



Assistance to Victims of Aviation Accidents and Support to their Families Brazil's Experience

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- To present Brazil's and its Civil Aviation Authority's regulation of the matter and experience in verifying its compliance.



- Before the creation of ANAC – Brazil's Civil Aviation Authority
- The regulation – IAC 200-1001;
- History of the verification of the regulation's compliance ;
- The table top drill approach;
- Knowledge built – general impressions;
- Next steps.





Before ANAC

- October 1996 - passage of the Aviation Disaster Family Assistance Act - USA;
- December 1997 – passage of the Foreign Air Carrier Family Support Act - USA;
- 1997/98 – Brazil’s Civil Aviation regulatory body [Civil Aviation Department – DAC - of the Ministry of Aeronautics (air force)] begins discussing the issue;
- October 1998 – ICAO’ 32nd Assembly includes the discussion of the assistance to victims and victims’ families of aviation disasters. Results in Resolution A32-7;
- May 1999 – ICAO’s International Conference on Air Law recognizes the tragic consequences that result from Aviation disasters and acknowledges the victims’ families plead relative to the meeting of their immediate needs;



Before ANAC

- January 2000 – DAC publishes 2 regulations requiring providers of public air transportation services to keep records of boarded passengers in order to assure the reliability of the information needed to communicate with family members in case of an aviation disaster, and to develop plans to assist victims and support the victim's families, respectively;
- March 2002 and June 2003 – DAC publishes regulations requiring that air companies wanting to operate in Brazil had to present a plan to assist victims and support the victim's families, in case of aviation disasters, in order to be authorized to begin operations;
- July 2005 – DAC publishes current regulation on the assistance to victims and to their families;
- September 2005 – ANAC is created.



The Regulation – IAC 200-1001

- Published in July 2005;
- Inspired on ICAO's Circular nº 285 AN/166;
- Requires that providers of public air transportation services develop plans to assist victims and support the victim's families of disasters involving their aircrafts;
- Positive aspects:
 - Short (5 pages of orientations and recommendations. Total number of pages of the document - 11);
 - Objective – doesn't require much interpretation.
- Shortcomings:
 - Gives room to the understanding that the production and submission of a plan to the civil aviation authority equals being prepared to respond to an accident;
 - Doesn't include the provision of financial aid to survivors or to the victim's families other than what is already foreseen in the regulation that requires insurance on the part of the air carriers.

GOL flight 1907 - 2006



154 fatalities



Creation of the Association of Families and Friends of the Victims of Flight 1907 (Associação de Familiares e Amigos das Vítimas do voo 1907: <http://www.associacaovoo1907.com>)

TAM Flight 3054 - 2007

199 fatalities – 187 passengers
and crew, 12 people on the ground



Creation of the Association of Families and Friends of the Victims of Flight JJ3054 (Associação dos Familiares e Amigos das Vítimas do voo TAMJJ3054): <http://afavitam.blogspot.com.br/>

Air France Flight 447 - 2009

228 mortos



First time a team of Anac's inspectors specialized in the assistance to the victims' families was deployed to supervise the airline response.

Creation of the Association of Families of the Victims of Flight 447 (Associação dos Familiares das Vítimas do voo 447): <http://www.afvv447.org/>

NOAR Flight 4896 - 2011



16 fatalities



Anac's specialized inspectors supervised the assistance to the victims' families.

History of Verification of Compliance

➤ Until 2009 – verification of compliance of the regulation by air carriers through the analysis of their plans. The issue: were air companies really prepared to respond to an accident with fatalities?



➤ 2012 – beginning of a more hands-on approach to the verification of compliance. Planning of the 1st. audit with the simulation of an aviation disaster. Hypothesis: air companies exchange information and that kind of audit would trigger a positive domino effect.



History of Audits

➤ 2013 to 2018 – annual audits combining air carriers and airports:

➤ 2013 – Avianca x Congonhas (São Paulo's domestic Airport)



➤ 2014 – Azul x Viracopos



➤ 2015 – American Airlines x Guarulhos (São Paulo's international airport)



➤ 2016 – Copa Airlines x Galeão (Rio de Janeiro's international Airport)



➤ 2017 - TAP x Brasília



➤ 2018 – Passaredo x Ribeirão Preto (regional airport)



Table top drill

➤ Tests the theoretical ability of a group of people to respond seamlessly to an emergency situation without interruption or corruption of the system tested;



➤ A facilitator establishes the initial setting, the participants respond to the facilitator's propositions, the scenario evolves and changes as a consequence of the participants' actions and decisions or to random factors that may emerge from the latter or from other inputs from the facilitator;

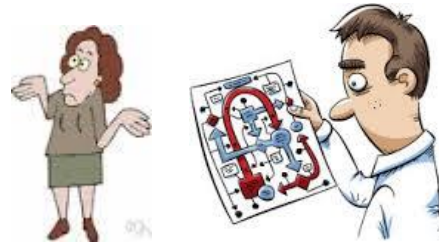


➤ Participants' focus is on communications and decision making processes as opposed to actual actions.



Knowledge built – general impressions

➤ From the plans submitted to the agency by the air companies and their performance in the audits it's not possible to conclude that they are prepared to respond to an accident with many fatalities.



➤ Foreign carriers that operate to and from Brazil are more concerned with the directives of their head offices than with the Brazilian regulations and are more dependent of centralized decisions.



Knowledge built – general impressions

- An air company's performance during an audit is better when:
 - The Assistance Plan is well developed and includes a combination of the following elements: summary, glossary, seamless logic, good text, flowcharts, organigrams etc.;
 - The company's culture values initiative and autonomy of decision makers (empowerment);
 - This aspect of its operations receives attention and resources;
 - The company's high echelon is committed to the issue;
 - Communication between air company's personnel and airport administrations of the bases from which the company operates is good.



- If a regulatory body asks for “paper” it will get “paper”.



➤ Publication and approval (in 2016) by ICAO of Working Paper 247

➤ Available at: https://www.icao.int/Meetings/a39/Documents/WP/wp_247_en.pdf

The Assembly is invited to consider the establishment of an official forum to share State members' experiences concerning family assistance regulations in order to further improve ICAO standards and recommended practices;

➤ Publication and approval (in 2016) by CLAC of Resolution A22-13

➤ Available (in Spanish) at:

<http://clacsec.lima.icao.int/Decisiones/Decisiones2016/Castellano/Cap04/RES/03ResA22-13.pdf>

The Assembly decides to recommend its State members to adopt in their national regulations the provisions relative to the Assistance of victims of air disasters and their families contained in ICAO's Docs 9972 and 9998 and the guidelines established in the Resolution.



Future and other issues

•Our experience has raised the following issues:

- To what extension does an air company relax, instead of continue to improve its state of preparedness, after being audited?

- Review of current regulation. Main drivers are:
 - » Demands from stakeholders: victims families' associations and air companies;
 - » Updated ICAO policy on the issue;
 - » Anac's own experience acquired through the audits.



I Forum on Regulation of the Assistance to Victims and their Families of Aeronautical Disasters

- Planning of the event began in 2014;
- Will happen this year on November, 23rd in São Paulo;
- Presentations by keynote speakers followed by Q&A by the agency and the audience, which will be composed by invited representatives of stakeholders (Victims Families' Associations, Air Companies, Airport Administrators, Unions, Service Providers, other Government bodies);
- The result of the debate is to be used to help review and update the regulation;
- Keynote speakers:
 - Elias Kontanis, NTSB;
 - Janet Benini, ex DOT;
 - Maria Helena Pereira Franco – humanitarian assistance

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