

Montreal, 16th October 2018

Assistance to aircraft accident victims and their families in Spain



Raúl Medina Caballero
Director General of Civil Aviation - Spain

Background

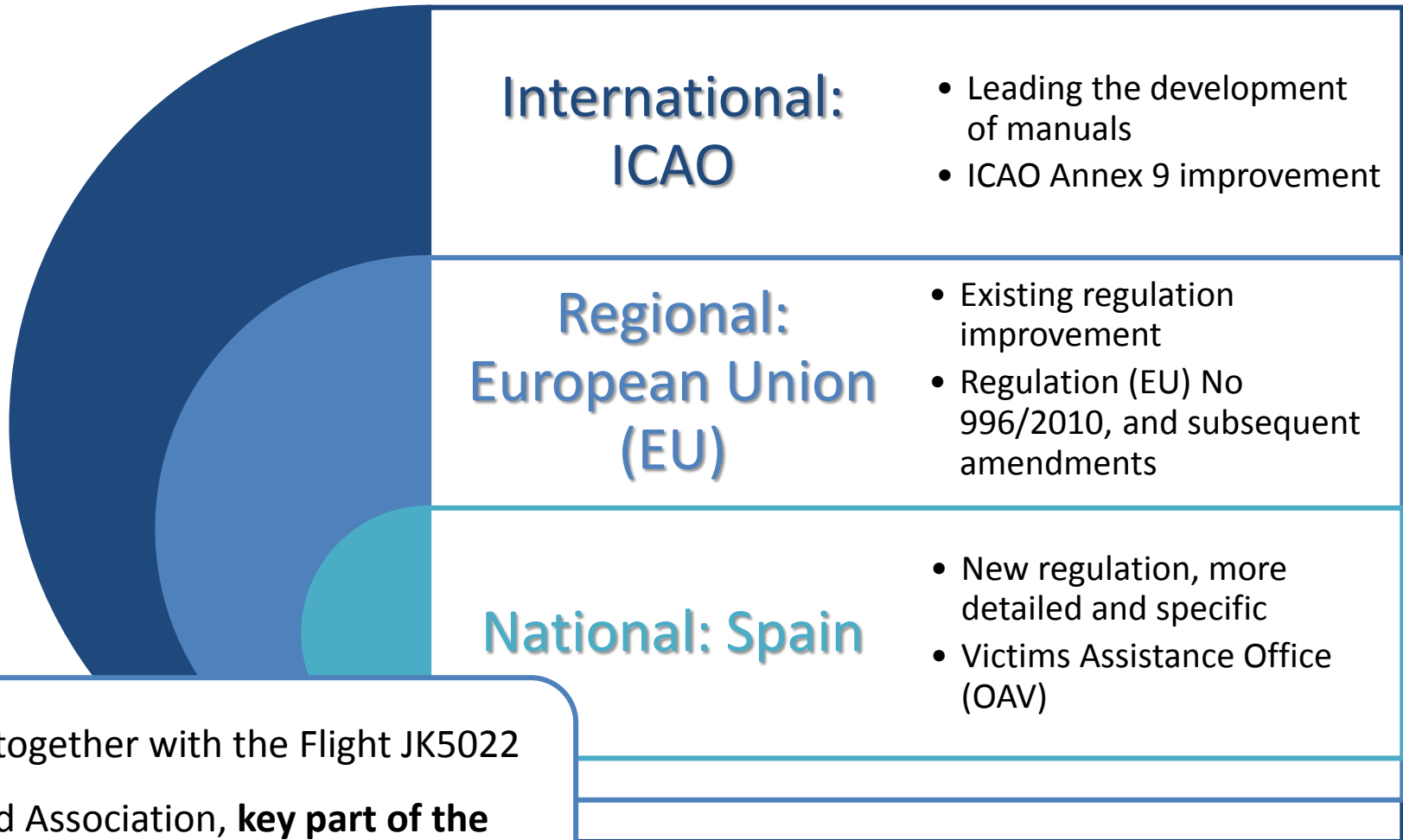
- On 20th August 2008 happened the **flight JK5022 accident** in Madrid-Barajas airport.
- It is the most relevant accident in Spain in the last 40 years: **154 people died and 18 were injured**.
- **ICAO Circular 285** was the only existing guidance, with general lines of action.



