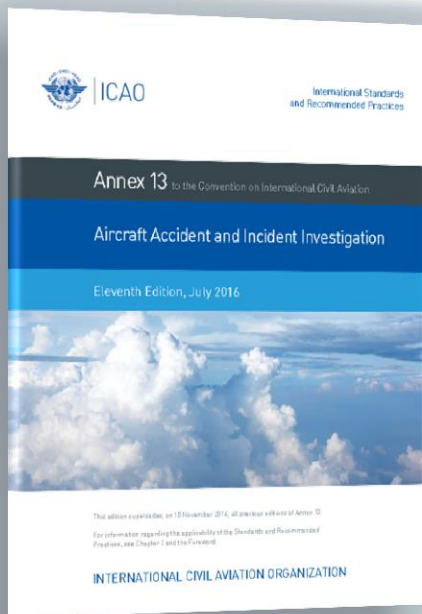
Marcus Costa
Chief, Accident Investigation Section
International Civil Aviation Organization

Montréal, 16 Oct 2018



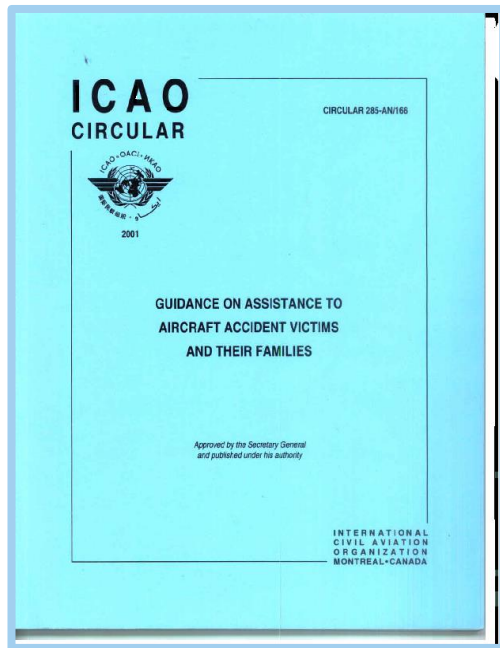
Annex 13

Participation of States suffering fatalities/serious injuries to their citizens



- Recommendation 5.29 introduced in Annex 13 in **1976**
- 5.29 strengthened to a Standard in **2001**

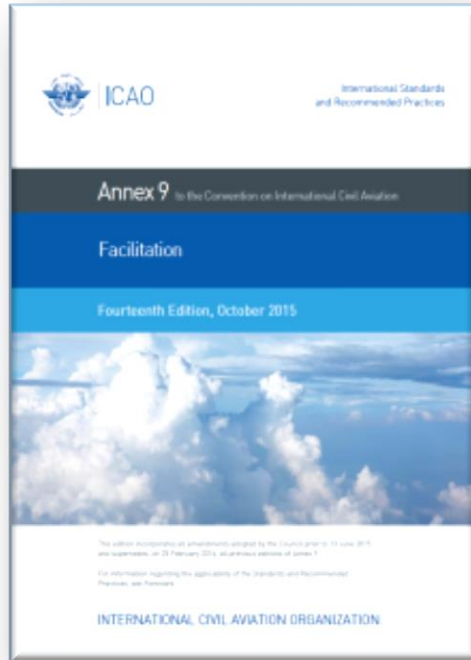
Circular 285



Guidance on Assistance to Aircraft Accident
Victims and Their Families issued in **2001**



Annex 9



- Family assistance
provisions issued in **2005**

I. Assistance to aircraft accident victims and their families

8.41 The State of Occurrence of an aircraft accident and adjacent States shall make arrangements to **facilitate the entry** into their territory on a temporary basis **of family members** of victims of an aircraft accident.

8.42 The State of Occurrence and adjacent States shall also make arrangements to **facilitate the entry** into their territory, on a temporary basis, of authorized **representatives of the operator** whose aircraft has met with the accident, or of the operator's alliance partner, in order **to enable them to provide assistance to survivors and their family members**, the family members of the deceased victims of the accident and the relevant authorities in these States.

