



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**

ACTION ON SAFETY RECOMMENDATIONS

(Presented by the Secretariat)

SUMMARY

This paper proposes an amendment to paragraph 6.10 in Annex 13 to include a time period for States to respond to safety recommendations proposed during or after an accident or incident investigation. It also proposes a new provision addressing action by a State which was not addressed in the safety recommendations proposed.

Action by the meeting is in paragraph 3.

1. INTRODUCTION

1.1 During the 36th Session of the Assembly, several States proposed an amendment to paragraph 6.10 of Chapter 6 in Annex 13 — *Aircraft Accident and Incident Investigation*. The Assembly felt that the proposed amendment would be better considered in the context of the Accident Investigation and Prevention (AIG) Divisional Meeting.

1.2 The proposed amendment to paragraph 6.10 includes the following:

- a) a time limit to be provided for the preliminary response to a safety recommendation; and
- b) the Contracting State that receives safety recommendations as a direct addressee shall release the preventive actions taken or under consideration, or the reasons why no action will be taken, while Contracting States which are not direct addressees of such safety recommendations, shall also release the same information when they take actions.

1.3 The text of the existing paragraph 6.10 calls for the State that receives safety recommendations to inform the proposing State of the preventative action taken or under consideration, or the reasons why no action will be taken.

2. DISCUSSION

2.1 When an investigation is being conducted and an unsafe condition is identified, a need arises to take action to either remove the unsafe condition or implement mitigating action to reduce the risk to an acceptable level. The proposed action may be in the form of safety recommendations.

2.2 The State conducting the investigation may at any time during the investigation or in the Final Report of the investigation issue safety recommendations. Usually, if a serious threat is identified early in the investigation, safety recommendations are issued immediately and they need to receive attention promptly. These safety recommendations could be relevant in the State of Occurrence or they may have to be addressed to other States as well, for example the State of Manufacture. The State the safety recommendation was addressed to should therefore inform the State issuing the safety recommendation of its action to address the safety concern. Due to the potential urgency of such a safety recommendation, the issuing State should be notified promptly.

2.3 Furthermore, it may also happen that a State that the safety recommendation was not addressed to, but had become aware of the safety recommendation, take action as a consequence of the safety recommendation. This State should also report its action to the State proposing the safety recommendation, so that the latter State can properly monitor the outcomes of its safety recommendations.

3. ACTION PROPOSED

3.1 The meeting is invited to consider the proposed amendments in the Appendix, which include:

- a) adding a ninety-day notification period for the State receiving the safety recommendation to report on action taken; and
- b) adding a new recommended practice on actions to be taken by a State that was not addressed in a safety recommendation.

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APPENDIX

PROPOSED AMENDMENT TO ANNEX 13

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CHAPTER 6. FINAL REPORT

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**RESPONSIBILITY OF A STATE RECEIVING
SAFETY RECOMMENDATIONS**

Action on safety recommendations

6.10 A State that receives safety recommendations shall inform the proposing State, within ninety days of the date of the transmittal letter, of the preventive action taken or under consideration, or the reasons why no action will be taken.

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6.11 **Recommendation.**— *A State that was not addressed in a safety recommendation, but acted upon the safety recommendation, should inform the proposing State of the preventive action taken or under consideration.*

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