Lessons learned

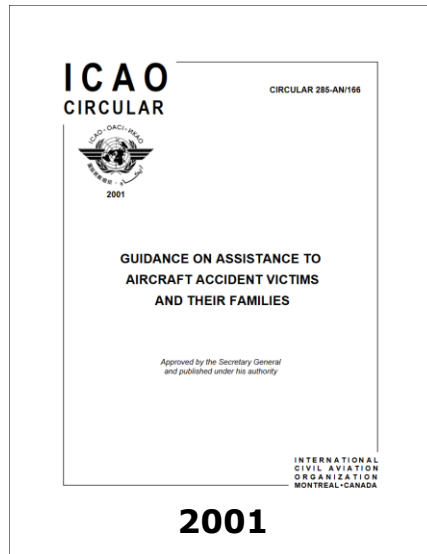
- *Create an appropriate legal framework on assistance to victims and their families.*
- *Humanize procedures.*
- *Placing victims and families where they deserve.*

Work at 3 levels:



Working together with the Flight JK5022
Affected Association, **key part of the
improvement process.**

Working at the International level. ICAO Regulations



03-2012 ad-hoc
Task Force
created (AVPTF)

Spain chaired the AVPTF working group. As a result:

- **Document 9998.** ICAO Policy on assistance to aircraft accident victims and their families.
- **Document 9973.** Manual on assistance to aircraft accident victims and their families.

- **ICAO Annex 9 modified as proposed in 38th General Assembly (2013)**

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.*

Working at the European level

- **Regulation (EU) No 996/2010**, and subsequent amendments. Investigation and prevention of accidents and incidents, and beyond that, **obligations to:**
 - **States → emergency plan** and a designated **contact person**.
 - **Airlines → plan of assistance to victims**.

Rights of victims and their families:

- ✓ Accident factual information **before making it public**,
- ✓ List of passengers **within a period of 2 hours**.

Working at the national level

Royal Decree 632/2013. Assistance to victims

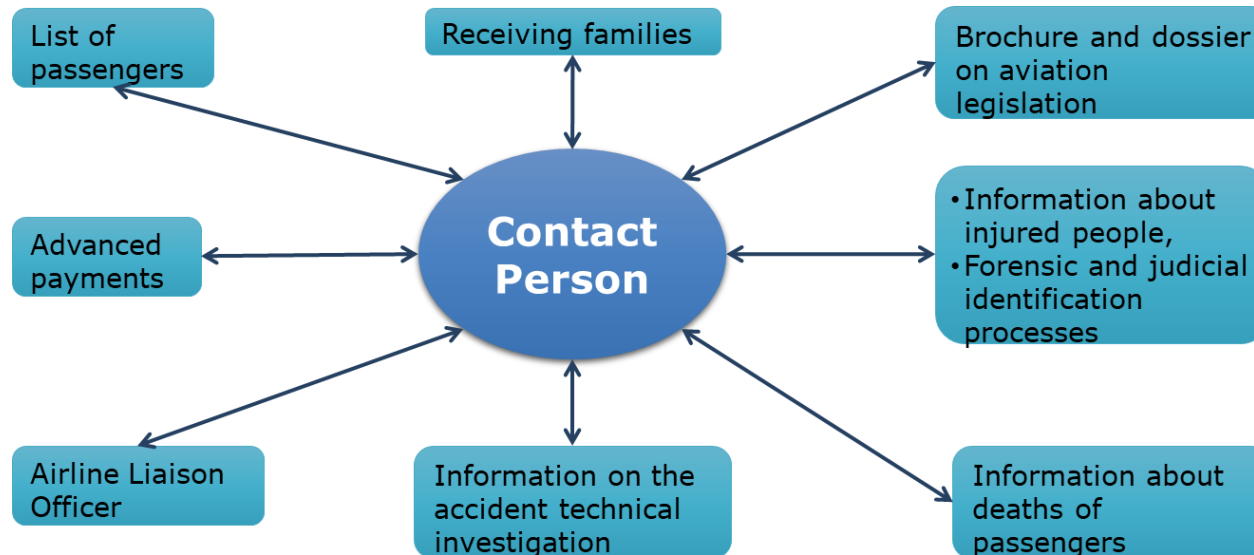
Resolution of 14th May 2014. Coordination protocol

Victims Assistance Office - OAV (2014)

Modification of Civil Code (2015)

