



FACILITATION (FAL) DIVISION — TWELFTH SESSION

Cairo, Egypt, 22 March to 2 April 2004

Agenda Item 7: Other facilitation matters

ASSISTANCE TO AIRCRAFT ACCIDENT VICTIMS AND THEIR FAMILIES

(Presented by the Secretariat)

1. INTRODUCTION

1.1 Aircraft accidents give rise to a multitude of humanitarian issues, most of which are outside the scope of ICAO's work. However, development of Standards and Recommended Practices (SARPs) and guidance material aimed at facilitating the international travel of persons directly connected with the accident, be these accident victims or their families, does fall within ICAO's mandate.

1.2 Survivors are likely to have lost identity/travel documents. They will require assistance to complete their travel. Family members of victims may need to travel to the accident site, a hospital or another location to meet injured survivors, attend memorial services or visit the State of Occurrence for reasons related directly to the accident. They will hence appreciate immediate access into, and return from, the State of Occurrence. Assistance from immigration and customs agencies will also be required to facilitate the repatriation of human remains.

1.3 Therefore, States should develop and implement the most expeditious procedures practicable to facilitate the movement of such accident survivors, family members, as well as the return to the home country of the remains of those who lost their lives in the accident.

1.4 In addition, it is necessary to provide personnel of the operator, whose aircraft has met with the accident, quick access to the site of the accident, to enable them to provide support and assistance to any survivors of the accident, the families of the victims of the accident and local authorities. Code-share and other similar inter-airline agreements often require alliance partners to act as "first responders" on behalf of the affected alliance operator. It is therefore necessary to facilitate entry, into the State of Occurrence, of these operators, as well.

2. ACTION BY ICAO

2.1 The ICAO Assembly, in order to assist its Contracting States, has requested the Council to develop appropriate guidance material and SARPs, on assistance to aircraft accident victims and their families, for inclusion in the relevant Annexes to the Chicago Convention.

2.2 In 2001, the Secretary General published ICAO Circular 285-AN/166, *Guidance on assistance to aircraft accident victims and their families*. The Facilitation Panel (FAL Panel) at its fourth meeting in 2002 considered draft SARPs on this matter for inclusion in Annex 9.

3. PROPOSAL FOR A NEW SECTION IN CHAPTER 8

3.1 As a result of the FAL Panel's work, the following new text is therefore proposed:

Assistance to aircraft accident victims and their families

- a) The State of Occurrence of an aircraft accident shall make arrangements to facilitate the entry into its territory on a temporary basis of family members of victims of an aircraft accident.
- b) In arranging for the entry of the persons referred to in (a), the State of Occurrence shall not require any other travel document than a passport, or an emergency travel document issued specifically to such persons, to enable them to travel to that State.
- c) The State of Occurrence shall also make arrangements to facilitate the entry into its territory, on a temporary basis, of qualified personnel of the operator, whose aircraft has met with the accident, or of the operator's alliance partner, in order to enable them to provide assistance to survivors and their family members, the family members of the deceased victims of the accident and the relevant authorities in that State.

Note.— Code-sharing and similar alliance agreements sometimes require alliance partners to act as “first responder” on behalf of an affected operator in case the alliance partner can get to the location of the accident quicker than the affected operator.

- d) **Recommended Practice.S** *In cases where the State of Occurrence of the accident requires entrance visas for persons referred to in paragraphs a and c above, it should expedite the issuance of such visas or, on an exceptional basis, issue such visas on arrival.*
- e) Contracting States shall make arrangements to issue emergency travel documents, if required, to their nationals who have survived the accident.
- f) Contracting States shall extend all necessary assistance, such as arranging transport and clearing customs, in the repatriation of human remains to their countries of origin, on request by family members of the deceased or the operator whose aircraft met with the accident.

4. **ACTION BY THE DIVISION**

4.1 The Division is invited to recommend the adoption of the SARPs set out in paragraph 7 above in Chapter 8 of Annex 9.

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