



**DANGEROUS GOODS PANEL (DGP)  
MEETING OF THE WORKING GROUP OF THE WHOLE**

**Rio de Janeiro, Brazil, 20 to 24 October 2014**

**Agenda Item 6: Resolution, where possible, of the non-recurrent work items identified by Air Navigation Commission or the Dangerous Goods Panel:**

**6.1: Dangerous incident and accident data collection**

**REPORT OF THE AD-HOC WORKING GROUP  
ON DANGEROUS GOODS OCCURRENCE REPORTING**

(Presented by B. Firkins)

**SUMMARY**

An ad hoc working group on dangerous goods occurrence reporting was convened during WG/14.

A number of papers have been presented to WG/13, DGP/24 and WG/14 on DG Occurrence reporting and the ICAO Secretariat has been looking into establishing a DG Occurrence recording database.

There has been limited progress during meetings and no collective progress between meetings.

It is proposed to convene a standing group to progress the topic of dangerous goods occurrence reporting and investigation, both in committee and by correspondence.

Action by the DGP-WG is in paragraph 2.

**1. INTRODUCTION**

1.1 Approximately 35 participants from DGP-WG/14 were involved in an ad-hoc working group, looking into dangerous goods occurrence reporting, and met on 22 Oct 2014.

1.2 Two of the DGP/14 working papers and a report from the Information Officer, DGS, ICAO were considered during the discussion. These were WP/29 (Proposed amendments to Annex 18), WP/13 (Guidance material on reporting DG Occurrences).

1.3 The group considered a number of topic areas, notably, who should report, what should be reported (and equally importantly what should not be reported), in what form should the reports be made, what should be the outcomes from reporting, what timeframes would be applicable, and, what guidance material should be produced.

1.4 The entities involved in reporting were considered to be individuals, companies, States and ICAO. The whole of the air transportation supply chain, including Shippers, Forwarders, Ground Handling Agents (GHAs), Operators and Consignees, as well State Regulatory Agencies (including enforcement) would be relevant parties in a reporting system.

1.5 The outcomes of reporting should also be recorded, including; nil investigation, desktop review, education, counselling, civil penalties and criminal prosecution.

1.6 There is a difference between reporting of occurrences, and associated guidance material, for operators to the NAA and from the National Aviation Authority (NAA) to ICAO.

1.7 The main purpose of dangerous goods occurrence reporting and investigation in Annex 18 is to prevent recurrences. Therefore occurrence reporting should ultimately lead into a nation's State Safety Programs including the identification of occurrence trends, the development of safety education and Safety Promotion programs, and submission of proposals to amend the Technical Instructions.

1.8 There was general consensus that Annex 18 required amendment to compel occurrence reporting (WG/14-WP/29), and should be expanded to include the other entities in the cargo supply chain, from shipper to consignee. There was some discussion about recommending reporting by other State agencies (Customs, Quarantine, security) to the relevant operator or NAA.

1.9 There was a consistent view that reports should be made by States to ICAO and that guidance on the form of those reports should appear in the Supplement. The detail of what should be reported should appear in the Technical Instructions. Reporting of international occurrences should be mandatory and domestic occurrences ought to be recommended in Annex 18. It was felt that some States might perceive the magnitude of the change as being significant, and therefore it may be appropriate to outline a roadmap which would initially introduce recommendations on an expanded reporting requirement, with a foreshadowed sunset where the recommendations would subsequently become a standard in the Annex.

1.10 There was concern that reporting of all occurrences and discrepancies would be unmanageable for the limited resources of National Aviation Authorities (NAAs). Several States cited the practise of encouraging their Operators, Forwarders and Designated Postal Operators to manage the occurrence and to educate their customers when minor DG Occurrences were found. Repeat offenders and more serious occurrences are referred to the NAA for action.

1.11 The point at which the cargo is deemed to have been accepted and when a report in respect of an occurrence would be required was raised, particularly in a supply chain where a freight forwarder may offer a consignment to an operator, and which the original shipper never intended that consignment to travel by air.

1.12 In respect of reporting by forwarders, it was generally considered that discovery of a deliberate intention to ship hidden or misdeclared DG should be made to the NAA; but that a routine pre-lodgement DG acceptance check, conducted ahead of presenting the consignment to an Operator, and finding errors in preparation of the consignment, need not be reported unless the Forwarder had safety concerns.

