



WORKING PAPER

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

Montréal, 13 to 18 October 2008

Agenda Item 2: Recent developments in investigation and prevention matters

RECENT DEVELOPMENTS IN INVESTIGATION AND PREVENTION MATTERS

(Presented by the Secretariat)

SUMMARY

This paper discusses recent AIG related guidance material, the new model Memorandum of Understanding (MoU) and the work done by the Flight Recorder Panel (FLIRECP).

Action by the meeting is in paragraph 3.

1. INTRODUCTION

1.1 Since the last Accident Investigation and Prevention Divisional Meeting in September 1999 (AIG/99), considerable work has been done by the International Civil Aviation Organization (ICAO) in developing and amending documents related to accident investigation and accident prevention. ICAO has also developed a model MoU to assist States in arranging mutual assistance for the investigation of accidents and serious incidents.

2. DISCUSSION

2.1 *Hazards at Aircraft Accident Sites (Circ 315)*

2.1.1 During the AIG/99, it was agreed that ICAO had a role to play in establishing and maintaining an inventory of hazards peculiar to aircraft accident sites and in the promulgation of related guidance material to States. The meeting also agreed that it was necessary to specify the training required for accident investigators to enable them to avoid these hazards. Consequently, following the meeting, the Air Navigation Commission established a study group, the Hazards at Accident Sites Study Group (HASSG).

2.1.2 The HASSG has developed relevant guidance material on accident site hazards and documented the associated training requirements for rescue personnel and accident investigators. This information was published by ICAO in the *Circular on Hazards at Aircraft Accident Sites* (Circ 315). The circular was published on the ICAO-NET in 2007 and should be made available in “hard copy” early next year.

2.2 Memorandum of Understanding (MoU)

2.2.1 AIG/99 also called for ICAO to undertake a study aimed at identifying solutions for the funding of large accident investigations and to develop a model bilateral agreement to be used by States for assistance in aircraft accident investigation. In response, the Air Navigation Commission formed the Funding of Accident Investigation Costs Study Group (FAICSG).

2.2.2 During the work of the FAICSG, it was felt that a model Memorandum of Understanding (MoU) was more appropriate than a model bilateral agreement, as the latter was deemed to be less practical and could involve much formality and protocol. Accordingly, the Secretariat together with the FAICSG developed a model MoU to assist States in arranging mutual assistance for the investigation of accidents and serious incidents. The model MoU was published on the ICAO-NET in 2007 and will be incorporated into the *Manual of Aircraft Accident and Incident Investigation* (Doc 9756) in the next revision. Appendix B provides a copy of the model MoU.

2.3 *Manual of Aircraft Accident and Incident Investigation* (Doc 9756)

2.3.1 The 1992 Divisional Meeting (AIG/92) recommended a complete revision of the *Manual of Aircraft Accident Investigation* (Doc 6920) to be undertaken by ICAO with the assistance of a group of accident investigation experts. The Accident Investigation Methodology Study Group (AIMSG) was established in 1994 and one of its task was to assist with the revision of the manual. In accordance with the comments made at AIG/92, the revised and retitled *Manual of Aircraft Accident and Incident Investigation* was produced in parts as follows:

- Part I — Organization and planning
- Part II — Procedures and checklists
- Part III — Investigation
- Part IV — Reporting

2.3.2 The current status of the four parts is as follows:

- a) Part I was published in 2000;
- b) Parts II and III were published on the ICAO-NET in the English language this year and should be made available in “hard copy” in the near future; and
- c) Part IV was published in 2003.

2.4 *Accident Prevention Manual* (Doc 9422)

2.4.1 The first edition of this manual was published in 1984 and was never amended. During AIG/99, it was envisaged that a second edition would be available in 2001. However, ICAO decided to harmonize its information on safety management into one manual. Consequently, the information of the

Accident Prevention Manual was consolidated into the *Safety Management Manual (SMM)* (Doc 9859) which was published in 2006.

2.5 Flight Recorder Panel (FLIRECP)

2.5.1 The Flight Recorder Panel has held two meetings since the AIG/99. The first meeting (WG/WHL/1) was held in Montreal, Canada in 2006 and the second meeting (WG/WHL/2) was held in Beijing, China in 2007. During those meetings, the FLIRECP developed recommendations for amendments to Annex 6 — *Operation of Aircraft* related to flight recorders. The proposal include new or amended provision on:

- a) Extending the duration of cockpit voice recorders to two hours;
- b) Replacing magnetic tape recorders with solid-state recorders;
- c) Increasing the number of parameters to record;
- d) Cockpit video recording devices;
- e) Data link recorders;
- f) Combination recorder systems (FDR/CVR);
- g) Independent power supplies for recorders; and
- h) Increase sampling rates for acceleration and control surface position.

2.5.2 The FLIRECP also addressed:

- a) Search for and recovery of recorders; and
- b) Extending the survivability of recording media.

