



**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

**SECOND MEETING OF THE  
ASIA PACIFIC REGIONAL AVIATION SAFETY TEAM –  
ACCIDENT INVESTIGATION AD HOC WORKING GROUP  
(APRAST – AIG AWG/2)**

**MACAO SAR, CHINA, 06 – 07 SEPTEMBER 2012**

**RECORD OF DISCUSSIONS AND CONCLUSIONS**

The views expressed in this Report should be taken as those of the  
APRAST – AIG AWG and not of ICAO.

Adopted by APRAST – AIG AWG and  
published by the ICAO Asia and Pacific Office



**Second Meeting of the Asia Pacific Regional Aviation Safety Team –  
Accident Investigation Ad hoc Working Group  
(APRAST – AIG AWG/2)**

**06 -07 September 2012  
Macao SAR, China**

**RECORD OF DISCUSSIONS AND CONCLUSIONS**

**1. Meeting and Attendance**

1.1 The APRAST – AIG AWG/2 Meeting was held at Macao Science Center, Macao, China from 6 – 7 September 2012.

1.1.1 The APRAST – AIG AWG/2 Meeting was attended by 54 participants from 17 Member States/Administrations i.e Australia , Bangladesh, China, Hong Kong China, Macao China, France, Indonesia, Italy, Japan, Lao PDR, Malaysia, Nepal , Pakistan , Papua New Guinea, Philippines, Republic of Korea, Singapore , Thailand and 5 International Organization/Industry Partners i.e. Airbus, Boeing, ICAO, COSCAP-SA, IFALPA.

**2. Opening Session**

2.1 Mr. Chan Wing Keong, Director, Air Accident Investigation Bureau of Singapore and Chairperson of the APRAST AIG AWG made the opening remarks.

2.2 Mr. Amal Hewawasam, Regional Officer Flight Safety, International Civil Aviation Organization (ICAO), Asia and Pacific delivered the welcome address.

**3. Introduction of Participants**

3.1 The Chairman requested the delegates to introduce themselves.

**4. Meeting Arrangements and Adoption of Agenda**

4.1 Meeting Arrangements

4.1.1 The meeting was chaired by Chairperson AIG AWG, Mr. Chan Wing Keong, Vice-Chairperson, Dr. Richard Batt.

4.1.2 Mr. Amal Hewawasam, ICAO Regional Officer Flight Safety acted as Secretary to the meeting.

4.2 Adoption of Agenda (WP/1) - Secretariat

4.2.1 The following agenda was proposed and adopted.

Agenda Item 1: Review of the decisions by the APRAST in respect of the conclusions of the APRAST-AIG AWG/1

Agenda Item 2: Review of information received from States/Administrations and industry partners in respect of the conclusions of the APRAST-AIG AWG/1

Agenda Item 3: Development of an Action Plan to improve the accident/incident investigation capability in the APAC region

Agenda Item 4: Other Business

**5. Agenda Item 1: Review of the decisions by APRAST in respect of the conclusions of APRAST-AIG AWG/1**

5.1 APRAST/2's comments on Conclusions of APRAST-AIG AWG/1 (WP/2) - Chairperson of APRAST-AIG AWG

5.1.1 The paper summarised, and the meeting noted, the comments of the Second Meeting of the APRAST.

5.2 Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (WP/9) - Singapore

5.2.1 The paper presented a draft Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation to promote mutual cooperation in accident/incident investigation within the Asia and Pacific Regions.

5.2.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/1**

that, the draft Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (**Attachment A**) be presented to the RASG-APAC.

5.3 Terms of Reference for the APAC-ACC (WP/10) - Singapore

5.3.1 The paper presented the draft terms of reference for the APAC Group of Experts on Accident/Incident Investigation proposed in Conclusion 1/11 of the Record of Discussions and Conclusions of the APRAST-AIG AWG/1.

5.3.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/2**

that, the draft terms of reference for the proposed Group of Experts on Accident/Incident Investigation (**Attachment B**) be presented to the RASG-APAC.

5.4 Amendment to Record of Discussions and Conclusions of the APRAST-AIG AWG/1 (WP/11) – Singapore

5.4.1 The paper proposed an amendment to Conclusion 1/6 in the Record of Discussions and Conclusions of the APRAST-AIG AWG/1, concerning the establishment of some form of independent organisation, by adding an explanatory note.

