



**WORKING PAPER**

**ASSEMBLY — 40TH SESSION**

**EXECUTIVE COMMITTEE**

**Agenda Item 14: Facilitation Programmes**

**ASSISTANCE TO AIRCRAFT ACCIDENT VICTIMS AND THEIR FAMILIES**

(Presented by Finland on behalf of the European Union and its Member States<sup>1</sup>, the other Member States of the European Civil Aviation Conference<sup>2</sup> and EUROCONTROL)

**EXECUTIVE SUMMARY**

Although their number have greatly reduced thanks to the effective implementation of ICAO safety-related Standards and Recommended Practices, civil aviation accidents are still a reality in which international air transport must cope with. It is essential that all ICAO Member States are adequately prepared to deal with these consequences and ensure the same kind of assistance to the victims and their families, no matter where in the world the accident occurs. It is therefore highly desirable to achieve a greater implementation of plans for the assistance of aircraft accident victims, and progress towards the harmonisation of the practices of States in this matter.

**Action:** The Assembly is invited to:

- a) remind States of Assembly Resolution A39-27 and urge them to take the appropriate measures to implement as soon as possible ICAO Annex 9 — *Facilitation* provisions on assistance to victims and the ICAO Policy on *Assistance to Aircraft Accident Victims and their Families* (Doc 9998) as well as to give due consideration to the Manual on *Assistance to Aircraft Accident Victims and their Families* (Doc 9973);
- b) urge States, when adopting such measures, to include adequate and specialized psychosocial training for aircraft and airport operators, and all those involved in the assistance to victims and their families;
- c) request the Council to consider upgrading Annex 9 Recommended Practice 8.46 for the establishment of legislation, regulations, and/or policies by States to provide assistance to aircraft accident victims and their families, into an International Standard, so as to encourage a global implementation; and
- d) request the Council to consider introducing a new Annex 9 Recommended Practice so that aircraft and airport operators develop appropriate plans to provide timely and effective assistance to aircraft accident victims and their families.

<sup>1</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic (Czechia), Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

<sup>2</sup> Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, North Macedonia, Turkey and Ukraine.

<i>Strategic Objectives:</i>	This working paper relates to the following Strategic Objectives: <i>Safety and Security and Facilitation</i>
<i>Financial implications:</i>	Any activities relating to this working paper may be made subject to the availability of budgetary resources of the ICAO Regular Program budget for the period 2020-2022.
<i>References:</i>	Annex 9 — <i>Facilitation</i> (15th edition) <i>ICAO Policy on Assistance to Aircraft Accident Victims and their Families</i> (Doc 9998) <i>Manual on Assistance to Aircraft Accident Victims and their Families</i> (Doc 9973) Assembly Resolution A39-27 Assembly Resolution A38-1

## 1. INTRODUCTION

1.1 Although their number have greatly reduced thanks to the effective implementation of ICAO safety-related Standards and Recommended Practices (SARPs), civil aviation accidents are still a reality in which international air transport must cope with.

1.2 In addition to the impact on the reliability of aviation safety worldwide, the consequences of accidents are disastrous, not only for the victims but also for their families, and they generate a great impact in our society. Therefore, it is urgent that States are adequately prepared to deal with the consequences of an accident, so that the suffering of the relatives of victims can be mitigated to the greatest extent possible.

1.3 The credibility of global air transport requires that the assistance given to the victims of an aircraft accident and their families be similar no matter where in the world the accident occurs, hence the effective implementation of ICAO provisions in this area is a priority. These considerations go beyond the technical field, as they have a major human component.

## 2. BACKGROUND

2.1 In recent years the progress in this area has been significant. ICAO has focused its attention on the assistance to victims, promoting numerous actions so that associations of victims can be heard in the international fora and taken into account in the development of guidance material and international regulations.