2.5.3 The Secretariat is currently performing a cost assessment of the recommendations of the panel. It is anticipated that the work of FLIRECP will be reviewed by the Air Navigation Commission in 2009. It is envisioned that amendments to the relevant Annexes will become applicable in 2010.

3. ACTION PROPOSED

3.1.1 The meeting is invited to note the recent developments by ICAO in the field of accident investigation and prevention, and endorse the use of the model MoU referred to in 2.2 above by approving the recommendation in Appendix A.

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APPENDIX A

RECOMMENDATION OF THE MEETING

Following the 1999 Divisional Meeting (AIG/99), the Secretariat together with the Funding of Accident Investigation Costs Study Group (FAICSG) developed a model Memorandum of Understanding (MoU) to assist States in arranging mutual assistance for the investigation of accidents and serious incidents. The 2008 Divisional Meeting (AIG/08) endorses the use of the model MoU by Contracting States.

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APPENDIX B

MEMORANDUM OF UNDERSTANDING (MOU)

MODEL

MEMORANDUM OF UNDERSTANDING

**IN RESPECT
OF**

**AIRCRAFT ACCIDENT AND SERIOUS INCIDENT
INVESTIGATION**

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

..... *(Agency/Authority)*

of

.....*(State)*

AND

..... *(Agency/Authority)*

of

.....*(State)*

REGARDING

COOPERATION AND ASSISTANCE

IN THE FIELD OF

**CIVIL AIRCRAFT ACCIDENT AND SERIOUS INCIDENT
INVESTIGATION**

1. INTRODUCTION

1.1 This Memorandum of Understanding (MoU) expresses the understanding of the(agency/authority) of(State) and the(agency/authority) of(State), hereafter referred to as the Parties to this MOU, concerning cooperation and assistance in the field of civil aircraft accident and serious incident investigations.

1.2 It is recognized that both(State), and(State), are parties to the Convention on International Civil Aviation (The Chicago Convention) and that they are therefore bound by the Standards contained in Annex 13 — *Aircraft Accident and Incident Investigation* to the Chicago Convention concerning accident and serious incident investigation.

Note.— Both States shall advise each other of their respective existing differences that have been filed or that will be filed against the Standards of Annex 13.

1.3 Both parties to this MoU are authorized by their respective Governments to act as the national authority representing(State) and(State) in respect of aircraft accident and serious incident investigation matters.

1.4 This MoU defines the procedural arrangements for cooperation and assistance between the parties pursuant to Annex 13 to the Chicago Convention.

2. TERMINOLOGY

2.1 The words and phrases used in this document have the same meaning as that ascribed to them in Annex 13 — *Aircraft Accident and Incident Investigation*.

3. THE PURPOSE OF INVESTIGATIONS

3.1 The purpose of investigating accidents or incidents in accordance with Annex 13 is the prevention of accidents and incidents. It is not the purpose of such an investigation to apportion blame or liability.

4. CODE OF CONDUCT

4.1 This MoU serves to foster cooperation and mutual assistance between the parties in implementing the provisions of Annex 13. Each party shall strive to overcome difficulties that may arise due to differences in languages, national cultures, legislative systems or geographic locations.

5. EXCHANGE OF INFORMATION

5.1 Each party shall establish a working group of specialists to plan and implement technical exchanges and cooperation between the parties in the field of aircraft accident and serious incident investigations. These technical exchanges will include discussions aimed at improving the understanding of the investigation capabilities of the respective organizations, as well as the scope and extent of any assistance that could be provided under given conditions.

5.2 The exchanges and cooperation between the parties should also cover appropriate training for investigative staff, including attendance at training courses.

6. ASSISTANCE TO THE STATE OF OCCURRENCE

6.1 When one party, acting as the State of Occurrence, requests the other party for technical assistance for an investigation being conducted under the provisions of Annex 13, the response to the request shall be coordinated between both parties. The two parties should work together to ensure that a competent investigation is conducted in accordance with the procedures and intent of Annex 13.

6.2 Either party may request information on the progress of an investigation being carried out by the other party. All possible efforts will be made to provide the requested information. In accordance with the relevant laws of the respective States, any such information provided should be treated with at least the same rules with respect to confidentiality as those to which the providing party is bound.

7. COORDINATION

7.1 The contact person in (agency/authority) of
(State) for the implementation of this MoU is:

..... (Title)
..... (Agency/Authority)
..... (Address)

Tel.: (Office) (Mobile)
Fax:
E-mail:

7.2 The contact person in (agency/authority) of
(State) for the implementation of this MoU is:

..... (Title)
..... (Agency/Authority)
..... (Address)

Tel.: (Office) (Mobile)
Fax:
E-mail:

8. TERMINATION

8.1 This MoU will come into effect on the date of signing by the parties to this MoU and will remain in effect unless terminated by either party giving the other party three months' written notice of its intention to terminate.

Signed at on

in the English and languages.

.....
(Title)
(Agency/Authority)
(State)

.....
(Title)
(Agency/Authority)
(State)

— END —