5.4.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/3**

that, the following footnote be added:

*“The establishment of an independent investigation system by a State/ Administration does not exclude States/Administrations from making use of external investigation experts or of the resource of a regional investigation organisation.”*

**6. Agenda Item 2: Review of information received from States/Administrations and industry partners in respect of the conclusions of APRAST-AIG AWG/1**

6.1 Results of Survey on Accident/Incident Investigation Related Matters (WP/3) - Singapore

6.1.1 Nine States/ Administrations responded to the survey on matters related to accident/incident investigation conducted by the ICAO APAC Office at the request of the APRAST-AIG AWG/1. The meeting noted the survey results.

6.1.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/4**

that, the ICAO APAC Office remind those States which have not completed the survey to do so.

**7. Agenda Item 3: Development of an Action Plan to improve the accident/incident investigation capability in the APAC region**

7.1 Respecting and Protecting Independence in Accident Investigation (WP/5) – Hong Kong, China

7.1.1 The paper presented Hong Kong China's approach to the handling of accident investigation from the legislative, operational and financial perspectives. The meeting noted the contents of the paper.

7.2 Training of Accident Investigators (WP/4) – Hong Kong, China

7.2.1 The paper highlighted the importance for an investigation unit to have a structured and systematic training programme for its investigators to enable them to discharge their duties effectively. The meeting noted the contents of the paper.

7.3 Implementation of an Independent Accident/Incident Investigation System (WP/12) - Singapore

7.3.1 The paper identified the types of assistance that can be organised in the APAC region for States/Administrations wishing to implement an independent accident/incident investigation system.

7.3.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/5**

that, the ICAO APAC Office request States/Administrations to indicate if they need any of the following types of assistance:

- (a) Advice on setting up of a new independent investigation agency/system
- (b) Audit to assess compliance with Annex 13
- (c) Review of investigation policies and procedures
- (d) Accident/incident investigation training
- (e) Attachment to other investigation agencies

7.4 Accident/Incident Investigation Training - Singapore (WP/6) – Singapore

7.4.1 The paper identified the types of training that can be organised in the APAC region for States/Administrations.

7.4.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/6**

that, the ICAO APAC Office request States/Administrations to indicate if they need any of the following types of training;

- (a) ICAO Annex 13 Requirements
- (b) Accident Investigation Fundamentals
- (c) Accident Site Safety
- (d) Human Factors
- (e) Flight Recorder Basics
- (f) Crisis Management/Handling the Media
- (g) ECCAIRS User Training
- (h) Workshops and Exercises

7.5 Regional CAIR System (WP/7) – Singapore

7.5.1 The paper discussed the practicalities and possible challenges, such as the legal framework, institutional matters and resource issues, to the establishment of a Regional Confidential Aviation Incident Reporting (CAIR) System.

7.5.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/7**

that, the RASG-APAC recommend that ICAO develop guidance material for the establishment of Regional Confidential Aviation Incident Reporting (CAIR) systems.

7.6 Establishment of Aircraft Accident Investigation Committee (AAIC) in Lao PDR (WP/8) – Lao PDR

7.6.1 The paper provided information on the establishment of AAIC in Lao PDR, its structure and key functions. The meeting noted the contents of the paper.

7.7 APRAST-AIG AWG's Action Plan (WP/13) – Singapore

7.7.1 The paper summarised action items for the APRAST-AIG AWG.

7.7.2 The meeting developed the following conclusion:

**Conclusion AIG AWG 2/8**

that, the RASG-APAC note the action plan of the APRAST-AIG AWG in **Attachment C**.

**8. Agenda Item 4: Other Business**

8.1 Mr Alain Guillardou shared with the meeting on the activities of the ECAC-ACC Group.

**9. Date and Venue for APRAST-AIG AWG/3**

9.1 The APRAST-AIG AWG/2 meeting decided to hold its third meeting in February/March 2013 in ICAO APAC Office.

**10. Adoption of Conclusions**

10.1 The APRAST-AIG AWG/2 meeting adopted the Conclusions and requested that they be presented to the RASG APAC.

**11. Closing of the Meeting**

11.1 The Chairperson thanked the meeting participants for their contributions.

-----



**Draft Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation**

**ASIA AND PACIFIC REGIONS**

**CODE OF CONDUCT ON COOPERATION RELATING TO  
CIVIL AVIATION ACCIDENT/INCIDENT INVESTIGATION**

The authorities responsible for the investigation of aircraft accidents and incidents in the States/Administrations of the Asia and Pacific Regions (APAC) (hereinafter referred to collectively as “the Participating Parties” or individually as “each Participating Party” or “the Participating Party”),

