



International Civil Aviation Organization

**Third Meeting of the Asia Pacific Accident Investigation Group
(APAC – AIG/3)**

(Colombo, Sri Lanka, 23 - 24 June 2015)

Agenda Item 3: Update on ICAO initiatives

**WORKS BY THE GROUP OF EXPERTS ON PROTECTION OF
ACCIDENT AND INCIDENT RECORDS (GEPAIR)**

(Presented by Singapore)

SUMMARY

This paper highlights the works and progress of the ICAO Group of Experts on Protection of Accident and Incident Records (GEPAIR).

1. INTRODUCTION

1.1 In Dec 2010, the ICAO Air Navigation Commission agreed to establish the Safety Information Protection Task Force (SIPTF) to recommend new, or make amendments to Standards and Recommended Practices and guidance material to assure an appropriate level of protection for safety data and information (other than accident/incident records) and other accident and incident records.

1.2 Following the recommendations developed by the SIPTF arising from their meetings from May 2011 to Jan 2013, a Group of Experts on Protection of Accident and Incident Records (GEPAIR) comprising of multi-disciplinary expertise and chaired by the ICAO AIG Section was formed. The Terms of Reference of the GEPAIR are:

- Finalize recommendations for Standard 5.12 in Annex 13,
- Finalize recommendations for Attachment E in Annex 13,
- Finalize recommendations on flight recorder recordings,
- Finalize the recommendation on prohibition of public disclosure of Cockpit Voice Recorders and Airborne Image Recorders recordings, and
- Identify the future work, specifically guidance material to be developed, including database with administrative and judicial decisions

2. DISCUSSION

2.1 Arising from the recommendations made by the GEPAIR, the amendments of Annex 13 and Annex 6 relating to the protection of accident and incident records and flight recorder recordings have been proposed. ICAO State Letter (Ref.: AN 6/12-15/13) dated 24 March 2015 was sent to inform States and Administrations of the proposed amendments. Some of the proposed amendments include:

- Protection of accident and incident investigation records

The proposed amendments aims to enhance States' ability to implement appropriate protection for accident and incident records listed in 5.12 of Annex 13.

The proposal prioritizes the level of protection to records that are more sensitive in nature. Current extent of protection of cockpit voice recorder (CVR) and airborne image recorder (AIR) recordings and any transcripts from such recordings are the same. For other records listed in 5.12 of Annex 13, the protections are afforded only when they are in custody or control of the accident investigation authority.

The proposal also intends to replace Attachment E of Annex 13 with an Appendix. The proposed Appendix included sections on the competent authority to administer the balancing test, considerations for administrating the balancing test, etc.

- Protection and use of flight recorder recordings in routine operations

The proposed amendments limit the use of such recordings (outside of an Annex 13 investigation) with appropriate safeguards by operators for safety management purposes.

2.2 States and Administrations are requested to review the proposed amendments to Annexes 13 and 6, and to provide any comments to the Air Navigation Commission no later than 25 June 2015. If the State or Administration anticipates a delay in sending their comments, they should inform ICAO of the due date.

2.3 The proposed amendments to Annex 13 are envisaged for applicability on 10 November 2016.

3. ACTION BY THE MEETING

3.1 The Meeting is encouraged to:

- a) review the proposed amendments to Annexes 13 and 6 if they have not already done so and provide their comments to ICAO if they have not already done so; and
- b) inform ICAO of the revised due date when their State/Administration's comments will reach ICAO, if applicable.

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