2.2 The 38th Session of the ICAO Assembly, in its Resolution A38-1, considered it a humanitarian duty and an optional function of the Council to ensure the harmonization of regulations for dealing with the needs of the victims. In this Resolution, the Assembly urged the Council to give further consideration to the development of SARPs regarding the establishment by States of legislation, regulations and/or policies to support victims of civil aviation accidents and their family members.

2.3 In June 2015, the ICAO Council adopted Amendment 25 of Annex 9, which embodied a new Recommended Practice (RP) 8.46, which provides that Contracting States should establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families.

2.4 During the 39th Session of the ICAO Assembly, the importance of having appropriate plans for the assistance of victims, considering the ICAO Policy included in Doc 9998 and the guidance material in Doc 9973 and, was reiterated to the States, and the Council was directed to give further consideration to

the development of SARPs to support victims of civil aviation accidents and their family members (Resolution A39-27).

2.5 The special session "Ensuring accident victims and their families are treated the same the world over", alongside the 13th Air Navigation Conference (AN-Conf/13) <https://www.icao.int/Security/FAL/ANNEX9/Pages/AssistancetoAircraftAccidentVictimsFamilies.aspx>, was held on 16 October 2018. During that session, several States had the opportunity to share their recent experiences in this issue, and highlighted the importance of coordinating the activities of all participants in the assistance to victims. There was consensus on the need that ICAO progressed with everything that could promote the implementation at a global level.

### 3. ANALYSIS

3.1 It is considered of great importance that States are prepared to properly assist the victims and their families in case of an aircraft accident. There is a unanimous support to the ICAO Policy on *Assistance to Aircraft Accident Victims and their Families* (Doc 9998) and the Manual on *Assistance to Aircraft Accident Victims and their Families* (Doc 9973). Also, the initiative of ICAO and the numerous actions taken in recent years are highly appreciated, and, in particular, the conclusions of the October special session on assistance to victims, are considered very positive.

3.2 The number of actors involved in an aircraft accident is very high, and the coordination is complex. It is essential that States have previously a carefully developed, updated, and audited Assistance Plan, to ensure that, at the time of its implementation, mistakes that could be avoided with a proper preparation are not committed.

3.3 It is necessary to move towards a greater implementation, at a global level, of the plans for the assistance to victims in all ICAO Member States. The authors of this paper are convinced that upgrading the RP 8.46 to a Standard would reflect the importance that ICAO attaches to this subject and would encourage those States that still have not done so to implement appropriate plans, and to communicate them to ICAO.

3.4 To this end, States should be encouraged to include, in their Assistance Plans, adequate and specialized psychosocial training for aircraft and airport operators, and all those involved in the assistance to victims and their families.

3.5 Finally, it is considered necessary to introduce an Annex 9 Recommended Practice for aircraft and airport operators, so that they also develop appropriate Plans to provide timely and effective assistance to aircraft accident victims and their families. These plans should be approved by the States, and should include drills in which the effectiveness of the coordination measures is proved.

### 4. ACTION BY THE ASSEMBLY

4.1 The Assembly is invited to:

- a) remind States of Assembly Resolution A39-27 and urge them to take the appropriate measures to implement as soon as possible the Annex 9 — *Facilitation* provisions on assistance to victims and the ICAO Policy on *Assistance to Aircraft Accident Victims and their Families* (Doc 9998) as well as to give due consideration to the Manual on *Assistance to Aircraft Accident Victims and their Families* (Doc 9973);

- b) urge States, when adopting such measures, to include adequate and specialized psychosocial training for operators of aircraft and airport, and all those involved in the assistance to victims and their families;
- c) request the Council to consider upgrading Annex 9 Recommended Practice 8.46 for the establishment of legislation, regulations, and/or policies by States to provide assistance to aircraft accident victims and their families, into an International Standard, so as to encourage a global implementation; and
- d) request the Council to consider introducing a new Annex 9 Recommended Practice so that aircraft and airport operators develop appropriate plans to provide timely and effective assistance to aircraft accident victims and their families.

— END —