



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

Montréal, 13 to 18 October 2008

Agenda Item 6: Regional cooperation in accident and incident investigations

CREATION OF A COMMISSION RESPONSIBLE FOR THE INVESTIGATION OF ACCIDENTS AND SERIOUS INCIDENTS IN CENTRAL AMERICA

(Presented by El Salvador)

SUMMARY

This paper contains the basis for the creation of a regional commission responsible for the investigation of accidents and serious incidents in the Central American region and discusses the advantages this commission would have for the region.

Action by the meeting is in paragraph 15.

1. INTRODUCTION

1.1 Through the Central American Aviation Safety Roadmap, the Agency on Aeronautical Safety for Central America (ACSA) created a panel with the objective of developing tools to bring all the Central American civil aviation authorities to a common required minimum standard in the area of accident investigation and prevention. At the panel's first meeting, which took place in August 2007, the representative of El Salvador was elected chairman and a series of initiatives to help the region were established, including the following:

- a) the development of the MRAC-13 (Civil Aviation Regulation) with a view to its compliance with ICAO Annex 13;
- b) the development of an accident investigator manual, procedures and checklists;
- c) the assessment of the accident and serious incident investigation database system to be implemented in the region and to be compatible with the SMS database;

- d) the assessment of the possibility of creating a regional go team to provide support to States in the investigation of accidents and serious incidents; and
- e) the selection of one person from each member State to act as IIC (investigator-in-charge) on the go team; one IIC was to be identified for each country.

1.2 The director of the regional panel was invited to speak at the Safety Seminar held by COCESNA-ACSA on 29 and 30 April 2008 in Costa Rica. The presentation focused on the proposed creation of the regional accident investigation commission; the proposal was put forward to COCESNA member States and seminar participants and would be presented at the following ICAO Accident Investigation Divisional Meeting.

1.3 At present, no State in the region has an independent body which is responsible for the investigation of aircraft accidents and incidents. At best, some States have departments which, when an aircraft accident or incident takes place, undertake the responsibility for the ensuing investigation. However, these departments have neither adequate financial resources nor fully trained personnel necessary to perform investigation duties. Moreover, as these departments fall within the organizational structures of their respective civil aviation authorities, the independence of the investigation as established by ICAO is not guaranteed.

2. GENERAL POINTS

2.1 Aviation in Central America is currently undergoing an expansion. This is reflected in the increase of operations in the region, which results in increased passenger traffic.

2.2 The countries in the Central American region are developing countries which have limited resources.

2.3 Central America has an area which is relatively small in comparison to that of other regions of the world.

2.4 With the exception of Belize, all the countries in the Central American region share a common language: Spanish.

2.5 There are regional initiatives for Central American integration in the sphere of aviation (Agency on Aeronautical Safety for Central America).

2.6 When an aircraft accident occurs, world attention is drawn to the country in which the event has taken place because the State of occurrence is responsible for the corresponding investigation. The State of occurrence determines the probable causes of the accident and recommends safety actions to prevent other accidents with similar characteristics from taking place.

2.7 On 30 May 2008, an accident involving an Airbus A320 aircraft took place at Tocontín Airport in Honduras. Representatives from Honduras, El Salvador, Costa Rica, the NTSB, FAA, Bureau d'Enquêtes et d'Analyses pour la Sécurité de l'Aviation civile (BEA), Air Accident Investigation Unit (AAIU-Ireland), Airbus and International Aero Engines (IAE) are participating in the investigation currently under way. The most recent serious aircraft accident to take place in Central America was the one involving flight TACA 390 on 30 May 2008, and the corresponding investigation, which is being carried out now, has encountered several difficulties, such as the following:

- a) a lack of awareness on the part of the civil aviation authorities as to the process and purpose of an investigation of this type;
- b) improper handling of the information relating to the accident;
- c) problems with the delegation in charge of conducting the investigation;
- d) a lack of resources, such as, for example, equipment and facilities, with which to carry out the investigation; and
- e) the politicizing of the possible causes of the accident.

2.8 On 24 August 2008 in Guatemala, a Cessna Caravan was involved in an accident in which 11 people lost their lives. The corresponding investigation is facing the same problems as those faced by the aforementioned Honduran accident investigation.

2.9 Many States (in accordance with Annex 13) delegate to their respective civil aviation authorities the responsibility for the investigation of accidents and serious incidents. However, this practice can create possible conflicts of interest because the investigators may have to notify their respective civil aviation authorities of safety oversight deficiencies.

3. **PROPOSAL**

3.1 We propose that a pilot plan be carried out in Central America to assess the value of, develop and establish a Central American commission for the investigation of aircraft accidents and serious incidents. This implies carrying out an environmental assessment; developing an organizational structure; signing cooperation agreements with other States and international aviation organizations and developing and implementing a regulatory framework harmonized with ICAO Annex 13 requirements and relating to all COCESNA member States.

3.2 It should be pointed out that with the implementation of this proposal, the State of occurrence is *not* delegating investigation responsibility to another party, since the State of occurrence is part of the regional organization and the investigator-in-charge is part of the State.

4. **ADVANTAGES**

4.1 The establishment of a regional commission responsible for accident and incident investigation would:

- a) ensure the independence of investigations;
- b) ensure that all investigations are conducted in compliance with ICAO requirements;
- c) ensure the provision of sufficient financial resources for the performance of investigations;

- d) involve training to ensure that the commission's members are versed in aircraft accident investigation techniques; and
- e) strengthen the image of the Central American region.

5. **ACTION PROPOSED**

5.1 The meeting is invited to:

- a) give their support so that this project may be realized; and
- b) ICAO is invited to designate the Central American region as the site for the execution of the pilot plan to assess the value of, develop and establish a Central American commission for the investigation of aircraft accidents and serious incidents.

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