1.13 There was no firm view on whether GHAs should report to Operators and Operators report to NAA or the alternative option that GHAs report directly to NAAs. There was common agreement that where the GHA does report to the NAA, then they must also report to the relevant Operator. The advantage to concurrent reporting was that the NAA would be made aware of a potential occurrence earlier and determine whether to become involved in a timely manner. The argument for consecutive reporting through the Operator, was that the operator would filter out the inconsequential occurrences and the matters that were not a DG Occurrence.

1.14 The aspect of parties in the supply chain holding onto goods that had been discovered as hidden, misdeclared or leaking whilst in transit, was also discussed. Common problems were variances in State legislation; NAAs that did not respond in a timely manner to DG Occurrence reports; and, the costs and other imposts in storing the goods. It was felt there the supplement should contain guidance to States on reasonable timeframes for reporting of an occurrence, reporting to foreign NAAs, and for the holding of goods pending investigation, including when the goods could be reasonably released if there had been no further request or instruction from the NAA.

1.15 The issue of GHAs and reporting of occurrences discovered in-transit was briefly explored. Reports are initially made to State where the occurrence was discovered and the operator. There was some discussion as to whether the report should also be made to the State of the Operator, or whether that should be left to the Operator to perform. And then in investigating further, whether the GHA or the operator is the more relevant point of contact.

1.16 The relationship with Annex 13 was also brought up and suggested that guidance should be produced, clarifying the commonalities and differences in reporting purposes and rationale for Annexes 13 and 18.

1.17 How reports should be made was also a feature of discussion, with the prevailing view being that reports should be enabled through written (including faxed) and electronic webformats.

1.18 Reports should also be made from States to ICAO, although there was concern at the detail of information that may be required, and a preference that anything confidential or which might identify specific Operators or companies should be removed. It was also put forward that the précis text of an occurrence report tended to enable the identification of certain parties (Operator, airport, GHA) and that summaries from ICAO should therefore be constrained to set fields and limited data options. Whether States should be able to access de-identified raw data and reports, in order to conduct their own trend monitoring and analysis, was also discussed. The view of a large majority was that data-mining, analysis and summarising of reports made to ICAO, should rest solely with ICAO. This would encourage States to make reports to ICAO without the concern that other States might make use of those reports to make unhelpful or embarrassing comparisons.

1.19 The nature of reports to ICAO was also discussed, with a general view that ICAO's main interest was initially in accidents and incidents and that in time, the ability to identify trends would have a beneficial improvement in aviation safety. The issue of resources required for the data-entry of occurrences into an ICAO database is one clear constraint, and that it may be more appropriate for those States with comparatively advanced occurrence reporting and management systems to provide an annual

report of their identified trends or a quarterly summary in an appropriate file format where there are agreed taxonomies on the required fields; and which then might be able to attach into existing ICAO databases such as ADREP or ECAIRS.

1.20 WP/13 and the Latin American States common approach to DG Occurrence reporting was considered to be a good example of regional co-operation in occurrence reporting, with de-identified and non-confidential information being made available. One participant advised of the web-format system in her State where Operators are able to access reports and can see all data for their reports, but only de-identified data for those of other Operators.

1.21 It was considered that providing guidance to State NAAS in the supplement should improve DG Occurrence reporting, particularly in those States where the NAA does not have a high level of dedicated DG resourcing or when the NAA does not respond to operators after the report of an occurrence. Providing guidance enables a basis whereby NAAs can now know what they don't know. The information in the supplement should not to be too prescriptive. Some relevant references/examples to Safety Management Systems and State Safety Programs should assist NAAs in framing occurrence reporting, investigation and management and encouraging their operators to adopt a similar safety-minded approach and education of their forwarders and shippers.

1.22 Generally reporting can only be compelled where States have enacted regulations or have adopted the Technical Instructors that are in force. The relative merits of fixed occurrence reporting deadlines vs a graduated approach was considered. In principle, there was an inclination for having initial reports made earlier, with the understanding that more data had to be gathered and would be forthcoming, particularly involving those of greater risk/impact. Guidance Material for Operators was envisaged as being of a broad nature; the preference was that States articulate their domestic jurisdictional requirements.

## 2. ACTION BY THE DGP-WG

2.1 The DGP-WG is invited to:

- Convene a standing working group on DG Occurrence Reporting and Investigation (DGORI) to meet ahead of, or just prior to, WG/15.
- Task the DGORI group to develop an agenda, roadmap, milestones and timeframes, by correspondence, ahead of their first meeting.
- Advise potentially affected stakeholders of the intent to review Chapter 12 of Annex 18 and that the outcome is likely to be expanded reporting requirements.

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