



WORKING PAPER

**ACCIDENT INVESTIGATION AND PREVENTION (AIG)
DIVISIONAL MEETING (2008)**

Montréal, 13 to 18 October 2008

**Agenda Item 1: Annex 13
1.6: Final Report**

COMMENTS ON DRAFT FINAL REPORT

(Presented by the Secretariat)

SUMMARY

This paper discusses the need to amend paragraph 6.3 in Annex 13 so that the draft Final Report can be distributed to all States that participated in the investigation for their significant and substantiated comments.

Action by the meeting is in paragraph 3.

1. INTRODUCTION

1.1 A State proposed that paragraph 6.3 in Chapter 6 of Annex 13 — *Aircraft Accident and Incident Investigation* be amended in order that the list of States receiving the draft Final Report includes all States that have participated in the investigation.

1.2 Paragraph 6.3 reads:

The State conducting the investigation shall send a copy of the draft Final Report to the State that instituted the investigation and to all States that participated in the investigation, inviting their significant and substantiated comments on the report as soon as possible. The draft Final Report of the investigation shall be sent for comments to:

- a) the State of Registry;
- b) the State of the Operator;
- c) the State of Design; and
- d) the State of Manufacture.

1.3 In the latter part of paragraph 6.3, a list of States is included to whom the draft Final Report shall be sent for comments. The purpose of this list of States is to ensure that these States are provided with the opportunity to comment on the draft Final Report.

2. DISCUSSION

2.1 Participation of States in an investigation

2.1.1 In Chapter 5 of Annex 13, the notes to paragraphs 5.18 and 5.22 indicates that nothing precludes the State conducting an investigation from requesting the State that designed or manufactured the powerplant or major components of the aircraft to appoint an accredited representative.

2.1.2 Paragraph 5.23 describes the rights of any State which on request provides information, facilities or experts to the State conducting the investigation, to be entitled to appoint an accredited representative to participate in the investigation.

2.1.3 From the above, it is clear that Annex 13 provides for more States than just the State of Registry, the State of the Operator, the State of Design and the State of Manufacture to participate in the investigation. Thus, other States that have participated in the investigation would also need to be entitled to comment on the draft Final Report, but whatever the situation may be, at least the above mentioned States need to be included in the circulation of the draft Final Report.

3. ACTION PROPOSED

3.1 The meeting is invited to consider the inclusion of the words “In every case” in paragraph 6.3 of Annex 13 as proposed in the Appendix.

— — — — —

APPENDIX

PROPOSED AMENDMENT TO ANNEX 13

...

CHAPTER 6. FINAL REPORT

...

**RESPONSIBILITY OF THE STATE
CONDUCTING THE INVESTIGATION**

Consultation

6.3 The State conducting the investigation shall send a copy of the draft Final Report to the State that instituted the investigation and to all States that participated in the investigation, inviting their significant and substantiated comments on the report as soon as possible. In every case, the draft Final Report of the investigation shall be sent for comments to:

- a) the State of Registry;
- b) the State of the Operator;
- c) the State of Design; and
- d) the State of Manufacture.

...

— END —