



## Information Article

# A PRACTICAL GUIDE TO AIR ACCIDENT INVESTIGATIONS

For Use by / Guidance of:

## AIR ACCIDENT VICTIMS AND THEIR FAMILIES

(Leaflet [starts page 7 of *this* info article] by European Network of Civil Aviation Safety Investigators

[https://transport.ec.europa.eu/transport-modes/air/about-encasia-network/leaflet-assistance-air-accident-victims-and-their-relatives\\_en](https://transport.ec.europa.eu/transport-modes/air/about-encasia-network/leaflet-assistance-air-accident-victims-and-their-relatives_en)

### NOTE to READER

1. The term 'Air Accident Victims' (as used in the title just above) does **not** refer herein to deceased victims
2. Take a look at the **definitions on the next two pages**. They have been provided for clarification purposes and do **not** form part of the leaflet referred to further above

Whilst what these definitions conceptually refer to will have fairly generic, similar understandings / interpretations etc. worldwide, the actual wording used (whilst possibly quite similar) in differing situations / environments / contexts etc. - might well differ





### Definition - Family, Relatives & Friends - FR

A collective, generic term - loosely denoting herein the various categories of persons (**not** having been on board 'the' accident flight) - but nevertheless having some form of valid relationship or otherwise (personal) link with associated air accident \* **victims** (including any **ground** victims - as applicable). The term typically includes (as related to or otherwise 'known / associated' to / with such victims):

- Next of Kin (closest relative / equivalent person)
- Other family members, relatives / similar
- Friends
- Business colleagues / similar
- Meeters and Greeters (*of all categories*) waiting to meet victims at the emergency flight's destination airport and / or FR who have gathered at the **departure** airport(s) of the emergency flight, after the latter departs and subsequently experiences a major crisis
- Any other person(s) having a reasonably valid relationship with the victim(s)

\* *Would have been on board the accident flight - whereas 'ground victims' would not. Neither are the same as 'Family, Relatives & Friends' for the purpose of **this** definition*

Alternative Definition:

The immediate family and / or next of kin and / or other 'valid' person(s) - closely connected with an aircraft accident victim - as defined under the latter's national law and / or equivalent situation

### Definition - Next of Kin / Closest Relative / Equivalent Person

The terms '**Next of Kin**' / '**Closest Relative**' / '**Equivalent Person**' / '**Emergency Contact Person**' etc. typically refer to the closest **related** person (**NOT** being an accident victim) as associated with a **specific** accident victim. Note that the word 'related' as used in the last sentence - can and does have many different interpretations worldwide

The whole subject is both complex and suffers (in the context of a catastrophic aircraft accident and similar type scenarios) from a distinct lack of clear, explanatory guidance material - mainly because there isn't much of it about

However, the author of this document (the one you are reading now) has attempted to clarify this situation to a degree. As the associated explanation runs to more than **25** pages, it is not included herein (but if you want to see it, follow the instruction found in the box just below)

Interested readers will find the associated 'information article' at:

<http://www.aviationemergencyresponseplan.com/information/>

When the above webpage opens, scroll down until you find the info article entitled:

**Info Article** - Major Air Accident - '[Next of Kin](#)' / '[Closest Relative](#)' / '[Emergency Contact Person](#)'

Click on the article to open and read





## Definition - Victim

**For aircraft accident purposes only**, 'victim' is a term used herein, which refers collectively to **all** who had been on board 'the' accident aircraft (**air victims**) - together with any **other** persons **directly** involved (third parties) as a consequence of said accident i.e. the latter referring specifically here to '**ground victims**' - being those killed, injured and / or traumatised (immediately for those so killed / injured and [as appropriate] in due course for traumatisation) as a **direct** consequence of the accident aircraft hitting the ground or similar / equivalent event

(Note that the term '**victim**' does not refer to the dead alone nor is it a term which should be associated with others who might be termed herein as **indirectly** involved [**no matter how closely**] by the emergency e.g. family, relatives & friends [FR] of victims - where such FR had **not** been travelling on board the accident flight - and who **cannot** be classified as **ground victims** - are considered herein to be **indirectly** involved

Note also that the corresponding 'International Civil Aviation Organisation's [ICAO]' definition of Victim is very similar to the above i.e. '..... An occupant of an aircraft, and / or any person outside the aircraft, who is unintentionally, directly involved in an associated accident involving that aircraft. Victims may include crew, revenue passengers, non-revenue passengers and **third parties** [i.e. ground victims].....')