**MINDFUL** of the international nature of civil aviation and of aviation safety;

**HAVING** noted the importance for aviation safety of conducting appropriate technical investigations into aviation accidents and incidents;

**REAFFIRMING** the objective enshrined in Annex 13 to the Convention on International Civil Aviation (“the Chicago Convention”) that the sole objective of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and that it is not the purpose of the investigation activity to apportion blame or to provide a means of determining liability;

**COMMITTED** to enhancing the capabilities and professionalism of their respective aircraft investigators;

**DESIRING** to share expertise and experience relating to aircraft accident and incident investigation;

**RECOGNISING** their common interest in establishing a lasting framework for cooperation in the area of aircraft accident and incident investigation;

**SUSCRIBE** to the following provisions:

**ARTICLE I**

**Objective**

The Participating Parties, subject to the terms of this Code of Conduct and the laws, rules, regulations and national policies from time to time in force in each Participating Party, decide to strengthen, promote and develop co-operation to enhance aviation safety.

## ARTICLE II

### Areas of Cooperation

1. Each Participating Party will, subject to the laws, rules, regulations, procedure and national policies from time to time in force governing the subject matter in their respective countries, cooperate in aircraft accident and incident investigation, investigation training and sharing of information and expertise, consistent with the Standards and Recommended Practices, *Aircraft Accident and Incident Investigation*, contained in Annex 13 to the Chicago Convention (“Annex 13”). The areas of cooperation are as follows:

- (a) Each Participating Party will offer assistance and the use of air safety investigation manpower, facilities and equipment to the other Participating Parties as it deems appropriate and as resources permit. Such assistance may include expertise in the fields of air traffic services, engineering, operations, flight recorders, human performance and management organisation.
- (b) Each Participating Party may invite the other Participating Parties’ investigators to participate or assist in its accident investigation processes.
- (c) The Participating Parties will undertake appropriate steps, subject to the availability of resources, to positively answer all requests for participation or assistance from another Participating Party.
- (d) Each Participating Party will invite the other Participating Parties’ investigators to attend general and specialist investigation courses and undergo training courses which it conducts, where applicable and if suitable.
- (e) Each Participating Party will, to the extent permitted by its laws, regulations and the specific circumstances, facilitate the attachment of the other Participating Parties’ investigators as observers to its investigation of aircraft accidents and serious incidents, with a view to enhancing the other Participating Parties’ understanding of its investigation requirements and procedures. This will serve to develop effective cooperation between the Participating Parties in any investigation of aircraft accident or serious incidents it conducts pursuant to Annex 13 involving an aircraft of which the other Participating Parties are the State of Registry, State of the Operator, State of Design or State of Manufacture, as defined in Chapter 1 of Annex 13.
- (f) The Participating Parties will maintain regular contact with each other. Each Participating Party may organise visits to or meetings with another

Participating Party or other Participating Parties with the aim of exchanging experiences, skills and technical knowledge, and of identifying in advance, areas of possible assistance or cooperation, in particular the availability of specialised equipment, facilities and trained personnel.

- (g) Each Participating Party will, to the extent permitted by its laws and regulations, endeavour to share with the other Participating Parties relevant information about an investigation it is conducting in which the other Participating Parties have expressed an interest. This information, consistent with Annex 13, will not be released by the other Participating Parties without the express consent of the Participating Party conducting the investigation.

2. A Participating Party may also request another Participating Party for know-how and advice in the organisation of an investigation, drafting of the report, crisis management and communication.

3. The Participating Parties will, where possible and by mutual agreement, develop additional areas of cooperation, especially in areas corollary to those referred to in paragraph 1 of this Article.

### **ARTICLE III**

#### **Adherence to the Code of Conduct**

1. An authority responsible for the investigation of aircraft accidents and incidents in a State/Administration of the Asia and Pacific Regions (APAC) will apply to become a Participating Party to the Regional Aviation Safety Group - Asia and Pacific Regions (RASG-APAC).

2. A Participating Party may notify its intention to withdraw from this Code of Conduct by giving three months' notice in writing to the RASG-APAC. In the event of a withdrawal by a Participating Party, the Participating Parties will provide for the continuance of any arrangement entered into under this Code of Conduct but not fully performed prior to the withdrawal of that Participating Party.

