



AIG/08-WP/79
22/10/08

**ACCIDENT INVESTIGATION AND PREVENTION (AIG)
DIVISIONAL MEETING (2008) (AIG/08)**

Montréal, 13 to 18 October 2008

REPORT ON AGENDA ITEM 5

The Plenary, on 18 October 2008, approved the report on Agenda Item 5.

Note.— After removal of this covering sheet, this paper should be inserted in the appropriate place in the Report Folder.

Agenda Item 5: Conduct of the Investigation

5.1 INTRODUCTION

5.1.1 The meeting considered a proposal for accident investigation authorities to have a policies and procedures document, such as a manual. Another proposal concerned ways and means to facilitate the coordination with judicial authorities.

5.2 POLICIES AND PROCEDURES FOR ACCIDENT INVESTIGATION

5.2.1 The meeting noted that in the ICAO Universal Safety Oversight Audit Program (USOAP) audits, it had been found that some States had developed and documented accident investigation procedures and policies, often in the form of a policy and procedures manual. Usually, the manual implemented all of the provisions in Annex 13, as well as industry best practises and checklists for carrying out investigations. However, the USOAP audits also established that many States lacked this kind of Annex 13 implementation tool and detailed guidance for carrying out investigations.

5.2.2 The meeting considered a proposed recommended practice, which would require the authority responsible for accident investigation to develop a document or manual, such as an accident investigation policy and procedures manual. The meeting agreed with the proposal, on the understanding that location of the new recommended practice would be in Chapter 5 and under the heading “General”.

5.2.3 Also, the meeting considered a related proposal that ICAO develop guidance to States on this matter in the form of a framework, or a model manual. The meeting agreed.

5.2.4 The meeting made the following recommendations:

RSPP Recommendation 5/1 — Amendment to Chapter 5, Annex 13

Amend Chapter 5 as follows:

...

ORGANIZATION AND CONDUCT OF THE INVESTIGATION

RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

...

General

...

5.4.2 **Recommendation.**— *The accident investigation authority should develop documented policies and procedures detailing its accident investigation duties. These should include: organization and planning; investigation; and reporting.*

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Recommendation 5/2 — Accident Investigation Policies and Procedures Document

That ICAO develop guidance in the form of a framework of documented policies and procedures for carrying out investigations, to be made available to States in an appropriate ICAO document.

5.3 COORDINATION WITH JUDICIAL AUTHORITIES

5.3.1 The meeting noted that the subject of coordination with judicial authorities is addressed in the provisions in Annex 13 and in the ICAO *Manual of Aircraft Accident and Incident Investigation* and Part I — *Organization and Planning* (Doc 9756). The meeting considered a proposal to add a clarifying note to paragraph 5.10, in order to illustrate how coordination between the accident investigation authorities and the judicial authorities regarding the control of the wreckage during investigations could be achieved. The meeting agreed to the proposal and made the following recommendation:

RSPP Recommendation 5/3 — Amendment related to coordination with the judicial authorities

In Chapter 5, *insert* new Note to paragraph 5.10 as follows:

...

RESPONSIBILITY OF THE STATE
CONDUCTING THE INVESTIGATION

...

Coordination – Judicial authorities

...

Note 3.— Possible conflicts between investigating and judicial authorities regarding the custody of the wreckage may be resolved by an official of the judicial authority accompanying the wreckage to the place of examination and being present at such examination when it requires a modification of the condition of the wreckage, thus maintaining custody.

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