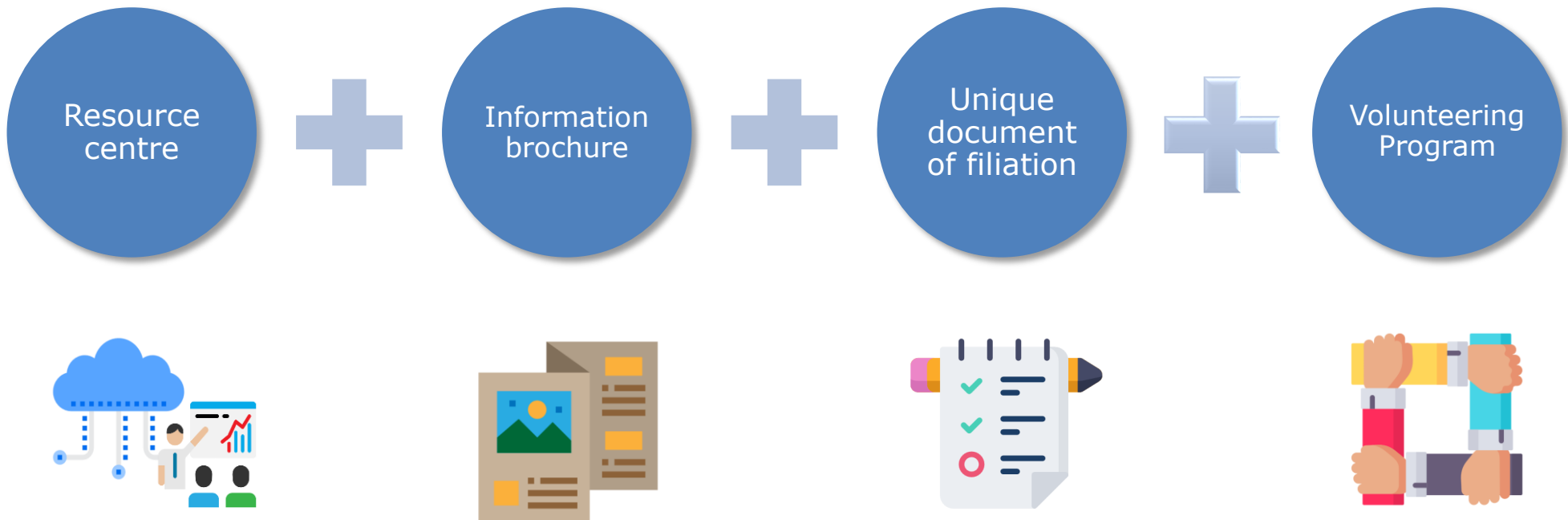
Obligations for the involved organizations:

- **Public Administrations, airlines and airport managers** must be prepared to **properly assist** the victims and their families.
- The **Spanish Aviation Safety and Security Agency (AESA)** oversees the correct application of the regulations.
- The **Contact Person (PeCo)** is the **liaison officer** between the victims and their families and the Public Administration/Airline/Airport manager during the emergency.

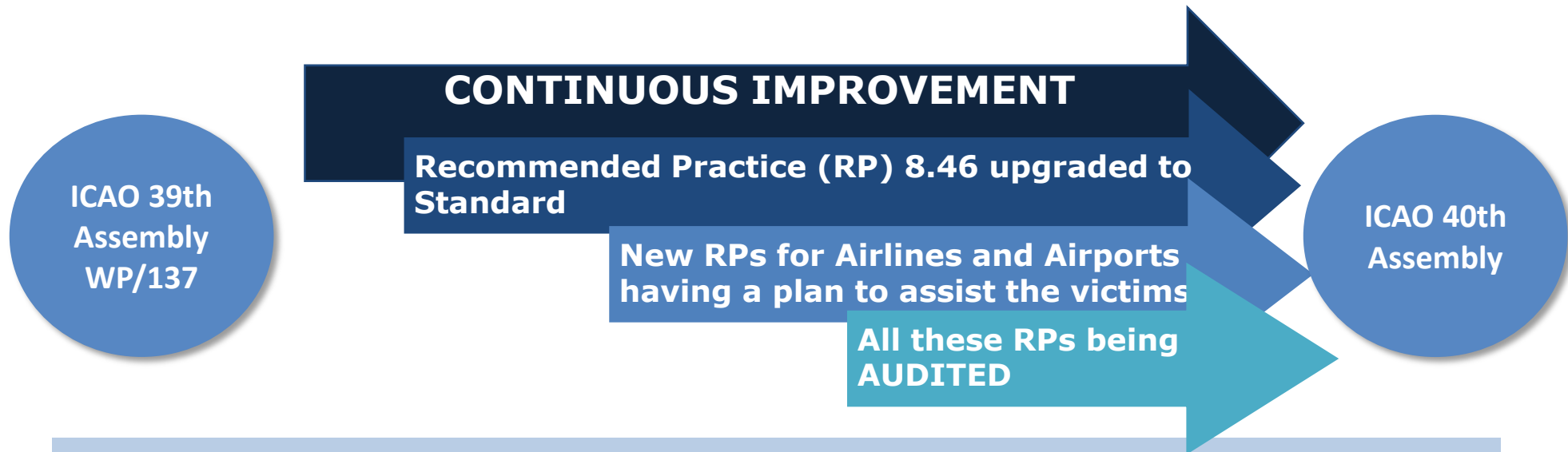


Victims Assistance Office

- Dependent on the Ministry of Public Works and Transport, the Office acts as a **partner with the victims** after the first moment of the emergency.



Future Actions



- **Continuous improvement of the current existing framework.**
- Therefore, it is essential to share the experiences and lessons learned between the States.
- It is of the utmost importance to keep on working at ICAO level to **upgrade** Recommendation 8.46 of Annex 9 to the level of a Standard, as it was foreseen at the 39th ICAO Assembly.

Thank you so much for your attention

Raúl Medina Caballero

Director General of Civil Aviation - Spain

internacional.dgac@fomento.es

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