



**WORKING PAPER**

**ASSEMBLY — 39TH SESSION**

**TECHNICAL COMMISSION**

**Agenda Item 36: Aviation safety and air navigation implementation support**

**ACCIDENT INVESTIGATION COMMISSIONS AND THE ASSURANCE OF THEIR INDEPENDENCE**

(Presented by the ACVFFI (Air Crash Victims' Families' Federation International))

**EXECUTIVE SUMMARY**

The Air Crash Victims' Families' Federation International unifies the interests of commercial aviation Victims around the world, with the goal of improving common practices relating to aircraft accidents and aspiring to enhance the assistance to victims and family members, passenger rights and aviation safety. The Federation continues the work initiated in 1983 at ICAO by the Air Crash Victims Families Group ACVFG.

Recent Member State USOAP Audit reports highlight the lack of compliance in establishing an investigation commission and ensuring the independence they require. Annex 13 and its relating guidance materials indicate the need to grant independence to the investigation process as well as to the accident investigation authorities.

**Action:** The Assembly is invited to

- a) urge Member States to establish Accident Investigation Commissions;
- b) urge Member States to insure the independence of the Investigation Commissions
- c) urge the ICAO Council to develop criteria to qualify the independence of the Accident Investigation Commissions.
- d) urge the ICAO Council to identify the compliance of both the existence of the Accident Investigation Commissions and their independence in the USOAP audits.

<i>Strategic Objectives:</i>	This paper is related to the Safety and Security & Facilitation Strategic Objectives
<i>Financial implications:</i>	Non applicable
<i>References:</i>	Annex 13 — <i>Aircraft Accident and Incident Investigation</i> Doc 9756 - <i>Manual of Aircraft Accident and Incident Investigation, Part 1 - Organization and Planning</i> Doc 9962 - <i>Manual on Accident and Incident Investigation Policies and Procedures</i>

<sup>1</sup> English and Spanish versions provided by ACVFFI.

## 1. INTRODUCTION

1.1 The term "Accident Investigation Authority" was incorporated into Annex 13 in 1981 and many states adopted it in their regulations and legislations. Since 2000, the term is used in the guidance material related to AIG, and is therefore mentioned in the relevant protocol questions of the ICAO USOAP audits.

1.2 States shall establish an Accident Investigation Authority, independent of State Authorities regulating aviation as well as of other entities and service providers that may interfere with the performance or objectivity of an investigation. Guidance on the independence of an accident investigation authority is described in the Manual of Aircraft Accident and Incident Investigation, Part 1 - Organization and Planning (Doc, 9756) and the Manual on Accident and Incident Investigation Policies and Procedures (Doc 9962).

## 2. DISCUSSION

2.1 Recent reports based on Member State USOAP audits underline a lack of compliance in a substantial number of countries regarding the establishment of investigation commissions, and especially with respect to the assurance of independence that is required.

2.2 With regard to States that do not have adequate resources to investigate accidents or incidents, the establishment of a regional accident and incidents investigation organization (RAIO) could be the most practical solution.

2.3 Annex 13 and the related guidance material indicate that it is necessary to grant independence to both the investigation process and the accident investigation authority itself. Said "independence" avoids real or perceived conflicts of interest, and improves the credibility of the accident investigation authority.

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