Information Paper - FALP / 10-IP / 5 - **27 August 2018**

ICAO FACILITATION PANEL (FALP) - 10<sup>th</sup> Meeting, Montréal - 10 to 13 September 2018

Agenda Item 6: Other matters

### **PRACTICAL GUIDE FOR AIR ACCIDENT VICTIMS AND THEIR RELATIVES** (Families etc)

Presented by the European Civil Aviation Conference (ECAC)

#### **SUMMARY**

This paper presents the “Practical Guide to Air Safety Investigations for Air Accident Victims and their Relatives (Families)” - included in ECAC Doc 30, Part I (as a new Annex) in 2018, for the information of the *ICAO Facilitation Panel*

#### **1. INTRODUCTION**

1.1 For many years, the International Civil Aviation Organisation (ICAO) has been active in addressing the key issues re the subject of ‘assistance to the victims of air accidents and their families’

In 2001, ICAO issued associated guidance (via its ‘Circular 285’). In 2005, some measures to facilitate the entry of family members, to the States where an accident occurred, were incorporated in ICAO Annex 9 (Chapter 8) to the Chicago Convention

The above served as a precursor for the further adoption (at the 38th Session of the ICAO Assembly) of an ICAO **Recommended Practice - to be included in Annex 9**, highlighting the necessity for each State (country) to implement legislation, regulation and / or policy to support the concept and reality of ‘victims of aviation accidents and their family members’. *Note: This ICAO Recommended Practice was upgraded to an ICAO **Standard** in mid-2022:*

1.2

8.47 **Standard** - Contracting States shall establish legislation, regulation and / or policies in support of assistance to aircraft accident victims and their families

Note - Attention is drawn to **Doc 9998**, ICAO *Policy on Assistance to Aircraft Accident Victims and their Families* and **Doc 9973**, ICAO *Manual on Assistance to Aircraft Accident Victims and their Families* (both replacing ICAO Circular 285 in 2013)





1.3 Aviation accidents can have enormous impacts on associated survivors and the families of all victims (surviving or not). Surviving victims and their families etc. will have immediate needs / essential issues typically requiring e.g. adequate emotional support plus the rapid provision of associated information and certain (many), other resources. The facilitation of a number of practical arrangements to help such affected persons to identify and source information, access 'immediate economic needs' type assistance, be provided with associated transport and accommodation, collaborate with the appropriate 'authorities' for the identification of victims etc. - relate to just a small number of examples of such immediate needs / essential issues

1.4 In 2013, ICAO published the first edition of its '**Policy** on Assistance to Aircraft Accident Victims and their Families' (ICAO Doc 9998) recommending that 'States' re-affirm their commitment and establish associated legislation etc. so as to ensure that (associated) adequate and sufficient assistance is provided to 'involved' aircraft accident victims and their families. In that same year ICAO Doc 9973 was also published - being the guidance '**manual**' for how Doc 9998's policy should be implemented

1.5 In October 2016, the 39th Session of the ICAO Assembly (Resolution [A39-27]) directed the ICAO Council to give **\* further consideration to the development** of Standards and Recommended Practices to support 'victims of civil aviation accidents and their families'

**\* This eventually (mid-2022) gave rise to the associated ICAO 'Standard' referred to in paras 1.1 and 1.2 on the previous page (had previously been a 'Recommended Practice) + a new Recommended Practice 8.48:**

### 8.48 Recommended Practice

ICAO's Contracting States **should** ensure that aircraft and airport operators develop appropriate plans to provide timely / effective assistance to aircraft accident victims and their families. Note - **Airport** operators' plans re the aforesaid may form part of the associated Aerodrome Emergency Plan (AEP) - if so required (as per ICAO Annex 14 – Aerodromes)

## 2. EUROPEAN UNION INITIATIVES

2.1 One key aspect of assistance to 'aircraft accident victims and their families' is the relationship with Safety Investigation Authorities (SIA) - the latter being responsible for performing air accident / incident investigations, as per ICAO Annex 13

2.2 Such investigations are a fundamental element of the 'aviation system'. They can and do provide validated and comprehensive data to 'decision makers' plus 'Safety Recommendations', some of which might be classified as 'Safety Recommendations of Global Concern' (SRGC)

During the investigation process, safety investigators may have to 'brief' accident victims and their families on same accordingly, provided that the objectives of the safety investigation are not compromised by so doing





2.3 In October 2000, the ECAC Accident and Incident Investigation Expert Group (ACC) organised the first symposium on ‘assistance to victims of aviation accidents and their families’ in Tallinn (Estonia). This event enabled the exchange of information about national practices and triggered the development of several, associated initiatives

2.4 In 2010, the European Parliament and the Council adopted more provisions re ‘assistance to victims of air accidents and their relatives’ - as part of Regulation (EU) No 996 / 2010 (investigation and prevention of accidents and incidents in civil aviation). Article 21 of the latter (which applied to all EU Member States at the time) required the establishment (by each State) of a *‘civil aviation accident emergency plan at national level - to include the subject of ‘assistance to victims of civil aviation accidents and their relatives (families)’*

2.5 In the framework of its facilitation activities, ECAC organised a workshop entitled “Assistance to Victims of Air Accidents and their Families” in June 2016. The objective of the latter was to share best practice and experience on the subject and to bring together the national authorities, international organisations (e.g. ICAO) and experts involved in this subject

This workshop represented an opportunity to present a draft *leaflet* developed by the European Network of Civil Aviation Safety Investigation Authorities (ENCASIA). This leaflet (guide) was specifically prepared for use by said victims and their relatives / families, so as to better facilitate their understanding of the roles, responsibilities and different phases of a typical safety investigation, as well as its relationship with other entities involved in dealing with an aircraft accident. It also described the main milestones of such investigation, explained the roles of a typical Safety Investigation Authority etc.

