



RECOMMENDATION ECAC/15-4

**PARTICIPATION IN AVIATION ACCIDENT AND SERIOUS
INCIDENT INVESTIGATIONS**

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RECOMMENDATION ECAC/15-No. 4

PARTICIPATION IN AVIATION ACCIDENT AND SERIOUS INCIDENT INVESTIGATIONS

WHEREAS a climate of full international co-operation, *inter alia*, including participation from the operator, is beneficial to the thoroughness and effectiveness of an accident or a serious incident investigation and lends additional credibility to it;

WHEREAS a general framework establishing the individual rights and obligations of participating States/organizations is desirable to maximize benefits from such co-operation;

HAVING REGARD to discussions at and resultant recommendations from the ICAO Accident Investigation Divisional meeting (AIG/92) proposing amendments to ICAO Annex 13, paragraphs 5.20 and 5.26, and incorporation of new paragraphs 5.20.1 and 5.x in ICAO Annex 13, all of which could become applicable in November 1994; and

TAKING INTO ACCOUNT

the findings of a survey among Member States showing the maturity and the feasibility of the above proposals and, therefore, pointing to the usefulness for ECAC to promote their earliest possible implementation,

THE CONFERENCE RECOMMENDS

that, as soon as possible, Member States :

- 1) participating, either as the State of registry or as the State of the operator, in an accident or serious incident investigation appoint an adviser nominated by the operator, to assist its accredited representative;
- 2) when conducting the investigation and when the State of registry or the State of the operator does not appoint an accredited representative, invite the operator to participate, subject to its procedures;
- 3) ensure that participation by the accredited representative in the investigation confers entitlement to participate in all aspects of the investigation, under the control of the investigator-in-charge, in particular to:
 - a) visit the scene of the accident;
 - b) examine the wreckage;
 - c) obtain witness information and suggest areas of questioning;
 - d) have full access to all relevant evidence as soon as possible;
 - e) receive copies of all pertinent documents;
 - f) participate in readouts of recorded media;

- g) participate in off-scene investigative activities such as component examinations, technical briefings, tests and simulations;
 - h) participate in investigation progress meetings including deliberations related to analysis, findings, causes and safety recommendations; and
 - i) make submissions in respect of the various elements of the investigation; and
- 4) arrange for the accredited representative and his advisers:
- a) to provide the State conducting the investigation with all relevant information available to them; and
 - b) not to provide information on the progress and the findings of the investigation to anyone, with the exception that they may provide such information for accident prevention purposes to the State which appointed them.
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