### **ARTICLE IV**

#### **Confidentiality**

1. Each Participating Party will undertake to observe the confidentiality and secrecy of documents, information and other data received or supplied to the other Participating Party or Participating Parties during the period of the implementation of this

Code of Conduct or any other arrangements made pursuant to this Code of Conduct, as provided for in Article X of this Code of Conduct.

2. The Participating Parties decide that the provisions of this Article will continue to be binding between the Participating Parties, notwithstanding the termination of or withdrawal from this Code of Conduct.

## **ARTICLE V**

### **Non-liability**

1. Each Participating Party will ensure that it will not, under any circumstances, make any demands of, or any claims against, the other Participating Party or Participating Parties for any matter or matters arising or resulting from any assistance which the latter Participating Party or Participating Parties has or have rendered to it under this Code of Conduct.

2. The former Participating Party will also ensure that no liability will be borne by the latter Participating Party or Participating Parties, in the circumstances described in paragraph 1 above, for damages or consequential losses, direct or indirect, arising from any third-party claims against it.

## **ARTICLE VI**

### **Financial**

Unless otherwise decided, each Participating Party will bear its own cost for the implementation of the matters set out in this Code of Conduct.

## **ARTICLE VII**

### **Consultations**

In the spirit of solidarity and cooperation, Participating Parties will consult each other from time to time to ensure the implementation of this Code of Conduct.

## **ARTICLE VIII**

### **Suspension**

Each Participating Party reserves the right, for reasons of national security, national interest, public order or public health, to suspend temporarily, either in whole or in part, the implementation of this Code of Conduct, which suspension shall take effect immediately after notification has been given to the other Participating Parties as well as the RASG-APAC.

## **ARTICLE IX**

### **Revision, Modification and Amendment**

1. Any Participating Party may request in writing a revision, modification or amendment of all or any part of this Code of Conduct. Proposals for amendment shall in the first place be put forward and discussed during the meetings of the RASG-APAC.
2. Any revision, modification or amendment agreed to by the RASG-APAC will come into effect on such date as may be determined by the RASG-APAC.
3. Any revision, modification or amendment will not prejudice the rights and obligations arising from or based on this Code of Conduct before or up to the date of such revision, modification or amendment.

## **ARTICLE X**

### **Other Arrangements**

The Participating Parties may, pursuant to this Code of Conduct and by mutual agreement, enter into other arrangements relating to aircraft accident and incident investigation.

## **ARTICLE XI**

### **Settlement of disputes**

Any difference or dispute between the Participating Parties concerning the interpretation, implementation, and/or application of any of the provisions of this Code of Conduct will be settled amicably through mutual consultation or negotiations between the Participating Parties, without reference to any third party.

**Attachment B**

**Proposed Terms of Reference of the APAC-ACC (non-exhaustive list)**

- To assist States/Administrations in keeping abreast of developments in the area of accident/incident investigation
- To enhance the capabilities and professionalism of the accident/incident investigation bodies
- To promote the sharing of expertise, experience and information among accident/incident investigation bodies
- To develop and strengthen cooperation among between the accident/incident investigation bodies

APRAST – AIG AWG/2  
Record of Discussions and Conclusions

---

**Attachment C**

**Action plan of the APRAST-AIG AWG**

S/N	Item (Put this table in an attachment)	Tentative target date	Remarks
1	To propose a draft Code of Conduct on Cooperation Relating to Civil Aviation Accident/ Incident Investigation to RASG-APAC	Completed	Subject to RASG-APAC approval
2	To propose draft terms of reference for the APAC Group of Experts on Accident/ Incident Investigation to RASG-APAC	Completed	Subject to RASG-APAC approval
3	To organise expert teams to provide the following:  (a) Advice on setting up an independent investigation agency/ system (b) Audits to assess compliance with Annex 13 (c) Reviews of investigation policies and procedures (d) Attachments to other investigation agencies	As and when needed	Depending on the inputs to the ICAO APAC Office survey
4	To organise or source for the following training:  (a) ICAO Annex 13 Requirements (b) Accident Investigation Fundamentals (c) Accident Site Safety (d) Human Factors (e) Flight Recorder Basics (f) Crisis Management/ Handling the Media (g) ECCAIRS User Training (h) Workshops and Exercises	As and when needed	Depending on the inputs to the ICAO APAC Office survey