Note.— Code-sharing and similar alliance agreements sometimes require alliance partners to act as “first responder” on behalf of an affected operator in case the alliance partner can get to the location of the accident quicker than the affected operator.

I. Assistance to aircraft accident victims and their families

(Cont'd)

8.43 **Recommended Practice.** — *In arranging for the entry of the persons referred to in 8.41, the State of Occurrence and adjacent States should not require any other travel document than a passport, or an emergency travel document issued specifically to such persons, to enable them to travel to these States. In cases where the State of Occurrence of the accident or an adjacent State requires entrance visas for persons referred to in 8.41 and 8.42 above, it should expedite the issuance of such visas.*

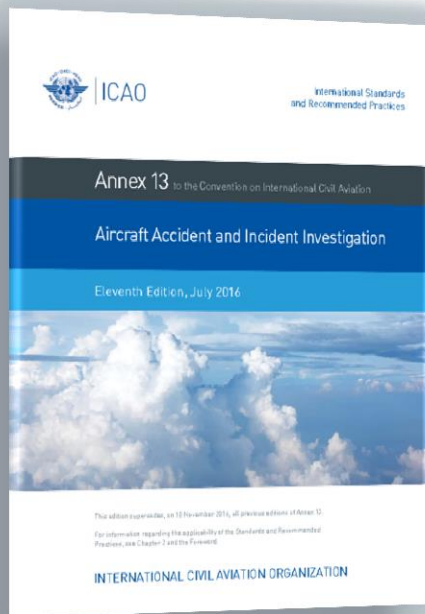
8.44 Contracting States shall make arrangements to issue emergency travel documents, if required, to their nationals who have survived the accident.

8.45 Contracting States shall extend all necessary assistance, such as arranging transport and clearing customs, **in the repatriation of human remains** to their countries of origin, on request by family members of the deceased or the operator whose aircraft met with the accident.



Annex 13

Participation of States suffering fatalities/serious injuries to their citizens



- Para 5.27 amended; and
additional 5.28 Recommendation
in **2010**



PARTICIPATION OF STATES HAVING SUFFERED FATALITIES OR SERIOUS INJURIES TO THEIR CITIZENS

Rights and entitlement

5.27 A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall be entitled to appoint an expert who shall be entitled to:

- a) visit the scene of the accident;
- b) have access to the relevant factual information which is approved for public release by the State conducting the investigation, and information on the progress of the investigation; and
- c) receive a copy of the Final Report.

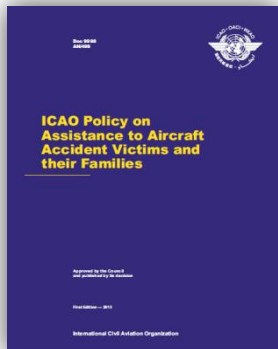
This will not preclude the State from also assisting in the identification of victims and in meetings with survivors from that State.

Note.— Guidance related to assistance to aircraft accident victims and their families is provided in the Guidance on Assistance to Aircraft Accident Victims and their Families (Circ 285).

5.28 **Recommendation.**— *The State conducting the investigation should release, at least during the first year of the investigation, established factual information and indicate the progress of the investigation in a timely manner.*

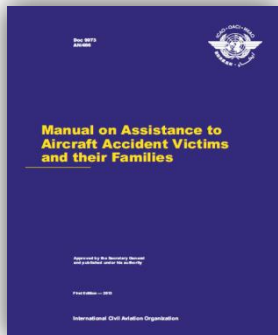


Assistance to Accident Victims and Their Families



- **ICAO Policy on Assistance to Aircraft Accident Victims and their Families**

Doc 9998 – First edition in **2013**



- **Manual on Assistance to Aircraft Accident Victims and their Families**

Doc 9973 – First edition in **2013**



Annex 9

I. Assistance to aircraft accident victims and their families

8.46 Recommended Practice. — *Contracting States should establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families.*

Note. — Attention is drawn to Doc 9998, ICAO Policy on Assistance to Aircraft Accident Victims and their Families and Doc 9973, Manual on Assistance to Aircraft Accident Victims and their Families.

Applicable on 25 Feb **2016**



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THANK YOU!