The draft ENCASIA leaflet was well received by participants and was subsequently made available in 23 languages (see next page) on the ENCASIA website

### 3. CONCLUSIONS

3.1 Considering that the latter document (leaflet) is in line with the last ICAO Assembly Resolution (A39-27) and could be of interest to other ICAO regions worldwide, ECAC Member States agreed that it should be shared accordingly

Note to reader:

Additional information is included herein (starts page 9) listing some (most?) ‘Air Accident Victims Associations’ which currently exist world-wide. This list will unfortunately grow with the passage of time!





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Each European Member State has established a **permanent** Safety Investigation Authority (SIA) capable of independently conducting a full safety investigation, either on its own or through agreements with other SIAs.

European Members States should designate a national **coordinator or coordinating agency** which will be the point of contact between the victims and relatives and the government agencies and **non-government organizations**.



**REFERENCES**

REGULATION (EU) No 996/2010 on the investigation and prevention of accidents and incidents in civil aviation.

REGULATION (EC) No 889/2002 amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents.

A list of victims' associations is available on the ENCASIA website:  
[http://ec.europa.eu/transport/modes/air/encasia/index\\_en.htm](http://ec.europa.eu/transport/modes/air/encasia/index_en.htm)

Periodical briefings Authorities – Air Accident Victims and their Relatives

Start of the safety investigation First hours First weeks First months First quarter First year Second year Third year

Interim statement/report

Final report


Release of factual information

Visit of accident site (if possible)


First anniversary Memorial ceremony

2nd and 3rd anniversaries

*Example of possible milestones regarding the communication with victims and their relatives during an investigation*



**A practical guide on safety investigations for Air Accident Victims and their Relatives**



The sole objective of a safety investigation is the prevention of future accidents without apportioning blame or liability

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**Foreword:** This leaflet is produced by the European Network of Civil Aviation Safety Investigation Authorities (ENCASIA) for air accident victims and their relatives in order to facilitate their understanding of the role and the different phases of a safety investigation. This leaflet describes the main milestones of the investigation of accidents to commercial air transport aircraft that occur within Europe.

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### PHASES OF THE SAFETY INVESTIGATION

#### FIRST HOURS/DAYS

- ▶ Notification/start of the safety investigation
- ▶ Go team to accident site (including accredited representatives and advisors from other countries involved)
- ▶ Field phase: preservation and collection of evidence

#### FIRST WEEKS/MONTHS

- ▶ Flight Recorders (Black Boxes) read out and validation
- ▶ Collection and validation of factual information



- ▶ Release of factual information by the safety investigation authority
- ▶ Additional technical examination, research and/or studies

#### FIRST YEAR AND AFTER

- ▶ Interim statement/report released a year after the date of the accident
- ▶ Publication of the final report on the circumstances and causes of the accident. Release of safety recommendations to prevent future accidents and further improve aviation safety.

### ASSISTANCE TO VICTIMS AND THEIR RELATIVES

- ▶ Information on relatives by the call centre (air carriers must set up a hotline)
- ▶ Appointment of a national coordinator who will be the main interface with victims and their relatives
- ▶ The air carrier and the national coordinator are the initial points of contact for assistance to victims and relatives after an accident
- ▶ Validation of passenger manifest (air carrier must provide within two hours the list of all the person on board)
- ▶ Dedicated personnel (air carrier's care centre)
- ▶ Provision of psychological assistance
- ▶ Financial assistance for immediate needs – 'not later than fifteen days after the identity of the natural person entitled to compensation has been established'; as stipulated by Regulation (EC) No 889/2002
- ▶ Updates through face to face meetings with family members in coordination with officials
- ▶ **Arrangements for a visit to the accident site**
- ▶ **Information provided to relatives prior to official releases**
- ▶ Commemoration of the accident generally with the construction of memorial(s)
- ▶ **Explanations provided prior to the publication of the final report**



*The actions described in bold in this section are under the responsibility of or in coordination with the SIA*

### WHAT YOU SHOULD ALSO KNOW

- ▶ **Media and social media** will spread a lot of partial information in the hours/days following the accident. A lot of so-called specialists will speculate on the causes of the accident in the following days. It will take more time for safety investigators to check and validate all the pieces of information to determine the precise facts and circumstances of the accident. Only the safety investigation authority will provide victims and relatives with validated information and explanations.
- ▶ Arrangements for a **visit to the accident site** by the relatives should be made with the safety investigation authority concerned and any other authorities responsible for victim recovery and identification. However, the accident site is not always accessible.



