



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

Montréal, 13 to 18 October 2008

Agenda Item 1: Annex 13

1.1: Chapter 1 of Annex 13

AIRPORT OPERATOR VIEWS ON ACCIDENT INVESTIGATIONS

(Presented by Airports Council International)

SUMMARY

The proposed amendments and changes under Agenda Item 1 are important contributions to enhancing safety levels and safety performance in aviation, and ACI supports them.

Action by the meeting is in paragraph 3.

1. INTRODUCTION

1.1 Investigation of accidents and serious incidents is extremely important as a means of preventing future accidents and mitigating fatalities and injuries, as well as damage to property. A common approach to the investigation process as well as legislation is a necessary basis for information exchange and shared international understanding and learning.

2. DISCUSSION

2.1 Subject 1.1: Chapter 1 of Annex 13

2.1.1 In AIG/08-WP/2, changes are proposed to the definition of *accident*, *safety recommendation* and *serious incident*. ACI agrees with these changes.

2.1.2 ACI agrees with the conclusion in WP/2 that the definition does not need to be changed to include personal injury by deliberate action (the exclusion covers natural causes, self-inflicted injuries or injuries inflicted by another person). On the other hand, in the instance of aircraft damage by deliberate action, which is already included, the investigations should focus on the root causes that lead to the successful deliberate action. By investigating the processes used, and by what means the deliberate action was successful, mitigating actions and processes can be implemented to prevent similar methods to be

used in the future. Any exclusion in the definition itself may prevent or impede uncovering all available circumstantial factors.

2.1.3 In the case of a missing aircraft, this should also be considered for investigation along the same principles. Direct cause for an unconfirmed accident will be very difficult to uncover, however, indirect cause(s) or contributing factors that has led to an aircraft going missing may be uncovered in a subsequent investigation.

2.2 **Subject 1.2.1: Investigation of accidents and serious incidents**

2.2.1 ICAO should aim at encouraging States to investigate any accident or any event that leads to fatalities or serious injuries, aircraft damage or structural failure, whatever the cause of the event, also including events involving a normal aircraft and an UAV.

2.2.2 By definition, a serious incident is an incident involving circumstances indicating that an accident nearly occurred. The difference between a serious incident and an accident is coincidental and marginal. In the case of a serious incident no or very few safety barriers remained to prevent an accident to happen. The objective of accident investigation is to prevent future similar accidents to happen. Soft and hard safety barriers can be imposed or strengthened. This learning process is vital to maintain or improve the safety level and safety performance in aviation.

2.2.3 Annex 13 presently only requires as a Standard the investigation of accidents, while investigation of serious incidents is a recommendation. Since the difference between an accident and incident is more or less circumstantial, it is essential to investigate in both cases. Upgrading the recommendation to a Standard will make available more data which can provide lessons to prevent future accidents.

2.2.4 ACI therefore supports the amendments proposed in WP/3.

2.3 **Subject 1.2.2: Independence of the investigation**

2.3.1 It is essential that the investigators have unlimited access to information sources during the investigation to uncover all root causes and contributing factors leading to an accident or serious incident. It is equally essential that the proceedings of an investigation are conducted in such a way as to obtain the trust of involved personnel and witnesses. In order to obtain reliable and trustworthy information, ACI believes that the investigation should be in line with the concept of a “*just culture*”, i.e. it shall be separated from any judicial or administrative proceedings to apportion blame or liability. In this context, witnesses or involved personnel can have trust in the investigation and share information knowing that their information will not be used for any judicial or administrative proceedings. However, if there are issues pertaining to criminal negligence or non-compliance with legislative requirements, the police has a duty to make its findings available to the prosecutor.

2.3.2 ACI supports the amendments proposed in WP/4.

2.4 **Subject 1.4: Format of the Final Report in Annex 13**

2.4.1 Normally, there is a direct and immediate cause that is found to have initiated an accident. In addition, there are usually found to be contributing factors directly connected to the chain of events leading to the accident. Events not directly connected to an accident may also have an influence on the chain of events as contributing factors. Uncovering all the events that have led to an accident, including both the immediate cause and other contributing causes and factors, is essential to prevent a

similar accident or serious incident to reoccur, as well as to reduce the scope of an accident. The final report should include all causes and contributing factors. ACI, thus, agrees with the amendments proposed in WP/8.

2.4.2 ACI also proposes that ICAO should consider the best means of disseminating the recommendations of accident reports to States, and especially to all parts of the industry, including representatives of airport operators. ACI proposes that as a matter of course, it should receive copies of accident reports, so that it could disseminate such information to its members.

3. **ACTION PROPOSED**

3.1 The meeting is invited to adopt the amendments contained in WPs 2, 3, 4 and 8.

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