*Sharm el-Sheikh accident memorial (January 2004)*

- ▶ After an air accident, a separate judicial investigation is also generally instituted to define responsibilities. This process is independent from the investigation conducted by the SIA.







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## Leaflet on assistance to Air Accident Victims and their Relatives




### European Network of Civil Aviation Safety Investigation Authorities

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## A practical guide on safety investigations for Air Accident Victims and their Relatives

Leaflet 

Click the language button for available translations



The main objective of a safety investigation is the prevention of future accidents without apportioning blame or liability.

## Non-exhaustive list of air accident victim's associations

### Air

- 25 Years of EU Aviation
- Airports
- Aviation Safety Policy in Europe
- ENCASIA
  - ENCASIA activities
  - Member authorities
- Leaflet on assistance to Air Accident Victims and their Relatives
- Environment
- European unmanned aircraft systems (UAS)
- International Aviation
- SESAR
- Security
- Studies
- An aviation strategy for Europe
- Internal market
- High Level Groups
- Single European Sky

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## Non-exhaustive list of air accident victim's associations

Accident to flight SK686 on 8 October 2001 at Milan Linate, Italy  
**Italian association:** "Comitato 8 ottobre 2001, per non dimenticare"  
<http://www.comitato8ottobre.com/>  
**Scandinavian association:** "Skandinavisk förening för SK686, 8 oktober 2001":  
<http://www.sk686.org/>

Accident to flight JK5022 on 20 August 2008 at Madrid Barajas, Spain  
**Spanish association:** "Asociación de afectados del vuelo JK5022"  
<http://www.avjk5022.com/>

Accident to flight AF447 on 1 June 2009 in the Atlantic Ocean  
**German association:** HIOP AF447 e.V. ("Hinterbliebene der Opfer des Flugzeugabsturzes AF447")  
<http://www.hiop-af447.de/>  
**Brazilian association:** "ASSOCIAÇÃO DOS FAMILIARES DAS VÍTIMAS DO VOO AIR FRANCE 447 – AFVV447"  
<http://www.afvv447.org>  
**French association:** "Association AF447 entraide et solidarité"  
<http://www.association-af447.fr/>

Accident to flight ED202 on 28 July 2010 at Islamabad, Pakistan  
**Pakistani association:** Airblue Crash Affectees Group  
<http://www.acag.com.pk/>

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**Accident to flight MH370 on 8 March 2014 in the Southern Indian Ocean**  
**French association:** "MH370 France: le comité de soutien"  
<http://mh370france.com/>  
**International victims' association:** "The cry for truth: Voice 370"  
<https://www.facebook.com/MH370Families>

**Accident to flight MH17 on 17 July 2014 over Eastern Ukraine**  
**MH17 Aviation Disaster Foundation**  
<https://www.slachtofferhulp.nl/en/Corporate/Calamiteiten/IVC-Planecrash-Ukraine/MH17-Aviation-Disaster-Foundation-/>

**Accident to flight GWI9525 on 24 March 2015 in the French Alps**  
**Spanish association:** "Asociación de afectados del vuelo GWI 9525 en los Alpes"  
<http://www.asociaciongwi9525.org/>

**Other victims' associations (general purpose – not tied to specific accidents)**

**Brazil:** "Associação Brasileira de Parentes y Amigos de Vitimas de Accidentes Aereos"  
<http://www.abrapavaa.com.br/>

**France:** "Fédération nationale des Victimes d'Attentats et d'Accidents Collectifs"  
<http://www.fenvac.com/>

**Italy :** "Fondazione 8 ottobre 2001-not to forget"  
<http://www.fondazione8ottobre.com/>

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**France:** "Fédération nationale des Victimes d'Attentats et d'Accidents Collectifs"  
<http://www.fenvac.com/>

**Italy :** "Fondazione 8 ottobre 2001-not to forget"  
<http://www.fondazione8ottobre.com/>

**Multi-national: AIR CRASH VICTIMS' FAMILIES' FEDERATION INTERNATIONAL (ACVFFI), formed by AVJK5022 (Spain), ACAA/202 (Pakistan) and HIOP/447 (Germany)**  
<http://www.acvffi.com/>

**Multi-national: SOS Catastrophes: European Network Of Disaster Victims, formed by FENVAC (France), AVJK5022 (Spain) and "Comitato 8 ottobre 2001" (Italy)**  
<http://www.sos-catastrophes.eu/>

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